
















I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Resolution No. **94** -35 (COR)

Introduced by:

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2019 APR -3 PM 2:52

Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation, and to further expressing the support of *I Mina'Trentai Singko Na Liheslaturan Guåhan* (the 35th^h Guam Legislature) for the passage of S. 947, “*The Radiation Exposure Compensation Act Amendments of 2019*,” introduced in the United States Congress on March 28, 2019, which would amend the “*Radiation Exposure Compensation Act*” to include Guam as a downwind area.

1 **BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I***
2 ***MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*:**

1 **WHEREAS**, the United States government conducted nuclear testing on a
2 number of sites in the Marshall Islands and a few other places in the Pacific Ocean
3 between the years of 1946 and 1962. These sites became known as the “Pacific
4 Proving Grounds.” On October 31, 1952 (GMT), Operation Ivy was conducted on
5 Elugelab Island (“Flora”) in the Enewetak Atoll, in which the first true thermonuclear
6 hydrogen bomb (a 10.4 megaton device), code named “Mike,” was detonated,
7 destroying the entire island and leaving behind a crater six thousand two hundred forty
8 (6,240) feet across and one hundred sixty-four (164) feet deep in its aftermath; and

9 **WHEREAS**, radioactive fallout occurs after a detonation of a nuclear bomb
10 where radioactive particles and earth debris, which comprise the mushroom cloud, are
11 released into the atmosphere and remain in the atmosphere for about twenty-four (24)
12 hours before descending back to earth. Before the descent back to earth, these
13 radioactive particles can be carried through jet-streams in the atmosphere to locations
14 over a thousand miles away from the actual test site and settle into the environment
15 causing multiple health and environmental problems; and

16 **WHEREAS**, Guam is located approximately one thousand two hundred (1,200)
17 miles directly west of the test sites. The radioactive dust particles traveled through the
18 westward flowing jet-streams from the Marshall Islands and settled on Guam. Ships
19 present in the Marshall Islands during the nuclear testing were decontaminated in
20 Guam harbors with acidic detergents, and the runoff from the operations went directly
21 into the local fishing and reef environments; and

22 **WHEREAS**, in the sworn testimony of retired U.S. Navy Lieutenant Charles
23 Bert Schreiber on the fallout of the first hydrogen bomb test, the detonation of Ivy
24 Mike, he states, “I was the Radiological Safety Officer for the Headquarters
25 Command Guam. On or about November 3, 1952, I was making my monthly check
26 sitting at the desk in that office that was about five (5) feet from the window screens

1 that covered the wall all the way down to about a couple of inches from the floor. I
2 took out the metal calibration rod (about as big as a normal soda straw and about six
3 (6) inches long) stored in the instrument that has a small radioactive source on its end.
4 I put the counter on the low setting (it has three (3); low, medium, and high) and was
5 ready to place the rod near the detection windows (two (2) of them), but the dial
6 needle was way over on the scale and the audible signal was clicking like mad, or
7 almost a continuous sound; sounds like constant static on a radio. My original thought
8 was that the counter was malfunctioning, but when I raised it up and put it nearer the
9 screen window, the dial needle swung even further over and the sound increased still
10 further. I then put it close to the screen near the floor and the needle went off the scale
11 (as far as it could swing right). I knew it was not the counter, but that there was some
12 radioactivity outside. I panicked. My first thought was that Guam had been subjected
13 to some radioactive dust attack”; and

14 **WHEREAS**, Guam’s local residents were never warned or informed by the
15 U.S. Navy of an increase in radioactivity; and

16 **WHEREAS**, on October 15, 1990, former President George H. Bush signed
17 into law H.R. 2372 (Public Law 101-426), relative to the “*Radiation Exposure*
18 *Compensation Act*” (RECA). The law covered those who were affected by nuclear
19 fallout during atmospheric testing in Nevada and the Marshall Islands. RECA
20 established the Radiation Exposure Compensation Program (RECP) with the Civil
21 Division of the U.S. Department of Justice to administer its responsibilities under the
22 Act; and

23 **WHEREAS**, on July 10, 2000, an amendment to RECA (Public Law 106-245)
24 broadened the scope of eligibility for benefit coverage to include new victim
25 categories, and to modify the eligibility criteria for compensation. The amendment set
26 forth to extend the time period for consideration and compensation, and to include

1 other individuals related to nuclear exposure, such as uranium miners, uranium
2 millers, ore transporters, and “downwinders”; and

3 **WHEREAS**, in order to address the issue of eligibility, the Board on Radiation
4 Effects Research (BRER) Committee invited Guam’s Mr. Robert N. Celestial and
5 Congresswoman Madeleine Z. Bordallo to give oral and written testimonies in 2004.
6 After completing both testimonies, an independent committee was convened. Their
7 conclusions are in the Radiation Exposure Screening and Education Program
8 (RESEP) Report 2005, and it states: “As a result of its analysis, the committee
9 concludes that Guam did receive measureable fallout from atmospheric testing of
10 nuclear weapons in the Pacific. Residents of Guam during that period should be
11 eligible for compensation under RECA in a way similar to that of persons considered
12 to be downwinders”; and

