



OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
 Chairperson of the Committee
 On Culture and Justice

I Mina'trentai Kuattro na Lihelaturan Guahan
 34th Guam Legislature

April 10, 2017

The Honorable Benjamin J.F. Cruz
 Speaker
I Mina'trentai Kuattro na Lihelaturan Guahan
 34th Guam Legislature
 Guam Congress Building, 163 Chalan Santo Papa
 Hagatña, Guam 96910

VIA: The Honorable Michael F.Q. San Nicolas
 Chairperson, Committee on Rules

RE: Committee Report on Resolution No. 39-34 (COR)

Dear Speaker Cruz:

Transmitted herewith is the **Committee Report on Resolution No. 39-34 (COR), As Introduced** - "Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of *I Mina'trentai Kuattro na Lihelaturan Guahan* for S. 197, introduced in the US Congress on January 24, 2017, which would amend the Radiation Exposure Compensation Act to include Guam as a downwind area."

Committee votes are as follows:

<u>8</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Si Yu'os Ma'ase',



Therese M. Terlaje

COMMITTEE REPORT ON

Resolution No. 39-34 (COR) As Introduced

“Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of *I Mina'trentai Kuåttro na Liheslaturan Guåhan* for S. 197, introduced in the US Congress on January 24, 2017, which would amend the Radiation Exposure Compensation Act to include Guam as a downwind area.”



OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuáttro na Liheslaturan Guåhan
34th Guam Legislature

April 10, 2017

MEMORANDUM

To: All Members
34th Guam Legislature

From: Vice Speaker Therese M. Terlaje 
Author

Subject: Committee Report on Resolution No. 39-34 (COR)

Transmitted herewith for your consideration is the Committee Report on Resolution No. 39-34 (COR) – As Introduced – “Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of I Mina'trentai Kuáttro na Liheslaturan Guåhan for S. 197, introduced in the US Congress on January 24, 2017, which would amend the Radiation Exposure Compensation Act to include Guam as a downwind area.”

This report includes the following:

- Copy of COR Referral of Res. No. 39-34 (COR)
- Copy of COR Pre-Referral Checklist on Res. No. 39-34 (COR)
- Copy of Res. No. 39-34 (COR)
- Notices of Public Hearing
- Public Hearing Sign-in Sheet
- Copy of the Public Hearing Agenda
- Copies of Submitted Testimony & Supporting Documents
- Related News Reports
- Committee Report Digest
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
RESOLUTION STATUS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED
39-34 (COR)	Therese M. Terlaje B.J.F. Cruz Thomas C. Ada Dennis G. Rodriguez, Jr. FRANK B. AGLON Michael F.O. San Nicolas Telena C. Nelson Joe S. San Agustin Régine Biscoe Lee	RELATIVE TO SEEKING COMPENSATION FOR CANCER AND OTHER ILLNESSES CAUSED BY EXPOSURE TO IONIZING RADIATION AND TO EXPRESSING THE SUPPORT OF I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN (THE 34TH GUAM LEGISLATURE) FOR S. 197, THE RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2017, INTRODUCED IN THE UNITED STATES CONGRESS ON JANUARY 24, 2017, WHICH WOULD AMEND THE RADIATION EXPOSURE COMPENSATION ACT TO INCLUDE GUAM AS A DOWNWIND AREA.	02/22/17 1:32 p.m.			2/23/2017	The Author		



COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman*

I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



MEMO

To: **Ms. Rennae Meno**
Clerk of the Legislature

Attorney Julian Aguon
Legislative Legal Counsel

From: **Senator Michael F.Q. San Nicolas**
Chairman of the Committee on Rules

Date: **February 23, 2017**

Re: **Referral of Resolution No. 39-34 (COR)**

Buenas yan Háfa adai.

As per my authority as Chairman of the Committee on Rules, I am forwarding the referral of **Resolution No. 39-34 (COR)**.

Please ensure that the subject resolution is referred, in my name, to **Vice Speaker Therese M. Terlaje, author of Resolution No. 39-34 (COR)**.

If you have any questions or concerns, please feel free to contact Christian Valencia, Committee on Rules Director, at 472-6453.

Thank you for your attention to this important matter.

Respectfully,


Senator Michael F.Q. San Nicolas
Chairman of the Committee on Rules



I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2017 (FIRST) Regular Session

Resolution No. 34 -34 (COR)

Introduced by:

Therese M. Terlaje
B.J.F. Cruz
Thomas C. Ada
Dennis G. Rodriguez, Jr.
FRANK B. AGUON, JR.
Michael F.Q. San Nicolas
Telena Cruz Nelson
Joe S. San Agustin
Régine Biscoe Lee

2017 FEB 22 PM 1:32
CPO

**RELATIVE TO SEEKING COMPENSATION FOR
CANCER AND OTHER ILLNESSES CAUSED BY
EXPOSURE TO IONIZING RADIATION AND TO
EXPRESSING THE SUPPORT OF *I MINA'TRENTAI
KUÁTTRO NA LIHESLATURAN GUÁHAN* (THE 34TH
GUAM LEGISLATURE) FOR S. 197, THE *RADIATION
EXPOSURE COMPENSATION ACT AMENDMENTS OF
2017*, INTRODUCED IN THE UNITED STATES
CONGRESS ON JANUARY 24, 2017, 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 KUÁTTRO NA LIHESLATURAN GUÁHAN*:**

3 **WHEREAS, the United States government conducted nuclear testing on a**
4 **number of sites in the Marshall Islands and a few other places in the Pacific Ocean**

1 between the years of 1946 and 1962. These sites became known as the "Pacific
2 Proving Grounds". On October 31, 1952 (GMT) Operation Ivy was conducted on
3 Elugelab Island ("Flora") in the Enewetak Atoll, in which the first true thermonuclear
4 hydrogen bomb (a 10.4 megaton device) code named Mike was detonated, destroying
5 the entire island leaving behind a 6240 foot across and 164 foot deep crater in its
6 aftermath; and

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

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

20 **WHEREAS**, in the sworn testimony of retired U.S. Navy Lieutenant Charles
21 Bert Schreiber on the fallout of the first hydrogen bomb test, the detonation of Ivy
22 Mike, he states, "I was the Radiological Safety Officer for the Headquarters
23 Command Guam. On or about November 3, 1952, I was making my monthly check
24 sitting at the desk in that office that was about five (5) feet from the window screens
25 that covered the wall all the way down to about a couple of inches from the floor. I
26 took out the metal calibration rod (about as big as a normal soda straw and about six

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

12 **WHEREAS**, the local population was never warned or informed by the Navy
13 of an increase in radioactivity; and

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

21 **WHEREAS**, on July 10, 2000, an amendment to RECA (Public Law 106-245)
22 broadened the scope of eligibility for benefit coverage to include new victim
23 categories, and to modify the eligibility criteria for compensation. The amendment set
24 forth to extend the time period for consideration and compensation, and to include
25 other individuals related to nuclear exposure, such as uranium miners, uranium
26 millers, ore transporters, and “downwinders”; and

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

11 **WHEREAS**, the bill, cited as the “Radiation Exposure Compensation Act
12 Amendments of 2017”, was introduced by Idaho Republican Sens. Mike Crapo and
13 Jim Risch, and Democrats Tom Udall and Martin Heinrich of New Mexico and
14 Michael Bennet of Colorado. This is the seventh (7th) version of a RECA amendment
15 bill introduced in the last ten (10) years. The original legislation covered twenty-one
16 (21) counties in Arizona, Utah and Nevada. The bill would extend coverage to
17 claimants throughout all of Arizona, Colorado, Idaho, Montana, Nevada, New
18 Mexico, and Utah; Guam would be included for the Pacific test sites. It would also
19 increase RECA awards for “downwinders” from fifty-thousand (\$50,000) dollars to
20 one hundred fifty thousand (\$150,000) dollars, equal to what uranium workers and
21 test-site participants are eligible to receive; and

22 **WHEREAS**, the amendment to the Act will extend the fund claims for nineteen
23 (19) more years as opposed to the originally stated twenty-two (22) years; and

24 **WHEREAS**, the Guam Legislature unequivocally supports the proposed
25 amendments to RECA, which would include Guam as a downwind area; now,
26 therefore, be it

1 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Kuåttro Na*
2 *Lihe slaturan Guåhan* does hereby, on behalf of *I Lihe slaturan Guåhan* and the people
3 of Guam, seek compensation for cancer and other illnesses caused by exposure to
4 ionizing radiation and to expressing the support of *I Mina'trentai Kuåttro Na*
5 *Lihe slaturan Guåhan* (the 34th Guam Legislature) for S. 197, the *Radiation Exposure*
6 *Compensation Act Amendments of 2017*, introduced in the United States Congress on
7 January 24, 2017, which would amend the Radiation Exposure Compensation Act to
8 include Guam as a downwind area; and be it further

9 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules
10 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of
11 the same be thereafter transmitted to the Honorable Donald J. Trump, President of the
12 United States of America; to the Honorable Orrin Hatch, President Pro Tempore, U.S.
13 Senate; to the Honorable Paul Ryan, Speaker, U.S. House of Representatives; to the
14 Honorable David Roe, Chairman, Committee on Veterans' Affairs, U.S. House of
15 Representatives; to the Honorable Timothy Walz, Ranking Member, Committee on
16 Veterans' Affairs, U.S. House of Representatives; to the Honorable Mac Thornberry,
17 Chairman, Armed Services Committee, U.S. House of Representatives; to the
18 Honorable Johnny Isakson, Chairman, Committee on Veterans' Affairs, U.S. Senate;
19 to the Honorable Jon Tester, Ranking Member, Committee on Veterans' Affairs, U.S.
20 Senate; to the Honorable John McCain, Chairperson, Committee on Armed Services,
21 U.S. Senate; to the Honorable Jack Reed, Ranking Member, Committee on Armed
22 Services, U.S. Senate; to the Honorable Senator Mike Crapo; to the Honorable
23 Senator Tom Udall; to the Honorable Senator James Risch; to the Honorable Senator
24 Martin Heinrich; to the Honorable Senator Michael Bennet; to the Honorable
25 Madeleine Z. Bordallo, Member of Congress, U.S. House of Representatives; to the
26 Secretary of the Department of Veterans Affairs; to the Secretary of the Department of

