

**I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN  
RESOLUTIONS**

| Resolution No.  | Sponsor  | Title   | Date Intro          | Date of Presentation | Date Adopted | Date Referred | Referred to | PUBLIC HEARING DATE  | DATE AUTHORS REPORT FILED                            | NOTES |
|---|--|---|---------------------|----------------------|--------------|---------------|-------------|----------------------|--|-------|
| 171-37 (LS)<br>As amended by the Author; and substituted and further amended on the Floor | Therese M. Terlaje<br>Sabina Flores Perez<br>Chris Barnett<br>Joanne Brown<br>Frank Blas, Jr.<br>Jesse A. Lujan<br>Tina Rose Muña Barnes<br>Amanda L. Shelton<br>Dwayne T.D. San Nicolas<br>Joe S. San Agustin<br>Telo T. Taitague<br>Christopher M. Dueñas<br>Thomas J. Fisher<br>William A. Parkinson<br>Roy A. B. Quinata | Relative to expressing the support of <i>I Mina'trentai Siette Na Liheslaturan Guåhan</i> (the 37th Guam Legislature) for the passage of measures by the U.S. Senate and the U.S. House of Representatives during the 118th Congress which would amend the " <i>Radiation Exposure Compensation Act</i> " to include the people of Guam as "downwinders" of U.S. Pacific nuclear test sites, extend the claims period, and improve compensation and benefits. | 8/7/23<br>4:27 p.m. |                      | 3/22/24      | 8/21/23       | Author      | 2/27/24<br>4:00 p.m. | 3/6/24<br>12:41 p.m.<br><br>As amended by the Author |       |

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2023 (FIRST) Regular Session**

**Resolution No. 171-37 (LS)**

As amended by the Author; and substituted  
and further amended on the Floor.

Introduced by:

Therese M. Terlaje  
Sabina Flores Perez  
Chris Barnett  
Joanne Brown  
Frank Blas, Jr.  
Jesse A. Lujan  
Tina Rose Muña Barnes  
Amanda L. Shelton  
Dwayne T.D. San Nicolas  
• Joe S. San Agustin  
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William A. Parkinson  
Roy A. B. Quinata

**Relative to expressing the support of *I Mina'trentai Siette Na Liheslaturan Guåhan* (the 37<sup>th</sup> Guam Legislature) for the passage of measures by the U.S. Senate and the U.S. House of Representatives during the 118<sup>th</sup> Congress which would amend the “*Radiation Exposure Compensation Act*” to include the people of Guam as “downwinders” of U.S. Pacific nuclear test sites, extend the claims period, and improve compensation and benefits.**

1           **BE IT RESOLVED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN***  
2 ***GUÅHAN*:**

3           **WHEREAS**, the United States government detonated sixty-seven (67) nuclear  
4 devices in the Bikini and *Enewetak* Atolls of the Republic of the Marshall Islands

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

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

16       **WHEREAS**, in a 2005 Assessment of the Scientific Information for the  
17 Radiation Exposure Screening and Education Program reported by the National  
18 Research Council on behalf of the Committee to Assess the Scientific Information for  
19 the Radiation Exposure Screening and Education Program and Board on Radiation  
20 Effects Research Division on Earth and Life Studies, it was confirmed that Guam “did  
21 receive radioactive debris from fallout during the nuclear-weapons testing in the Pacific  
22 Ocean” and was a harbor for the decontamination of ships present in the Marshall  
23 Islands during the nuclear testing; and

24       **WHEREAS**, in the sworn testimony of retired U.S. Navy Lieutenant Charles  
25 Bert Schreiber on the fallout of the first hydrogen bomb test, the detonation of Operation  
26 Ivy’s Mike, he states, “I was the Radiological Safety Officer for the Headquarters

1 Command Guam. On or about November 3, 1952, I was making my monthly check  
2 sitting at the desk in that office that was about five (5) feet from the window screens  
3 that covered the wall all the way down to about a couple of inches from the floor. I took  
4 out the metal calibration rod (about as big as a normal soda straw and about six (6)  
5 inches long) stored in the instrument that has a small radioactive source on its end. I put  
6 the counter on the low setting (it has three (3); low, medium, and high) and was ready  
7 to place the rod near the detection windows (two (2) of them), but the dial needle was  
8 way over on the scale and the audible signal was clicking like mad, or almost a  
9 continuous sound; sounds like constant static on a radio. My original thought was that  
10 the counter was malfunctioning, but when I raised it up and put it nearer the screen  
11 window, the dial needle swung even further over, and the sound increased still further.  
12 I then put it close to the screen near the floor and the needle went off the scale (as far  
13 as it could swing right). I knew it was not the counter, but that there was some  
14 radioactivity outside. I panicked. My first thought was that Guam had been subjected to  
15 some radioactive dust attack”; and

16 **WHEREAS**, Guam’s local residents were never warned or informed by the U.S.  
17 Navy of an increase in radioactivity, and documents with this information were  
18 classified until 1994; and