13 **WHEREAS**, the bill cited as the “*Radiation Exposure Compensation Act Amendments*
14 *of 2019*,” was introduced by Idaho Republican Senators Mike Crapo and Jim Risch,
15 and Democrat Senators Tom Udall and Martin Heinrich of New Mexico, Senator
16 Michael Bennet of Colorado and Senator Cory Booker of New Jersey. This is the
17 eight (8th) version of a RECA amendment bill introduced in the last twelve (12) years.
18 The original legislation covered twenty-one (21) counties in Arizona, Utah, and
19 Nevada. The bill would extend coverage to claimants throughout all of Arizona,
20 Colorado, Idaho, Montana, Nevada, New Mexico, and Utah; and Guam would be
21 included for the Pacific test sites. It would also increase RECA awards for
22 “downwinders” from Fifty Thousand Dollars (\$50,000) to One Hundred Fifty
23 Thousand Dollars (\$150,000), equal to what uranium workers and test-site participants
24 are eligible to receive; and the amendment to the Act will also extend the fund claims
25 for nineteen (19) more years as opposed to the originally stated twenty-two (22) years;
26 and

1 **WHEREAS**, *I Liheslaturan Guåhan* (the Guam Legislature) unequivocally
2 supports the proposed amendments to RECA, which would include Guam as a
3 downwind area; now therefore, be it

4 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Singko Na*
5 *Liheslaturan Guåhan* does hereby, on behalf of *I Liheslaturan Guåhan* and the people
6 of Guam *Guåhan*, seek compensation for cancer and other illnesses caused by
7 exposure to ionizing radiation; and does further express the support of *I Mina'trentai*
8 *Singko Na Liheslaturan Guåhan* for the passage of S. 947, “*The Radiation Exposure*
9 *Compensation Act Amendments of 2019*,” introduced in the United States Congress on
10 March 28, 2019, which would amend the “*Radiation Exposure Compensation Act*” to
11 include Guam as a downwind area; and be it further

12 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules
13 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of
14 the same be thereafter transmitted to the Honorable Donald J. Trump, President of the
15 United States of America; to the Honorable Chuck Grassley, President Pro Tempore,
16 U.S. Senate; to the Honorable Nancy Pelosi, Speaker, U.S. House of Representatives;
17 to the Honorable Johnny Isakson, Chairman, Committee on Veterans’ Affairs, U.S.
18 Senate; to the Honorable Jon Tester, Ranking Member, Committee on Veterans’
19 Affairs, U.S. Senate; to the Honorable James Inhofe, Chairperson, Committee on
20 Armed Services, U.S. Senate; to the Honorable Jack Reed, Ranking Member,
21 Committee on Armed Services, U.S. Senate; to the Honorable Mike Crapo, Member,
22 U.S. Senate; to the Honorable Tom Udall, Member, U.S. Senate; to the Honorable
23 James E. Risch, Member, U.S. Senate; to the Honorable Martin Heinrich, Member,
24 U.S. Senate; to the Honorable Michael F. Bennet, Member, U.S. Senate; to the
25 Honorable Lamar Alexander, Chairperson, Committee on Health, Education, Labor
26 and Pensions, U.S. Senate; to the Honorable Mark Takano, Chairman, Committee on

1 Veterans' Affairs, U.S. House of Representatives; to the Honorable Phil Roe, Ranking
2 Member, Committee on Veterans' Affairs, U.S. House of Representatives; to the
3 Honorable Adam Smith, Chairman, Armed Services Committee, U.S. House of
4 Representatives; to the Honorable Michael San Nicolas, Guam Delegate, U.S. House
5 of Representatives; to the Secretary of the Department of Veterans Affairs; to the
6 Secretary of the Department of the Interior; to Deputy Assistant Secretary for Insular
7 Affairs; to the Administrator of the Guam Office of Veterans Affairs; to the Guam
8 Veterans Commission; to the National Association of Atomic Veterans; to all the
9 State and Area Commanders of the National Association of Atomic Veterans; to Mr.
10 Robert N. Celestial, Pacific Association of Radiation Survivors President; to the
11 Guam Office of Veterans' Affairs; to Mr. Robert N. Celestial, President, Pacific
12 Association of Radiation Survivors; and to the Honorable Lourdes Leon Guerrero, *I*
13 *Maga'hågan Guåhan.*

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN ON THE 3rd DAY
OF APRIL 2019.**

TINA ROSE MUÑA-BARNES
Speaker

RÉGINE BISCOE LEE
Chairperson, Committee on Rules

AMANDA L. SHELTON
Legislative Secretary