1 the Interior; to Deputy Assistant Secretary for Insular Affairs; to the Administrator of
2 the Guam Office of Veterans Affairs; to the Guam Veterans Commission; to Mr. Fred
3 Schafer, Managing Director National Commander, National Association of Atomic
4 Veterans; to Mr. Bob Kilthau, Hawaii State Commander, National Association of
5 Atomic Veterans; to all the State and Area Commanders of the National Association
6 of Atomic Veterans; to Mr. Robert N. Celestial, Pacific Association of Radiation
7 Survivors President; to the Guam Office of Veterans' Affairs; and to the Honorable
8 Edward J.B. Calvo, *I Maga'lahaen Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN ON THE ____
DAY OF MONTH YEAR.**

BENJAMIN J.F. CRUZ
Speaker

MICHAEL F.Q. SAN NICOLAS
Chairperson, Committee on Rules

RÉGINE BISCOE LEE
Legislative Secretary

FIRST Notice for Public Hearing - Tuesday, March 14, 2017 at 5:30 PM

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Tue, Mar 7, 2017 at 2:20 PM

To: phnotice@guamlegislature.org

Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>, parsguamdownwinders@gmail.com, Benjamin JF Cruz <senator@senatorbjcruz.com>, Sarah Elmore <sarah.elmore@senatorbjcruz.com>

Håfa adai,

Please see pasted below and attached public hearing notice from Vice Speaker Therese M. Terlaje.

Should you have any questions, please contact our office.

Thank you,

Nicole Santos

March 7, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje
Chairperson, Committee on Culture and Justice

Subject: FIRST NOTICE of Public Hearing - Tuesday, March 14, 2017 at 5:30 PM

Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Tuesday, March 14, 2017, beginning at 5:30 PM in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following items:

Resolution No. 39-34 (COR) – Introduced by: Therese M. Terlaje / B.J.F. Cruz / Thomas C. Ada / Dennis G. Rodriguez, Jr. / FRANK B. AGUON / Michael F.Q. San Nicolas / Telen C. Nelson / Joe S. San Agustin / Régine Biscoe Lee

RELATIVE TO SEEKING COMPENSATION FOR CANCER AND OTHER ILLNESSES CAUSED BY EXPOSURE TO IONIZING RADIATION AND TO EXPRESSING THE SUPPORT OF I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN (THE 34TH GUAM LEGISLATURE) FOR S. 197, THE RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2017, INTRODUCED IN THE UNITED STATES CONGRESS ON JANUARY 24, 2017, WHICH WOULD AMEND THE RADIATION EXPOSURE COMPENSATION ACT TO INCLUDE GUAM AS A DOWNWIND AREA.

Bill No. 10-34 (COR) - Introduced by: B. J.F. Cruz

AN ACT TO AMEND § 26603(e) OF ARTICLE 6, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE WITHDRAWAL OR TRANSFER OF CASH OR FUNDS FROM THE GUAM CANCER TRUST FUND FOR ANY NON-PRESCRIBED PURPOSE, AND TO MAKING SUCH ACT A MISDEMEANOR.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guåhan's* live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Vice Speaker Therese M. Terlaje, 163 Chalan Santo Papa, at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

We look forward to your attendance and participation.

Si Yu'os Ma'åse'!

—
The Office of Vice Speaker Therese M. Terlaje
Committee on Culture and Justice
I Mina'trentai Kuáttro na Liheslaturan Guåhan
34th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 472-3589

senatorterlajeguam@gmail.com

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**OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice**

*I Mina'trentai Kuattro na Liheslaturan Guahan
34th Guam Legislature*

March 7, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje 
Chairperson, Committee on Culture and Justice

Subject: FIRST NOTICE of Public Hearing - Tuesday, March 14, 2017 at 5:30 PM

Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Tuesday, March 14, 2017, beginning at 5:30 PM in *I Liheslaturan Guahan's* Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following items:

Resolution No. 39-34 (COR) – Introduced by: Therese M. Terlaje / B.J.F. Cruz / Thomas C. Ada / Dennis G. Rodriguez, Jr. / FRANK B. AGUON / Michael F.Q. San Nicolas / Telena C. Nelson / Joe S. San Agustin / Régine Biscoe Lee

RELATIVE TO SEEKING COMPENSATION FOR CANCER AND OTHER ILLNESSES CAUSED BY EXPOSURE TO IONIZING RADIATION AND TO EXPRESSING THE SUPPORT OF I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUAHAN (THE 34TH GUAM LEGISLATURE) FOR S. 197, THE RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2017, INTRODUCED IN THE UNITED STATES CONGRESS ON JANUARY 24, 2017, WHICH WOULD AMEND THE RADIATION EXPOSURE COMPENSATION ACT TO INCLUDE GUAM AS A DOWNWIND AREA.

Bill No. 10-34 (COR) - Introduced by: B. J.F. Cruz

AN ACT TO AMEND § 26603(e) OF ARTICLE 6, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE WITHDRAWAL OR TRANSFER OF CASH OR FUNDS FROM THE GUAM CANCER TRUST FUND FOR ANY NON-PRESCRIBED PURPOSE, AND TO MAKING SUCH ACT A MISDEMEANOR.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guahan's* live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Vice Speaker Therese M. Terlaje, 163 Chalan Santo Papa, at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

We look forward to your attendance and participation.

Si Yu'os Ma'åse'!



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

SECOND Notice for Public Hearing - Tuesday, March 14, 2017 at 5:30 PM

2 messages

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Fri, Mar 10, 2017 at 12:00 PM

To: phnotice@guamlegislature.org

Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>, parsguamdownwinders@gmail.com, Benjamin JF Cruz <senator@senatorbjcruz.com>, Sarah Elmore <sarah.elmore@senatorbjcruz.com>

Håfa adai,

Please see pasted below and attached public hearing notice from Vice Speaker Therese M. Terlaje.

Should you have any questions, please contact our office.

Thank you,

Nicole Santos

March 10, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje

Chairperson, Committee on Culture and Justice

Subject: SECOND NOTICE of Public Hearing - Tuesday, March 14, 2017 at 5:30 PM

Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Tuesday, March 14, 2017, beginning at 5:30 PM in / *Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following items:

Resolution No. 39-34 (COR) – Introduced by: Therese M. Terlaje / B.J.F. Cruz / Thomas C. Ada / Dennis G. Rodriguez, Jr. / FRANK B. AGUON / Michael F.Q. San Nicolas / Telena C. Nelson / Joe S. San Agustin / Régine Biscoe Lee

RELATIVE TO SEEKING COMPENSATION FOR CANCER AND OTHER ILLNESSES CAUSED BY EXPOSURE TO IONIZING RADIATION AND TO EXPRESSING THE SUPPORT OF I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN (THE 34TH GUAM LEGISLATURE) FOR S. 197, THE RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2017, INTRODUCED IN THE UNITED STATES CONGRESS ON JANUARY 24, 2017, WHICH WOULD AMEND THE RADIATION EXPOSURE COMPENSATION ACT TO INCLUDE GUAM AS A DOWNWIND AREA.

Bill No. 10-34 (COR) - Introduced by: B. J.F. Cruz

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We look forward to your attendance and participation.

Si Yu'os Ma'åse!

--

The Office of Vice Speaker Therese M. Terlaje
Committee on Culture and Justice
I Mina'trentai Kuattro na Liheslaturan Guåhan
34th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 472-3589

senatorterlajeguam@gmail.com

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Senator Therese Terlaje <senatorterlajeguam@gmail.com>
To: Jocelyn de Guia <jocedg@gmail.com>

Tue, Mar 14, 2017 at 8:17 AM

--

The Office of Vice Speaker Therese M. Terlaje

Committee on Culture and Justice
I Mina'trentai Kuáttro na Liheslaturan Guåhan
34th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 472-3589

senatorterlajeguam@gmail.com

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**OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice**

*I Mina'trentai Kuåtto na Liheslaturan Guåhan
34th Guam Legislature*

March 10, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje *TMS*
Chairperson, Committee on Culture and Justice

Subject: SECOND NOTICE of Public Hearing - Tuesday, March 14, 2017 at 5:30 PM

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Bill No. 10-34 (COR) - Introduced by: B. J.F. Cruz

AN ACT TO AMEND § 26603(e) OF ARTICLE 6, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE WITHDRAWAL OR TRANSFER OF CASH OR FUNDS FROM THE GUAM CANCER TRUST FUND FOR ANY NON-PRESCRIBED PURPOSE, AND TO MAKING SUCH ACT A MISDEMEANOR.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guåhan's* live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Vice Speaker Therese M. Terlaje, 163 Chalan Santo Papa, at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

We look forward to your attendance and participation.

Si Yu'os Ma'åse'!

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 | F: (671) 472-3589 | Email: senatorterlajeguam@gmail.com
www.senatorterlaje.com

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ylee2@guam.gannett.com
yourvoice.guam@gmail.com

Pacific Daily News Tuesday, March 14, 2017

Character, not a name is what r



DEAR ANNIE

Dear Annie: Ever since I was a young girl, I've known exactly what I want to name my future children. Wedding plans, career goals, possible boyfriends, even where I'd want to live — none

do want to have a family eventually. Family is important to both of us, and we are lucky to have good relationships with my small nearby family and Keith's family of two brothers and three stepsisters, all of whom live across the country. Keith's eldest brother and sister-in-law are expecting a boy, and they just told us that they are thinking of naming him ... "John."

wouldn't want to be seen as copying them if I were to have a son of my own. What can I do? — What's in a Name?

