

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

Resolution No. 95 (EC)

As amended on the Floor.

Introduced by:

Tina Rose Muña Barnes

v. c. pangelinan

J. T. Won Pat

Frank F. Blas, Jr.

Ray Tenorio

Edward J.B. Calvo

James V. Espaldon

Mark Forbes

Judith Paulette Guthertz

Frank T. Ishizaki

J. A. Lujan

A. B. Palacios, Sr.

R. J. Respicio

David L.G. Shimizu

Relative to requesting that Guam's Delegate to Congress seek an amendment to include Guam in H.R. 972, the "Civilian Agent Orange Act of 2007," which seeks to provide compensation for those individuals who were employees of the Federal Government *or* contract employees of the Department of Defense during the Vietnam conflict, and suffered disability *or* death from exposure to Agent Orange, in the same manner as compensation is presently provided to veterans of military service who received exposure to the deadly herbicide; and to expressing the support of *I Mina'Bente Nuebi Na Liheslaturan Guåhan* for the purpose of H.R. 972.

1 **BE IT RESOLVED BY I MINA'BENTE NUEBI NA LIHESLATURAN**
2 **GUÅHAN:**

3 **WHEREAS**, existing Federal law provides for a presumption of
4 exposure to Agent Orange and compensation only for veterans who served in
5 Vietnam; and

6 **WHEREAS**, under Veterans Administration (VA) regulations, whenever
7 it can be established that a veteran has been exposed to certain herbicide
8 agents during military service, regardless of the place of exposure, the veteran
9 qualifies for a presumption of service connection for any disease that VA
10 recognizes as being associated with such exposure; and

11 **WHEREAS**, it has been established that several veterans who had been
12 stationed at Andersen Air Force Base (AAFB) in Guam during the Vietnam
13 era had been exposed to Agent Orange and these individuals were later
14 awarded full compensation for their illnesses; and

15 **WHEREAS**, among the rulings that have included veterans who had
16 been stationed in Guam is an October 25, 2005 ruling by Veterans Law Judge
17 Robert E. Sullivan, Board of Veterans Appeals, who granted benefits to a
18 veteran who had been stationed at AAFB for a service connection for diabetes
19 mellitus secondary to herbicide (Agent Orange) exposure; and

20 **WHEREAS**, in addition, the VA has also acknowledged the illness of
21 Air Force veteran Robert L. Burgett who was granted full benefits on March
22 17, 2007 for his exposure to Agent Orange while he was stationed at AAFB;
23 and

1 **WHEREAS**, existing Federal legislation provides compensation for
2 those in the military service who suffered disability *or* death because of
3 exposure to Agent Orange, but the law does not cover civilian employees,
4 some of whom have also been exposed; and

5 **WHEREAS**, H.R. 972, the “Civilian Agent Orange Act of 2007,” was
6 introduced in the 110th Congress on February 8, 2007, to address this omission
7 and proposes to provide compensation for those individuals who were
8 employees of the Federal Government *or* contractor employees of the
9 Department of Defense during the Vietnam conflict, and suffered disability *or*
10 death because of exposure to Agent Orange; and

11 **WHEREAS**, as written, H.R. 972 allows for compensation for exposed
12 civilian employees during the Vietnam conflict who were present in the
13 Republic of Vietnam during the period beginning January 9, 1962, and ending
14 on May 7, 1975, *or* in *or* near the Korean demilitarized zone during the period
15 beginning September 1, 1967, and ending on August 31, 1971, and Guam is *not*
16 included in the present language of the bill; and

17 **WHEREAS**, because it has already been determined that members of
18 the armed forces during the Vietnam era were exposed to Agent Orange while
19 stationed in Guam and they are being compensated for their disability *or*
20 death, it is only fair and just that the civilian employees of the Federal
21 Government physically present in Guam who were also exposed to Agent
22 Orange be included in H.R. 972 so that they can be compensated if there is a
23 service connection for illness *or* death due to herbicide (Agent Orange)
24 exposure; now, therefore, be it

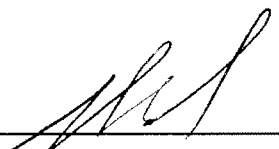
1 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guåhan* does
2 hereby, on behalf of the people of Guam, request that the Honorable
3 Madeleine Z. Bordallo, Guam's Delegate to Congress, seek an amendment for
4 H.R. 972, the "Civilian Agent Orange Act of 2007," to include Guam in this
5 Legislation that seeks to provide compensation for those individuals who
6 were employees of the Federal Government *or* contractor employees of the
7 Department of Defense in Guam during the Vietnam conflict, and suffered
8 disability *or* death from exposure to Agent Orange; and be it further

9 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guåhan* does
10 hereby, on behalf of the people of Guam, express its support for the purpose
11 of H.R. 972, which intends to correct an omission that may have seriously
12 affected the health and lives of thousands of Americans who supported our
13 government and troops as civilian workers; and be it further

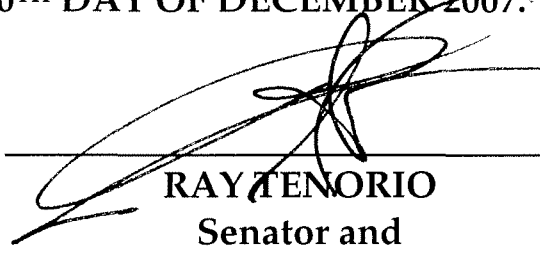
14 **RESOLVED**, that the Speaker certify, and the Secretary of the
15 Legislature attest to, the adoption hereof, and that copies of the same be
16 thereafter transmitted to the Honorable Congressman John Conyers, Jr. of
17 Michigan, Chairman, Committee on the Judiciary, United States House of
18 Representatives; to the Honorable Congressman Lamar S. Smith of Texas,
19 Ranking Member, Committee on the Judiciary, United States House of
20 Representatives; to the author of H.R. 972, the Honorable Congressman
21 Robert Wexler of Florida, United States House of Representatives; to the
22 Honorable George W. Bush, President of the United States of America; to the
23 Honorable Madeleine Z. Bordallo, Member of Congress, U. S. House of
24 Representatives; to the Secretary General of the United Nations; to the

- 1 President of the United Nations General Assembly; to the United Nations
- 2 Office of the High Commissioner for Human Rights; and to the Honorable
- 3 Felix P. Camacho, *I Maga'lahaen Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN* ON THE 20TH DAY OF DECEMBER 2007.



EDWARD J.B. CALVO
Acting Speaker



RAY TENORIO
Senator and
Secretary of the Legislature