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

25 **WHEREAS**, on July 10, 2000, an amendment to RECA (U.S. Public Law 106-  
26 245) broadened the scope of eligibility for benefit coverage to include new victim

1 categories, and to modify the eligibility criteria for compensation. The amendment  
2 extended the time-period for consideration and compensation, and included other  
3 individuals who experienced radiation exposure, such as uranium miners, uranium  
4 millers, ore transporters, and “downwinders”; and

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

15 **WHEREAS**, the Guam Legislature supports extension of RECA coverage to  
16 claimants who were residents of Guam for at least one (1) year from 1946 to 1962 and  
17 diagnosed with a RECA covered illness as “downwinders” of U.S. Pacific nuclear test  
18 sites; an increase of RECA awards for “downwinders” from Fifty Thousand Dollars  
19 (\$50,000) to One Hundred Fifty Thousand Dollars (\$150,000); coverage for additional  
20 forms of cancer and medical benefits; and an extension of the fund claims period for  
21 nineteen (19) more years; and

22 **WHEREAS**, the cancer diagnoses eligible under RECA include leukemia,  
23 multiple myeloma, lymphoma (other than Hodgkin’s disease), and primary cancers of  
24 the thyroid, male or female breast, esophagus, stomach, pharynx, small intestine,  
25 pancreas, bile ducts, gallbladder, salivary gland, urinary bladder, brain, colon, ovary,  
26 liver (except if cirrhosis or hepatitis B is indicated), and lung; and


1           **WHEREAS**, incidence data reported from Guam to the Pacific Regional Central  
2 Cancer Registry between 2007 and 2018 shows that seven (7) of the top ten (10) adult  
3 cancers in Guam are compensable under RECA; now therefore, be it

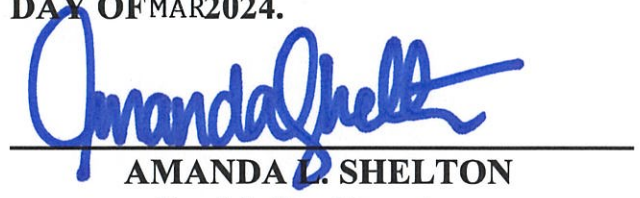
4           **RESOLVED**, that *I Mina'trentai Siette Na Liheslaturan Guåhan* (the 37<sup>th</sup> Guam  
5 Legislature) does hereby, on behalf of the people of Guam, express support for the  
6 passage of measures by the U.S. Senate and the U.S. House of Representatives during  
7 the 118<sup>th</sup> Congress which would amend the “*Radiation Exposure Compensation Act*” to  
8 include Guam as a “downwinder” of U.S. Pacific nuclear test sites, extend the fund  
9 claims period, improve compensation to One Hundred Fifty Thousand Dollars  
10 (\$150,000), and provide medical benefits; and does further support the extension of  
11 RECA coverage to those persons who were present in Guam for at least one (1) year  
12 from 1946 to 1962 and diagnosed with a RECA covered illness; and be it further

13           **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the  
14 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable  
15 Joseph R. Biden, President, United States of America; to the Honorable Kamala Harris,  
16 Vice President, United States of America; to the Honorable Patty Murray, President Pro  
17 Tempore, U.S. Senate; to the Honorable Ben Ray Luján, New Mexico Senator, U.S.  
18 Senate; to the Honorable Dick Durbin, Chairperson, U.S. Senate Committee on the  
19 Judiciary; to the Honorable Teresa Leger Fernández, New Mexico Representative, U.S.  
20 House of Representatives; to the Honorable Jim Jordan, Chairperson, U.S. House of  
21 Representatives Committee on the Judiciary; to the Honorable Virginia Foxx,  
22 Chairperson, U.S. House of Representatives Committee on Education and the  
23 Workforce; to the Honorable Cathy McMorris Rodgers, Chairperson, U.S. House of  
24 Representatives Committee on Energy and Commerce; to the Honorable Mike Johnson,  
25 Speaker, U.S. House of Representatives; to the Honorable Hakeem Jeffries, Democratic  
26 Leader, U.S. House of Representatives; to the Honorable Burgess Owens, U.S. House

1 of Representatives; to the Honorable Bob Good, Chairman of the House Freedom  
2 Caucus; to the Honorable James C. Moylan, Guam Delegate, U.S. House of  
3 Representatives; to the Secretary of the U.S. Department of the Interior; to the Deputy  
4 Assistant Secretary for Insular Affairs; to the U.S. Attorney General, Department of  
5 Justice; to Mr. Robert N. Celestial, President, Pacific Association of Radiation  
6 Survivors (PARS); and to the Honorable Lourdes A. Leon Guerrero, *I Maga'hågan*  
7 *Guåhan*.

**DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* ON THE 22 DAY OF MAR 2024.**

  
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**THERESE M. TERLAJE**  
Speaker

  
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**AMANDA L. SHELTON**  
Legislative Secretary