Dear WIAN: Get out the book of baby names and start perusing the millions of other choices available to you. I guarantee you'll find one that you like even better. And at the end of the day, there's nothing in a person's name more im-

perhaps der for no need her hus forceme persona course, arrange ing situ been se Dear

date. Please call 680-3677 3426 or email piccah@triton.uog.edu no later than March 24.

Medicare Part B open enrollment: The Department of Public Health and Social Services (DPHSS), in partnership with the Social Security Administration, Guam District Office, would like to inform the community that Medicare Part B's General Enrollment Period (GEP) runs to March 31. For more information call or visit the Social Security Administration at 633-9500/ Suite 155 of the A.B. Won Pat Cargo Facility in Tiyan. You may also visit the Centers for Medicare & Medicaid Services (CMS) website at www.medicare.gov or call the Guam Medicare Assistance Program, within the Division of Senior Citizens (DSC), DPHSS, at 735-7415/ 21.

MARCH

(Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, 96910) to discuss **Resolution No. 39-34 (COR)** relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation, and **Bill No. 10-34 (COR)** relative to prohibiting the withdrawal of transfer of cash or funds from the Guam Cancer Trust Fund for any non-prescribed purpose. The public is invited to attend and provide comments on the proposed resolution and bill. For more information, contact the Office of Vice Speaker Therese M. Terlaje at (671) 472-3586 or senatorterlajeguam@gmail.com.

ONGOING

Art show: The Guam Council of the Arts and Humanities Agency will present a dual exhibit by Yeon Sook Park and Chul Wan

ON THE FRIDGE

Continued from Page 14

Center, Mercy Heights, Perezville, Tamuning, featuring former Guam resident, Fusion Company dancer, and son of Benny and Denise Crawford, Christian Crawford. \$20 general admission. Tickets sold at Fusion Dance Center, Faith Bookstore, Harvest Christian Academy and Island Twisters. For more information, call Denise Crawford at 727-8689.

TODAY

Public hearing: The Guam Legislature's Committee on Culture and Justice will convene a public hearing at 5:30 p.m. March 14 in I Liheslaturan Guåhan's Public Hearing Room

PLUMERIA BINGO
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	\$80

MANAGEMENT RESERVES THE RIGHT TO ALTER OR CANCEL

GOVERNMENT MEETINGS

Continued from Page 21

senatorterlaje-guam@gmail.com.

» The Civil Service Commission board will have a meeting at 5:45 p.m. March 21 in their conference room located in Suite 6A, 777 Route 4, Sinajana. For information or special accommodation, contact Lou Sablan at 648-3002.

March 14

» The Guam Legislature's Committee on Culture and Justice will convene a Public Hearing at 5:30 p.m. March 14 in I Liheslaturan Guåhan's Public Hearing Room (Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, 96910) to discuss Resolution No. 39-34 (COR) and Bill No. 10-34 (COR). For special accommodations, contact the Office of Vice Speaker Terrese M. Terlaje at (671) 472-3586 or by sending an email to senatorterlaje-guam@gmail.com.

March 15

» The Consolidated Commission on Utilities will hold a work session at 11:30 a.m. March 15 at the CCU Conference Room, 3rd Floor, Gloria B. Nelson Public Service Building, Route 15, Mangilao. For special accommodations, contact Lou Sablan at 648-3002.

» The Guam Ancestral Lands Commission board meeting will be held at 2 p.m. March 15 at the Department

Slafva Zaitsev presents creations in Russia



Week in Moscow on March 12.



A model presents a creation by Russian designer Slava Zaitsev during the Mercedes-Benz Fashion Week in Moscow on March 12.

AFP/GETTY IMAGES Russian designer Slava

Monday, March 13, 2017
Pacific Daily News
guampdn.com

George W.

MITCH ALBOM

I must admit, a decade ago, I did not think that George W. Bush would teach us something about wisdom. Bush, at the time, was in his seventh year as president. His patriotic glow from 9/11 was waning. His approval ratings were in the low 30s. He was under fire from the media, from Democrats, from business people and from average citizens, frustrated by a sinking economy and weary, as Americans tend to get, of the perceived idiosyncrasies of a second-term POTUS.

In Bush's case, it was a lack of high-brow insight, a willingness to let Vice President Dick Cheney handle things, and a fun of your accent, your language, your intelligence — and getting big laughs for it.

Ferrell even managed to create a one-man play called "You're Welcome America: A Final Night with George W. Bush." It sold out on Broadway, was shown on HBO and was turned into a DVD.

You'd think the real Bush would be upset.

Instead, here was the former president on late-night TV, making the rounds this month for a new book of portraits he'd painted. The fact that George W. Bush took up painting after leaving the White House, a hobby he'd never tried before, and got very good at it, should tip the hand that many of us underestimated him.

But when ABC's Jimmy Kimmel asked Bush if he ever got upset about Ferrell's jabbing imitation, he quickly said,

For pre-er. hun whe self. K to th li W genty to D earth pinin about simp laugh Tr trait not w watch of roll he fir ing im less, h they a And

Couple disagree



DEAR ANNIE

Dear Annie: After a series of, let's just say, not-so-nice relationships, my best friend and old college roomie set me up with a girl from his hometown named "Stephanie." I've never believed in love at first sight, but this was pretty close. We hit it off and have a ton in common. A year and a half later and we're engaged. I'm excited to make Stephanie my wife.

We decided to go to a pre-marriage retreat through our church. During the retreat the leaders ask

small family having a big from a larg that I got en always wan — two at th deal breake

— Apprec

Dear A can determ sonal deall different you're at having m you and right in th having th matically!

GOVERNMENT MEETINGS

March 14

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» The Guam Ancestral Lands Commission board meeting will be held at 2 p.m. March 15 at the Department of Land Management conference room, 3rd floor of the ITC Building, 590 S. Marine

modations, contact 649-5263 ext. 432.

March 16

» The Guam Parole board will have a regular meeting at 9 a.m. March 16 at 1 Paseo De Susana (Paseo Stadium), Hagåtña. For more information or special accommodations, call the Parole Office at 735-4133/34.

» The Consolidated Commission on Utilities will hold a work session at 11:30 a.m. March 16 at the CCT Conference Room, 3rd Floor, Gloria B. Nelson Public Service Building, Route 15, Mangilao. For special accommodations, contact Lou Sablan at 648-3002.

» The Chamorro Land Trust Commission board meeting will be held at 1 p.m. March 16 at the Department of Land Management conference room, 3rd floor of the ITC Building, 590 S. Marine Corps Drive, Tamuning. For special accommodations, contact Lou Sablan at 649-5263 ext. 617.

» The Guam Parole Review board will have a regular meeting at 9 a.m. March 16 at 1 Paseo De Susana (Pas

Prickly City



Watch Guam's sunsets for signs of s

PAM EASTLICK
FOR PDN

Although the changing seasons don't mean much to us here in the tropics, this month the season will definitely change. March always contains the first day of spring in the northern hemisphere and that occurs for us on March 20.

The first day of spring is called the vernal equinox. Vernal is from the Latin word *vernus*, which means "of the spring," and equinox is a Latin word that means "equal night." You see the

that tilt also affects the day length. When the southern hemisphere is tilted away from the sun for instance, there is no day at all at the south pole, it's always dark.

In winter, around the time when the tilt is most pronounced, most of the northern United States has days that are less than eight hours long but at the height of sum-

utes long.

On the equinoxes in March and September, when nobody is tilted toward or away from the sun, the day length everywhere should

be 12 hours and the night length should also be 12 hours. But all things time wise are a little different in the tropics.

On March 20, the sun should rise,

p.m. So enjoy your square days this weekend. You can learn something interesting, however by watching the sun rise or set on the first day of spring, and I'll tell you all about it next week.

Don't forget to have a look at Venus this week because she's rapidly disappearing from our western sky. Mars is that bright red star about a fist-width and a half above her, but don't take that measurement as a given. You'll be astounded at how fast Venus is taking the plunge toward the western ocean. And if you're looking for

look to cooper an old Yes bowl (though of the the no is acti of the tion (Bear. front the le and hi right whole above see th



ON THE FRIDGE

Send your submissions for "On the Fridge" to life@guampdn.com. Include: who, what, where, when and how much — as well as a point of contact for more information.

NEW LISTINGS

Farmers Cooperative board election: The Farmers Cooperative Association of Guam, Inc. held a membership drive from Jan. 1 to March 2 to establish its membership roster for election of board officers. The FCAG, Inc. board of directors election will be held from 5 to 8 p.m. April 11 at FCAG, Inc. Facility, 144 West Santa Monica Avenue, Dededo. Only qualified FCAG, Inc. members will be allowed to vote. For more information, call 989-3276 or email fcaguam@gmail.com.

TODAY

USN Ship Repair Facility reunion: SRF Guam will be having their reunion at 2 p.m. March 12 at the Tutujan Park (Triangle Park), Agana Heights. Former Civil Service em-

tend and will have an opportunity to meet with SRF Officials, who will be conducting interviews relative to Hazardous Waste Contamination that may have affected SRF employees. For more information, call Tom Flores at 472-8335/486-8337 or Agana Heights Mayor's Office at 472-8285/6.

ONGOING

Art show: The Guam Council of the Arts and Humanities Agency will present a dual exhibit by Yeon Sook Park and Chul Wan Kim from March 3 to 31 at its gallery in Hagåtña. The CAHA gallery is located on the first floor of the Terlaje Professional Building at 194 Hernan Cortez Avenue. For inquiries, call Mark Duenas/Yeon Sook Park at 300-1204 to 08/988-3302.

Families sought: The University of Guam School of Nursing and Health Sciences is seeking participants for the Pacific Islands Cohort on Cardiometabolic Health study. Eligible participants are children born on Guam between Jan. 1, 2010 and Dec. 31, 2014 and their parents

given to individuals selected to participate. Please call 686-3697/3426 or email picah@triton.uog.edu no later than March 24.

MARCH

Public hearing: The Guam Legislature's Committee on Culture and Justice will convene a Public Hearing at 5:30 p.m. March 14 in I. Liheslaturan Gudhari's Public Hearing Room (Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, 96910) to discuss Resolution No. 39-34 (COR) relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation, and Bill No. 10-34 (COR) relative to prohibiting the withdrawal of transfer of cash or funds from the Guam Cancer Trust Fund for any non-prescribed purpose. The public is invited to attend and provide comments on the proposed resolution and bill. For more information, contact the Office of Vice Speaker Therese M. Terlaje at (671) 472-3586 or senatorterlaje-guam@gmail.com.

Bye Bye Birdie musical: Guam High School is proud to pre-

sentation of *Bye Bye Birdie*. *Bye Bye Birdie* is a joying satire of the 1960s, small-town America, teenagers, and rock and roll. Featuring a tuneful high-energy score and a hilarious script, *Bye Bye Birdie* continues to thrill a wide variety of audiences. Show times are 6 p.m. March 17, noon and 6 p.m. March 18. Open to the public (with a valid picture ID). Tickets are available at Guam High School and from any cast member for \$10 each. To reserve your tickets, call 344-7362. For more information, email rumina.sotomil@pac.dodea.edu.

Women's Art exhibit: Soroptimist International of Guam, Guam Council of Women's Clubs, Guam Council on the Arts & Humanities Agency, Department of Chamorro Affairs and Isla Center for the Arts will be holding the 12th Annual Women's Art Exhibit in honor of Women's History Month at the regular business hours Monday through Sunday from March 17 to 25 at the Infiniti Art Gallery, Nissan Showroom, Upper Tumon. Opening reception will be at 6:30 p.m. March

more information contact Mark Duenas or Sherrie Barcinas at 300-1204/8.

Yard sale: Big Brothers/Big Sisters of Guam yard sale from 7 a.m. to noon March 18 at the Peter Mark Cruz Youth Center, Yona (next to St. Francis

Remembering

Juan A. Ca

Familian Des

on his First A

We invite our relatives join us in prayer as anniversary of o

Mass of Intention offered Friday, March 10th to Sa Our Lady of the Waters

On the March Annive Dr after resid Dr.



Sudden breakup is hard to



DEAR ANNIE

Dear Annie: I was dating a woman for about two years, and recently, out of nowhere, she told me that she wanted to break up with me. I've been thinking

or should I move on and forget her? — Heartbroken
Dear Heartbroken: I'm so sorry you're hurting. Breakups are never easy, and it can be especially frustrating when you're not getting straight answers, because you feel that if you just knew why, you could either fix it or at

you is actually a gain because you can make space for someone who does want to be with you.

Dear Annie: A friend and I are planning a high tea for a group of friends. We plan for it to be formal and have three courses. Would it be OK and proper to tell the ladies, in their invitations, that accommodations, contact Brenda Atalig at 300-7262.

ready to put her house sale and debating whether to try moving in with her friend or to move closer to her daughter (who is away). Her girlfriend said he's content with his beer, pack of smokes and alone time. You advised to give him an ultimatum about moving in together and wanted to spend time with her. Plus, men respond poorly to ultimatum she could save herself a headache of rejection not trying that.

Once she puts her

March 14

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March 16

» The Guam Parole board will have a regular meeting at 9 a.m. March 16 at 1 Paseo De Susana (Paseo Stadium), Hagåtña. For more information or special accommodations, call the Parole Office at 735-4133/34.

» The Guam Pardon Review board will have a regular meeting at 3 p.m. March 16 at 1 Paseo De Susana (Paseo Stadium), Hagåtña. For more information or special accommodations, call the Parole Office at 735-4133/34.

» The University of Guam board of regents regular meeting will be held at 5:30 p.m. March 16 in AV Room no. 1 of the RFK Library in the Tan Siu Lin Building. A working session will be held prior to the regular meeting at 4:30 p.m. at the President's Conference Room on the 2nd floor of the Jesus S. and Eugenia A. Leon Guerrero Building. For more

information or special accommodations, contact the ADA coordinator at 735-2244 or (TTY) 735-2243.

March 23

» The Guam Board of Accountancy will meet at 4 p.m. March 23 at 335 South Marine Corps Drive, Suite 101, Tamuning. Individuals requiring special accommodations please call 647-0813.

March 24

» The Government of Guam Retirement Fund board of trustees regular meeting is scheduled at noon March 24 in the Retirement Fund Conference Room, 424 Route 8, Maite. Agenda will be made available prior to the meeting. For special accommodations, contact the board of trustees' office at 475-8900-1.

March 28

» The Guam Board of Registration for Professional Engineers, Architects and Land Surveyors (PEALS) meeting is scheduled at 3 p.m. March 28 in the Board's conference room, located in the East West Business Center Unit D Suite 208 Upper Tumon. For special accommodations, please call 646-3113/5 or 646-3138.

» The Guam Regional Transit Authority board meeting will be at 4 p.m. March 28 at the GRTA office, Department of Public Works compound, Marine Corps Drive, Tamuning. For more information call Klopfenburg Enterprises Inc. at

March 30

» The Guam Parole Board will have a regular meeting at 9 a.m. March 30 at 1 Paseo De Susana (Paseo Stadium), Hagåtña. For more information or special accommodations, call the Parole Office at 735-4133/34.

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Submissions

Government Meetings are published on a space-available basis as a public service to the community. Send government meeting notices to life@guampdn.com.

OBITUARY

EDWIN DALLAS OWEN

Edwin Dallas Owen known as "Edu," of Torigada, died March 6 age of 55.

Mass of Intention is offered at 6 p.m. Monday, Wednesday, Friday, day, 5:30 a.m. Thursday, 9:30 a.m. Sunday at Immaculate Heart of Mary Church in Toto.

Last respects from 9 to 11:30 a.m. March 11 at Immaculate Heart

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--	--

MANAGEMENT RESERVES THE RIGHT TO ALTER OR CANCEL ANY

Co-worker's lack of hygiene spreads office germs



DEAR ANNIE

Dear Annie: We have an "open office" format, so during cold and flu season, we're pretty much always passing around something or other. My co-worker "Dana" keeps getting sick with colds, the flu, sinus infections, etc., and I've noticed that Dana seems to be patient zero for the rest of us. She comes in with the sniffles, and a week later, we're all drooping like flies.

Another thing I've noticed is that she doesn't wash her hands after using the restroom at work. I've also seen her sneeze into her hands. She uses hand sanitizer at her desk, but I don't see how that can get rid of all

the germs properly. I'm so grossed out. I want to say something to her, but I don't want to sound judgmental. Is there any tactful way to encourage her to be more hygienic and more careful about not spreading germs? Or should I just start wearing surgical masks? I'd appreciate some help here.

—Sanitizing My Desk

Dear Sanitizing: There are some solutions short of wearing a hazmat suit to work. For one, talk to someone in your human resources department. If people are constantly out sick, it's no good for your employer's bottom line. The company should promote workplace cleanliness and employee health, perhaps by sending out a companywide memo with tips on how not to spread illness. If Dana keeps up her germ-factory ways, I do not think it would be

out of line for you to talk to her privately. Perhaps lead in by giving her the benefit of the doubt. Say, for example, "I've noticed you often use hand sanitizer at your desk. I didn't know this myself until recently, but that doesn't actually eliminate a lot of the germs." Though you really shouldn't have to tell her how to properly wash her hands, it wouldn't hurt to mention that she should use clean running water and lather, scrub and rinse her hands thoroughly. With any luck, you'll be able to wash your hands of this situation.

Dear Annie: "Slapped in the Face" wrote to you about how her husband had wanted her to meet his new sweetie. You told her that he must be "miserable" to try to bring her down that way, because "the happier a person is the more he or she wants others to be happy."

He isn't necessarily "miserable." He's probably just egotistical, self-centered and clueless. My ex wanted me and the children to congratulate him on the wonderful new life he was going to have and was actually surprised and angry when we didn't. Though "Slapped" won't believe it yet, she's the one who will have the wonderful new life she can't imagine now. She's learning something valuable about herself. Meanwhile, he's going to make the same old mistakes because he won't have to learn.

—Burlington, Vt.

Dear Burlington: Congratulations on the fact that your louse of an ex is no longer in your life. "Slapped" is indeed better off, too.

Send your questions for Annie Lane to dearannie@creators.com.

ON THE FRIDGE

Send your submissions for "On the Fridge" to life@guampdn.com. Include: who, what, where, when and how much -- as well as a point of contact for more information.

NEW LISTINGS

Public hearing: The Guam Legislature's Com-

mittee on Culture and Justice will convene a Public Hearing at 5:30 p.m. March 14 in *Liheslaturan Guahan's* Public Hearing Room (Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, 96910) to discuss Resolution No. 39-34 (COR) relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation, and Bill No. 10-34 (COR) relative to prohibiting the withdrawal

of cash or funds from the Guam Cancer Trust Fund for any non-prescribed purpose. The public is invited to attend and provide comments on the proposed resolution and bill. For more information, contact the Office of Vice Speaker Therese M. Terlaje at (671) 472-3586 or terlaje@guam@gmail.com.

Malesso festival: The Merizo Mayor and his Merizo Municipal Planning Council in conjunction with the Guam Visitors Bureau will be hosting the 9th Annual Malesso Gupot Chamorro/ Crab Festival on March 24, 25 and 26 at the Malesso Veteran Sons and Daughters Pier Park Ground. For more information, contact the Merizo Mayor's Office at 828-8312/828-2941.

BodyTalk classes: BodyTalk is a holistic health care system that promotes emotional, physical and psy-

chological health. The system, developed in the 1990's by Dr. John Veltheim, an Australian chiropractor and acupuncturist, is grounded in the belief that living organisms can heal themselves. Two introductory classes on six techniques designed for care of self and others will be held from 6 to 9 p.m. April 20 and 21. Fundamentals, a four-day class designed to

See FRIDGE, Page 33

GOVERNMENT MEETINGS

New Listings

» The Guam Legislature's Committee on Culture and Justice will convene a Public Hearing at 5:30 p.m. March 14 in *I Liheslaturan Gudhan's* Public Hearing Room (Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, 96910) to discuss **Resolution No. 39-34 (COR)** and **Bill No. 10-34 (COR)**. For special accommodations, contact the Office of Vice Speaker Theresese M. Terlaje at (671) 472-3586 or by sending an email to senatorterlaje-guam@gmail.com.

» The University of Guam board of regents regular meeting will be held at 5:30 p.m. March 16 in AV Room no. 1 of the RFK Library in the Tan Siu Lin Building. A working session will be held prior to the regular meeting at 4:30 p.m. at the President's Conference Room on the 2nd floor of the Jesus S. and Eugenia A. Leon Guerrero Building. For special accommodations, contact the ADA coordinator at 735-2244 or (TTY) 735-2243.

» The Government of Guam Retirement Fund board of trustees regular meeting is scheduled at noon March 24 in the Retirement Fund Conference Room, 424 Route 8, Maite. Agenda will be made available prior to the meeting. For special accommodations, contact the board of trustees' office at 475-8900-1.

March 9

» The Guam Visitors Bureau will hold a regular meeting of the board of directors at 3:30 p.m. March 9 in GVB's main conference room. For special accommodations, contact GVB at 646-5278.

March 10

» The Guam Community College board of trustees monthly meeting is scheduled at noon March 10 in the President's Conference Room, Building 2000, GCC Campus. For information or special accommodations, contact 735-5597.

March 16

» The Guam Parole board will have a regular meeting at 9 a.m. March 16 at 1 Paseo De Susana (Paseo Stadium), Hagåtña. For more information or special accommodations, call the Parole Office at 735-4133/34.

» The Guam Pardon Review board will have a regular meeting at 3 p.m. March 16 at 1 Paseo De Susana (Paseo Stadium), Hagåtña. For more information or special accommodations, call the Parole Office at 735-4133/34.

Submissions

Government Meetings are published on a space-available basis as a public service to the community. Send government meeting notices to life@guampdn.com.

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Bill to increase legal smoking age may pass

SHAWN RAYMUNDO
SR.RAYMUNDO@GUAMPDN.COM

RICK CRUZPON
Legislative Speaker Benjamin J. Cruz discusses Bill 9 on the floor during session held on Wednesday. The measure, introduced by Cruz, proposes to raise the minimum legal age to access tobacco products and electronic cigarettes from 18 to 21.

A bill that aims to raise the legal smoking age from 18 to 21 may pass in the Guam Legislature this week. Several lawmakers spoke favorably about the measure during session Wednesday morning.

enough was enough. ... I do support now the initiative to move forward with raising the legal age to smoking to 21." Espaldon was one of six senators last term to vote against the measure, along with Sen. Dennis Rodriguez Jr. and former Sens. Tony Ada, Frank Blas Jr., Brant



I Mina'trentai Kuáttro na Liheslaturan Guáhan 34th Guam Legislature

Office of the Vice Speaker
Therese M. Terlaje
Committee On Culture and Justice

Inekunqok Pubbleko (Public Hearing)
Gi Máttes, gi díña 14 gi Mátso, 2017 (Tuesday - March 14, 2017)
Media Ora para Alas Sais gi Pipuengi (5:30 p.m.)

Kuáttro Inekunqok Pubbleko gi Liheslaturan Guáhan, gi iya Hagátría (Guam Legislature Public Hearing Room, Guam Congress Building, Hagátría)

TARENA (AGENDA)

Resolution No. 39-34 (COR) - Therese M. Terlaje/ B.J.F. Cruz/ Thomas C. Adee/ Dennis G. Rodriguez, Jr./ FRANK B. AGUION/ Michael F.O. San Nicolas/ Terlena C. Nelson/ Joe S. San Agustini/ Régine Biscoe Lee
Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of I Mina'trentai Kuáttro na Liheslaturan Guáhan (the 34th Guam Legislature) for S. 197, the radiation exposure compensation act amendments of 2017, introduced in the United States congress on January 24, 2017, which would amend the Radiation Exposure Compensation Act to include Guam as a downwind area.

Bill No. 10-34 (COR) - As introduced by: B. J.F. Cruz
An act to amend § 26603(e) of Article 6, Chapter 26, Title 11, Guam Code Annotated, relative to prohibiting the withdrawal or transfer of cash or funds from the Guam Cancer Trust Fund for any non-prescribed purpose, and to making such act a misdemeanor.

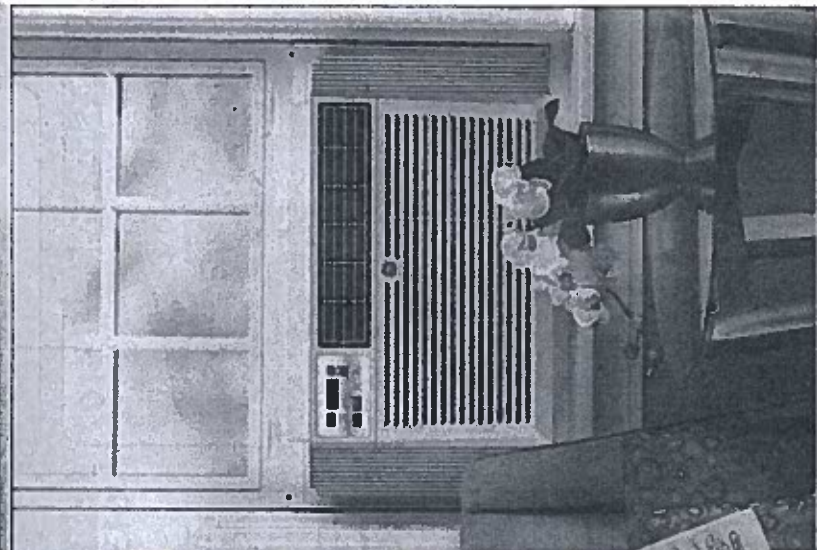
If you require any special accommodations, auxiliary aids, or other special services, or for further information, please call the Office of Vice Speaker Therese M. Terlaje at 472-3586. For copies of any or the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at the Guam Congress Building at 163 Chalan Sarao Papea in Hagátría or at the Protocol Office of the Guam Congress Building, via fax at 472-3585, or via email at senatorterajeguam@gmail.com.

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Submitted release posted on Stripes Guam

Sakahira.Jun <Sakahira.Jun@stripes.com>

Fri, Mar 10, 2017 at 3:07 PM

To: "senatorterlajeguam@gmail.com" <senatorterlajeguam@gmail.com>

Cc: "Carlson, Chris" <carlson.chris@stripes.com>, "Saito, Koji" <saito.koji@stripes.com>

Senator Terlaje,

Greetings from Tokyo, Japan. How do you do? I'm Jun Sakahira, web editor at Stars and Stripes Pacific. I'm in a team that handles Stripes' community papers/websites for the Pacific Region: Japan, Okinawa, Guam, and Korea.

I would like to let you know that press release about seeking justice for residents exposed to radiation from nuclear testing has been posted on Stripes Guam's "News" page. Please follow the links below:

<http://guam.stripes.com/news>

<http://guam.stripes.com/news/senator-terlaje-seeks-justice-guam-residents-exposed-radiation-nuclear-testing-pacific#sthash.mCjBzasM.dpbs>

Please let us know if you have questions. Thank you very much for submission and have a great weekend.

V/r,

Jun Sakahira

Web Editor

Stars and Stripes Pacific
Publishing and Media Design

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Senator Terlaje seeks justice for Guam residents exposed to radiation from nuclear testing in the Pacific

News



Senator Terlaje seeks justice for Guam residents exposed to radiation from nuclear testing in the Pacific

by: Office of the Vice Speaker, Therese M. Terlaje, Committee on Culture and Justice | .

published: March 10, 2017

FOR IMMEDIATE NEWS RELEASE (March 10, 2017 – Hagåtña) – Senator Therese M. Terlaje (D-Yona) introduced Resolution No. 39-34 (COR) which seeks compensation for cancer and other illnesses caused by exposure to ionizing radiation through the inclusion of Guam residents in U.S. Congress bill S. 197, the “Radiation Exposure Compensation Act (RECA) Amendments of 2017.”

“The RECA program, which is already established and funded, can be a resource that provides justice and compensation for the people of Guam who are suffering from cancer and other illnesses. It is important that Guam be included as one of the covered areas under this proposed legislation in the U.S. Congress. We introduced our Resolution No. 39-34 to express our support of S. 197 and the inclusion of Guam. I am really hoping that anyone who was on Guam between 1946 and 1962 or has family from that time will come down to the public hearing so we can show Congress that there are many who are affected and very interested in this issue,” stated Terlaje.

In 1990, RECA established lump sum compensation for individuals who contracted specific diseases at atmospheric nuclear weapons test sites and individuals who lived downwind from the test sites. If the RECA Amendments bill is passed by U.S. Congress, Guam residents would be eligible to receive compensation due to its close proximity downwind from the atmospheric nuclear weapons tests conducted in the Marshall Islands from 1946 to 1952.

RECA does not require individuals who file a claim to prove that the cancer or illness was the result of the radiation exposure. To qualify for compensation, an individual only needs to prove that they lived on Guam sometime between June 30, 1946 and August 19, 1958, or from April 25, 1962 to November 5, 1962 and have a diagnosis of leukemia (other than chronic lymphocytic leukemia), multiple myeloma, lymphomas (other than Hodgkin’s disease), or primary cancer of the thyroid, male or female breast, esophagus, stomach, pharynx, small intestine, pancreas, bile ducts, gall bladder, salivary gland, urinary bladder, brain, colon, ovary, or liver (except if cirrhosis or hepatitis B is indicated), or lung. The compensation amount would be \$150,000 per eligible individual or survivor of an eligible individual.

A Public Hearing regarding Resolution No. 39-34 (COR) is scheduled for 5:30 p.m. on March 14 in *I Liheslaturan Guåhan’s* Public Hearing Room (Guam Congress Building, Hagåtña).

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I Mina'trentai Kuáttro na Liheslaturan Guåhan

34th Guam Legislature

**OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice**

Public Hearing

Tuesday, March 14, 2017

5:30 p.m.

AGENDA

- I. Resolution No. 39-34 (COR)-- Introduced by: Therese M. Terlaje / B.J.F. Cruz / Thomas C. Ada / Dennis G. Rodriguez, Jr. / FRANK B. AGUON / Michael F.Q. San Nicolas / Telená C. Nelson / Joe S. San Agustin / Régine Biscoe Lee.
RELATIVE TO SEEKING COMPENSATION FOR CANCER AND OTHER ILLNESSES CAUSED BY EXPOSURE TO IONIZING RADIATION AND TO EXPRESSING THE SUPPORT OF I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÅHAN (THE 34TH GUAM LEGISLATURE) FOR S. 197, THE RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2017, INTRODUCED IN THE UNITED STATES CONGRESS ON JANUARY 24, 2017, WHICH WOULD AMEND THE RADIATION EXPOSURE COMPENSATION ACT TO INCLUDE GUAM AS A DOWNWIND AREA.

- II. Bill No. 10-34 (COR)--Introduced by: B. J.F. Cruz.
AN ACT TO AMEND § 26603(e) OF ARTICLE 6, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE WITHDRAWAL OR TRANSFER OF CASH OR FUNDS FROM THE GUAM CANCER TRUST FUND FOR ANY NON-PRESCRIBED PURPOSE, AND TO MAKING SUCH ACT A MISDEMEANOR.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guåhan's* live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorterlaje@guam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Vice Speaker Therese M. Terlaje, 163 Chalan Santo Papa, at (671) 472-3586 or by sending an email to senatorterlaje@guam@gmail.com.



I Mina'trentai Kuáttro na Liheslaturan Guáhan
Office of the Vice Speaker
Senator Therese M. Terlaje
 Committee On Culture and Justice

Date:
Resolution No.:

Tuesday, March 14, 2017
39-34 (COR)

Time: 5:30 PM

PUBLIC HEARING
SIGN UP SHEET

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Robert M. Celestina	DEPERO	6887277		✓	✓	✓	
2	MaryAnn Taitague	Talofofo	789-3760				✓	
3	Proacta Bisdones	Yona	789-9641			✓	✓	
4	Connie Sayama	Jigo	489-2882		✓		✓	
5	Tanya Simer		7479937				✓	
6	Emiliani Blas	Tamuning	466-0311				✓	
7	SERENE PECHA	YONJA	489-0096					
8	PETER E. BLAZ	BARRIGADA	734-9254				✓	
9								
10								
11								
12								



I Mina'trentai Kuáttro na Liheslaturan Guáhan
Office of the Vice Speaker
Senator Therese M. Terlaje
 Committee On Culture and Justice

Date:
Resolution No.:

Tuesday, March 14, 2017
39-34 (COR)

Time: 5:30 PM

PUBLIC HEARING
SIGN UP SHEET

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	mikaílasonvilola	P.O. BOX 11908 Higo, GU GU 96930	988-24-98	mikaílasonvilola@gmail.com	✓		✓	
2	Abu ROSE	SMF Box 24295	747-3542		✓		✓	
3	Lourdes T. Flora	P.O. Box 1139 Higo, Guam 96902	655-2601				✓	
4	Carmelita Cepeda	P.O. Box 1139 Higo, Guam 96902	989-6552601				✓	
5	Jesse Cepeda	"	"				✓	
6								
7								
8								
9								
10								
11								
12								



I Mina'trentai Kuáttro na Liheslaturan Guáhan
 Office of the Vice Speaker
 Senator Therese M. Terlaje
 Committee On Culture and Justice

Date:
 Resolution No.:

Tuesday, March 14, 2017
 39-34 (COR)

Time: 5:30 PM

PUBLIC HEARING
 SIGN UP SHEET

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Josefa Marie Guibaja	P.O. Box 21002 Pagan, Agaña	977-2015	joseteguimeda@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
2								
3								
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I Mina'trentai Kuáttro na Liheslaturan Guáhan
 Office of the Vice Speaker
 Senator Therese M. Terlaje
 Committee On Culture and Justice

Date:
 Resolution No.:

Tuesday, March 14, 2017
 39-34 (COR)

Time: 5:30 PM

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	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Reneke Boreallo	Sinjajan	777-8902 735-2988	renatauo@gmail.com	✓		✓	
2	Lou des Flores	Yigo	653 2601				✓	
3	Garmelita Lopez	Yigo	787 9050				✓	
4								
5								
6								
7								
8								
9								
10								
11								
12								

Bad Wind

Alan Rose
14 MAR 2017

I was born in 1946, Today, I am seventy-one, almost, for my entire life, have had been breathing radiation... and have had been sustaining on contaminated crops, fish, and farm animals since.

Not only Atomic/Hydrogen Bombing, very destructive but extremely dangerous. The only difference in comparison with the Biblical Flood of Noah's time, the Deluge Killed the World's population instantly whereas Radiation is a pro long painful suffering of a slow death and the anguish of family members watching death taking too long.

Many have since passed away, and the promises for grandchildren constantly awaiting them.

God hides in the clouds for God can not ease the fears, can not comfort the tears, and can not undo the injustice.

March 14, 2017

Honorable Therese M. Terlaje
Vice-Speaker, Committee on Culture and Justice
Suite 201
155 Hesler Place
Hagåtña, Guam 96910

RE: Testimony for Resolution 39-34 (COR)

Dear Senators of the 34th Guam Legislature,

Håfa Adai! My name is Connie Sayama and I am a student with the University of Hawai'i at Manoa, currently pursuing a Masters in Social Work. I am submitting this written testimony in support of Resolution 39-34 (COR), on measures regarding the Radiation Exposure Compensation Act Amendments of 2017, and I Mina'trentai Kuåttro Na Liheslaturan Guåhan's support in seeking compensation for the people of Guåhan.

In 1952, six years after the first nuclear testing in 1946, Lieutenant Charles Bert Schreiner reported that Guåhan and its people were being exposed to radiation. Further, in 2005, the National Research Committee submitted a report to the U.S. Congress, which was the Assessment of the Scientific Information for the Radiation Exposure Screening and Education Program. The report stated, **"As a result of its analysis, the committee concludes that Guam did receive measureable fallout from atmospheric testing of nuclear weapons in the Pacific. Residents of Guam during that period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders."**

On January 24, 2017, Senator Mike Crapo of the 115th Congress, submitted Bill S. 97. The Radiation Exposure Compensation Act Amendments of 2017, amends Section 4(b)(1), Downwind States, to include Guam under "affected areas." The inclusion of Guåhan in Bill S. 97, will largely impact the many lives who have been affected by cancers included under RECA.

Over 70 years ago, the United States made a decision that has immensely impacted the health of the people of Guåhan, and have yet to recognize that fact. Today, by supporting this resolution, you are supporting all who have suffered from cancer and related illnesses, due to exposure to ionizing radiation. I support Resolution 39-34 (COR), on measures regarding the Radiation Exposure Compensation Act Amendments of 2017, and I Mina'trentai Kuåttro Na Liheslaturan Guåhan's support in seeking compensation for the people of Guåhan.

Si Yu'us Ma'ase,



Connie Rose Lujan Sayama, BSW
University of Hawai'i
sayamac@hawaii.edu

March 14, 2017

Honorable Therese M. Terlaje
Vice Speaker, 34th Guam Legislature
Hagåtña, Guam

Re: Letter of Support for Resolution No. 39-34 (COR)

Hafa Adai Vice Speaker Terlaje and members of the Committee on Rules,

This letter is in support of Resolution No. 39-34 (COR) - Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of the 34th Guam Legislature for S. 197, the Radiation Exposure Compensation Act (RECA) Amendments of 2017, introduced in the U.S. Congress, which would amend said Act to include Guam as a downwind area.

I am testifying as a private citizen. I am a Certified Tumor Registrar, a long-time member of the Guam Comprehensive Cancer Control Coalition (GCCCC), and a professional Social Worker.

According to the U.S. Department of Health & Human Services Health Resources & Services Administration (HRSA) "Clinical Guidelines for Downwinders" (<https://www.hrsa.gov/gethealthcare/conditions/radiationexposure/downwinders.html>), the following conditions are compensable under RECA: Leukemia (but not CLL), multiple myeloma, lymphomas other than Hodgkin's disease, primary cancers of the pharynx, small intestine, salivary gland, brain, stomach, urinary bladder, colon, thyroid, pancreas, male or female breast, esophagus, bile ducts, liver (presence of cirrhosis or Hepatitis B excluded), gall bladder, lung, and ovary.

Data from the Guam Cancer Registry – Guam Cancer Facts & Figures 2008-2012, documents a continuing upward trend in cancer incidence and mortality from 1998 to 2012. This while cancer rates in the US continue to decline. Thus, cancer is a substantial burden for the people of Guam.

The most recent published GCR data shows that at least 60% of new cancer cases and cancer deaths during 2008-2012 are comprised of those cancers compensable under RECA. Recommendations from the Radiation Exposure Screening & Education Program (RESEP) Report 2005, which concluded that "Residents of Guam ... should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders," should be implemented.

I strongly support Resolution No. 39-34 (COR), as it addresses the issues of Social Justice and Equity for the People of Guam, and provides some redress for their exposure to harmful radiation fallout.

Senseramente,



Renata Bordallo, MSW, CTR

Ph: 777-8902



Catherine M. R. Castro

224 Roy T. Damian Jr. Street ☞ Mongmong, Guam 96910

March 13, 2017

Re: Resolution No. 39-34 (COR)

Buenas yan Hafa Adai Vice Speaker Terlaje
and Senators of the 34th Guam Legislature,

My name is Cathy Rivera Castro and I'm a resident of Mongmong. I volunteer for several organizations that promote creating a healthier island community. My most important role however, is that of a mother and a grandmother.

I often speak about my son Andre, his medical condition and the challenges he and our family has had and continues to face. Andre was diagnosed with Osteoclastoma in 2008. It is a Giant Cell Tumor in his Thoracic 10, in his spine. Over the last several years, we have received much assistance from many different organizations and entities. Because of this, my son is still with us today – he lives in California where he continues treatment for his cancer. How does this mother say thank you for having her son today? By being involved in the community: advocating for policy changes, improving awareness of the needs of our people and working collaboratively to create a healthier island. I have watched my son fight for his life more than once and no one should have to experience this with a loved one. When he was first diagnosed, one of the things I promised him was.... “Son, you concentrate on fighting this disease for only you can do that; but I promise you that I will fight anyone and anything to get you what you need to survive.” Thus, began my quest. What better way to honor him and fulfill the promise I made than to provide my support and take on the quest to help others beyond Andre?

I am happy to support this resolution because it will assist cancer patients and their families who have been impacted by radiation exposure. The financial burden of cancer is enormous, the physical challenges are many and the need for assistance and support is great. Our people have always been faced with the hardships of access to comprehensive cancer care due to our distance from specialty cancer treatment centers. So, they are often faced with the additional burden of having to travel far to access specialized care. This in itself adds additional financial implications on top of the already high cost of cancer care and treatment. Having Guam included in the Radiation Exposure Compensation Act will truly benefit our people who will be able to avail of compensation to assist them in their cancer journey.

Our family members that lived during the period of the nuclear testings suffered greatly, albeit quietly. Cancer is so prevalent in our community. I have family members whose parents have cancer and this dreadful disease has been passed on to the next generation and the generation after them. I remember stories from my grandparents, my mother and her siblings about resources being scarce after the war. Our families mostly lived off the land. They did not know the soil and water were contaminated and naturally did not consider the possibility that the world around them, which had always provided for them, would be detrimental to their health and the health of their offspring.

There have been so many that have lost their battle to this dreadful disease. But there are still many that continue to fight with everything they have. We must continue to stand with them and with their families. I stand with them and I appeal to President Donald Trump and members of the U.S. Congress to include our island in the Radiation Exposure Compensation Act of 1990. Our people who have been impacted by radiation exposure deserve to be acknowledged – that their suffering is not without recognition and without cause. Let them know that a life matters – their lives matter.

Thank you once again for allowing me this opportunity to make my voice heard.

Saina Ma'ase yan Bendesion



Cathy Rivera Castro

Mobile: 671.686.6872

Email: catcastro44@gmail.com

Help make a **FIGHTER** a **SURVIVOR!**

*Create and Support Awareness for **Sarcoma - Bone Cancer***

Wear a Yellow Ribbon for Dre - Andre Jon Rivera Castro

**I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
RESOLUTION NO. 39-34 (COR): FOR S. 197, THE RADIATION EXPOSURE
COMPENSATION ACT AMENDMENTS OF 2017
March 14, 2017**

Buenas yan Háfa adai distinguished members of I Mina'trentai Kuáttro Na Liheslaturan Guáhan, the Honorable B.J. Cruz, Vice Speaker Therese Terlaje, and colleagues. Dankolo na si yu'os ma'ase for your time in allowing me the opportunity to address this esteemed body of our government.

I na'ân-hu si Josette Marie Lujan Quinata and I am a proud CHamoru daughter of Guáhan and of Micronesia. I am honored to be here today to help advocate for the voices of those who plead for your attention and support in passing the Radiation Exposure Compensation Act Amendments of 2017. I am inspired to be among some of the individuals who were directly impacted by the radioactive fallout that occurred after detonations of nuclear bombs in our Pacific region and who are determined to be listened to. My voice echoes their concerns and their strength through a poem I had written that highlights their stories and commitment in addressing continued injustices on our people. This poem entitled *Colonial IllnUS* is dedicated to them.

Colonial IllnUS

Immeasurable amounts of radiation and poisonous toxins permeate our lives, and become embedded in our subconscious and internal pain of scars and diseases. These traces of contaminants were detonated in our blood streams and ocean, our digestive systems and foods, plants, crops, and animals; our skin and organs and the land in which we are rooted and connected.

Nuclear weapons and hazardous waste washed upon our shores and were decontaminated in our Pacific. Radioactive particles and debris entered our bodies causing a disabled, restricted process of healing from the brunt of wars outside of our control and made without our consent or decision.

We were ordered to participate in building a dome without any knowledge of the toxins that we were exposed to. The dome minimized the blood stains of atomic experiments on a people and culture, creating a barrier that enabled neglect, silence, and dismissal of our concerns and injustices.

Rather than admitting to the malpractice and mishandling of nuclear weapons and radiation, we were prescribed with beliefs that our illnesses were solely from unhealthy habits of our food intake and lifestyle, an assimilated process from the U.S., our chief examiner and expert to that of ourselves—the downwinders. We weren't warned or informed of any increase in radioactivity, yet we were subjected to the undertakings of others' destructions and atomic bombings.

Little did we realize that our dome had been created right here on Guáhan— where we did not have a voice. We were minimized, injected, silenced, and ill-informed of the grave affects such contaminants have on our health. We realized our reparation was part of a strategic battle that was already designed to set us up for failure as traces of our struggles were not easily detected or measured. Our colonial disease and historical trauma parallels the cancer cells that are passed down from one generation to the next, from our Manámko' to I Famagu'on-ta.

Agent Orange and various chemicals and toxins continue to infect our island and our people, yet our spirits remain strong like our lattes. The impact of terminal diseases are exacerbated in our island and detonated in our people as they have decapitated native hands from native lands, forced contaminants into our bodies, and strategically tried to remove our claims to justice and healing in a system that refuses to meet our needs.

Their experimental tests became our exponential costs that still torments our lives as we medicate our way through diabetes, cancer, Parkinson's, heart disease, kidney failure and sift through radioactive debris affecting our minds, bodies, and souls.

We continue to hope for a positive prognosis despite the infectious disease perpetuated through colonialism. It's inevitable—our rapid deterioration and slow death coupled with hospital visits, medications, rehabilitations, treatments, and therapy aggravates the tumor that stifles our healing process, health, and sustainability.

I Taotao Tano' continue to advocate against these ailments impacting our political, cultural, social, economic, and health factors. Although we do not currently have the medical infrastructures, holistic healing centers, and cancer research-based facilities needed to treat the colonial diseases and contaminants from nuclear bombs and radiation fallout that we were exposed to, what we do have and are equipped with is the courage to speak out and to shed light on what is long overdue despite the irreparable damage infused in our people.


We encourage you to support legislation that includes us in a proposed mandate where we no longer are excluded or dismissed, but rather placed at the forefront of this long emotional, painstaking battle where many of whom were directly impacted are no longer with us today, but are with us in spirit.

I come before you on their behalf as this is not about a resolution, but about the lives of our Nanas, Tatas, Mothers, Fathers, Siblings, Uncles, Aunts, and Children. This is for our Familia and for their voices—that their struggle is made victorious and their efforts celebrated so the next generation of Guåhan's leaders no longer have to turmoil over the atrocities and suffrage of our people from atomic bombs.

This is not a nuclear battle, but a vicious cycle when left untreated implicitly weakens our immune system, making us susceptible to the disease that kills our vulnerability—the lack of listening to our stories and meeting the needs of our people. It is time that we join in with the vulnerable, the brave and determined, the strong—our people.

This is beyond tragedy that we are still fighting for healing; this is sacred life. This is more than legislation; this is about US. This is more than compensation; this is acknowledgement that the root cause of all this is deeper than what they can ever measure, screen or test. This is long overdue; this is just the beginning. This is more than chronic illness; this is colonial disease. This is beyond pain; this is stage four, its terminal. This is not history; this is our present. This isn't about weakness; this exemplifies our strength evidenced in our vulnerability.

Saina ma'åse.



si Josette Marie Lujan Quiñata

Vice Speaker Therese M. Terlaje
I Mina'trentai Kuattro na Liheslaturan Guahan
Committee on Culture and Justice
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

March 8, 2017

RE: Testimony in support of Resolution No. 39-34 (COR), Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation

Håfa adai! Vice Speaker Terlaje and fellow committee members,

I submit this testimony today in full support of Resolution No. 39-34 (COR). This is not the first time a measure like this has been introduced and passed by members of I Liheslaturan Guahan to support efforts by the good senators and congressmen of Idaho and New Mexico to rightfully include Guam along with Arizona, Colorado, Idaho, Montana, Nevada, New Mexico and Utah into the Radiation Exposure Compensation Act (RECA). Currently, only the Senate has introduced this measure (S. 197) and time will tell if the House of Representatives (HR) will introduce their mirror legislation soon, as has been done in the past.

This issue is not something new nor is it something that should be forgotten or dismissed. We would be doing a grave injustice if we did not continue to seek every possible means of care for the health issues our people are facing that was in NO way due to means of our own actions. Thanks to Mr. Robert Celestial and the Blue Ribbon Panel team from Guam, Guam was proven to have been innocently exposed to harmful radiation due to radioactive fallout from the nuclear weapons testings by the United States in the Republic of the Marshall Islands and it is our islands RIGHT to seek justice for our exposure and for the health issues our people are facing yesterday, today and tomorrow, because of it.

I commend Vice Speaker Terlaje for the introduction of Resolution No. 39-34 (COR), for her continued advocacy for the protection and betterment of cancer care on Guam and for her unwavering support of Mr. Robert Celestial and the Pacific Association for Radiation Survivors (PARS). I encourage all members of I Mina'trentai Kuattro na Liheslaturan Guahan to commit their full support for Guam's inclusion into the Radiation Exposure Compensation Act (RECA) by advocating for the passage of Senate Bill 197 and to urge our Congresswoman to push for the HR version of the RECA Amendments of 2017.

Saina Ma'ase,



Anjelica Okada Roscoe

The Honorable Therese M. Terlaje
Vice Speaker, Committee on Culture and Justice
34th Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

Support for Resolution 39-34 (COR)
Tuesday, March, 14, 2017
5:30pm at the Guam Legislature

Buenas yan Hafa Ādai I Mina'trentai Kuāttro Na Liheslaturan Guåhan,

My name is Mikaila San Nicolas. I am writing in support of Resolution 39-34 (COR) – “Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of I Mina'trentai Kuāttro Na Liheslaturan Guåhan (The 34th Guam Legislature) for S. 197, The *Radiation Exposure Compensation Act of Amendments of 2017*, introduced in the United States Congress on January 24, 2017, which would amend the Radiation Exposure Compensation Act to include Guam as a Downwind area.”

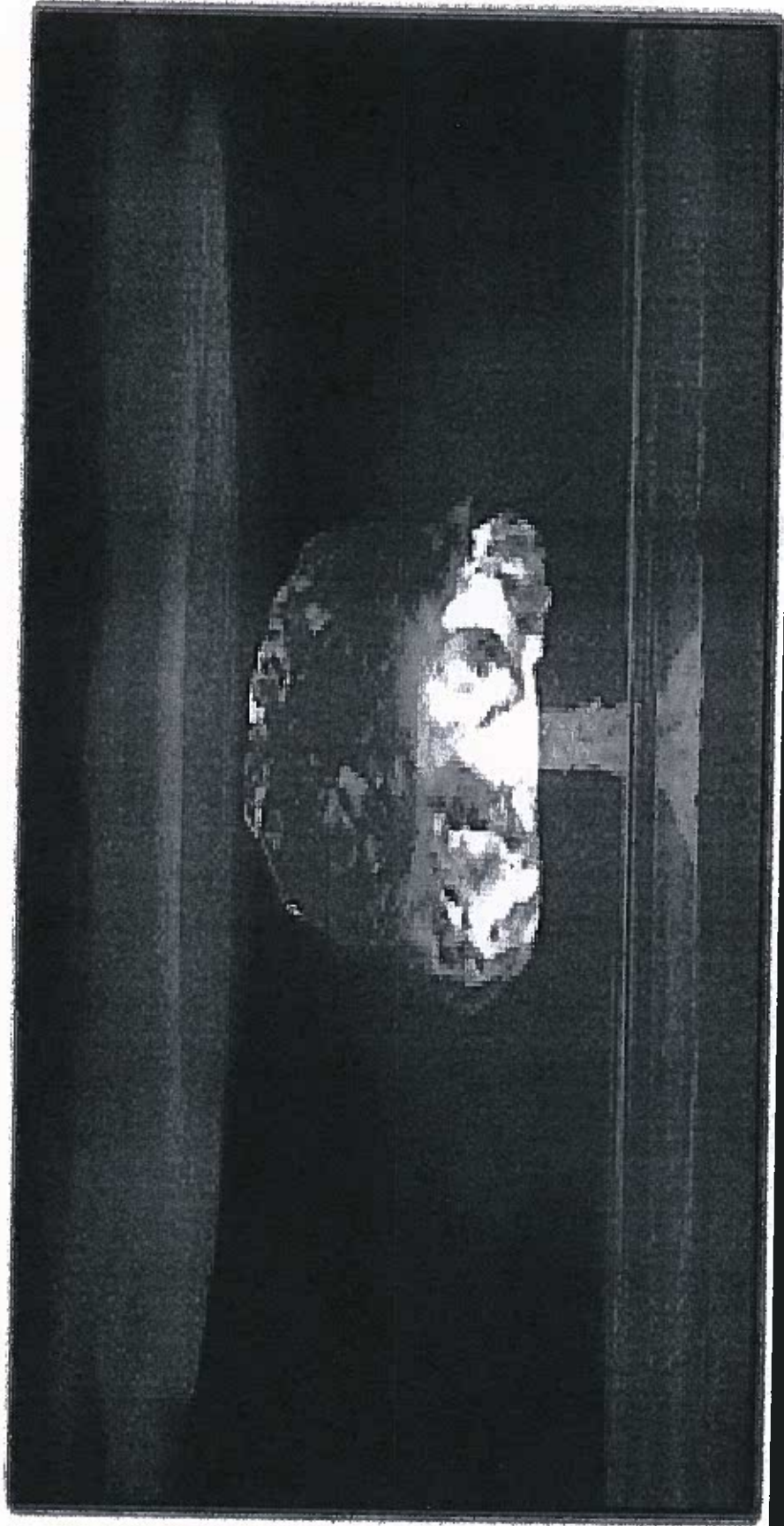
A little over a year ago, I was introduced to the Pacific Association for Radiation Survivors (PARS). I was in the Social Work program at the University of Guam, and had the privilege of meeting Mr. Robert Celestial in my advocacy class. Mr. Celestial presented his history in the United States Army, and his work in bringing to light the declassified information of how Micronesia was exposed to radiation. He shared all the hard work and courageous efforts made by PARS over the last 14 years. I was appalled, shocked, and moved by all the information I heard that day. My island, my community, and my family were all exposed to ionizing radiation due to the measurable fallout from atmospheric testing of nuclear weapons in the Pacific. It is a social injustice that the United States government knowingly exposed Micronesia to radiation. It is a social injustice that this issue continues to go unacknowledged by the United States government, and that there is still a lack of compensation for all those who have suffered and continue to suffer as a result. According to Guam's Department of Public Health and Social Services, we have some of the highest rates of certain cancers when compared to the United States and its Territories. Not only has the ionized radiation resulted in high cancer rates, but is also a contributing factor in other serious diseases that our people suffer from.

I am now a member of PARS, and have assisted in any way that I have been able to over the last year. I am also currently pursuing my Masters in Social Work at the University of Hawai'i at Mānoa, and it is my passion to advocate for those whose voices remain unheard. As someone who is from a younger generation, I truly believe this issue is relevant to all generations and generations to come. We can see the devastating impact of radiation exposure to our environment, island, community, and loved ones. Unfortunately, it has been an uphill battle to gain support of others along the way. I am grateful to have met the members of PARS thus far, and saddened by the fact that I was unable to meet some of the co-founders, advocates, and members that have since passed on. It is my hope that today you will also support Resolution 39-34 (COR), and that the island of Guåhan comes together to fight for social justice. Although our island may only be a tiny dot on a map, I believe that by educating those around us and raising awareness, together our voices will be heard. Si Yu'us Ma'ase.

Respectfully,



Mikaila San Nicolas, BSW
Contact: mikailasn@gmail.com



1946 – 1962, the United States detonated 66 Nuclear/Hydrogen bombs in the Marshall Islands with 43 detonations at Enewetak Atoll.

Photo from the first Hydrogen bomb detonated in the Pacific. Enewetak Atoll November 1, 1952.

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- **Page 19:** Picture from the Radiation survivors group monthly membership meeting on Jan. 26, 2017.



A NON-PROFIT CORPORATION
P.O. Box 20085, CMF, Barrigada, Guam 96921
Telephone: (671) 688-7277

February 27, 2017

Honorable Mike Crapo
239 Kirkson Senate Building
Washington, DC 20510

Ref: Bill S. 197, to amend the Radiation Exposure Compensation Act to improve Compensation for workers involved in uranium mining, and other purposes.

Dear Senator Crapo,

I pray that this letter finds its way into your hands and as you read our request it may find its way into your heart. We are so very grateful for you and all the senators who have introduced legislation for everyone exposed to ionizing radiation.

So many years have gone by and so many people have waited to be included in the Radiation Exposure Compensation Program. Since our advocacy began in 2002, I have lost so many friends and members of the Pacific Association for Radiation Survivors here on Guam. Senator Crapo, in 2004 I was invited to give oral and written testimony before the Board of Radiation Effects Research Committee in Washington DC. In 2005, the committee concluded that Guam did receive measurable fallout from the Nuclear testing in the Pacific and that the residents of Guam during that time period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders. It is also a blessing working with your constituents from Idaho, Mrs. Tona Henderson and Mr. Preston J. Truman. We are hopeful that your bill will receive a committee hearing this year. Please include us to present testimony when the Board convenes.

Thank you again for your support and I hope to hear from you soon.

Sincerely,

Robert N. Celestial
PARS President

Cc: Vice Speaker Therese M. Terlaje, 34th Guam Legislature
Mrs. Tona Henderson & Mr. Preston J. Truman, Idaho Downwinders



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February 13, 2017

Therese M. Terlaje Vice Speaker
34th Guam Legislature
155 hessler St, Hagatna, Guam 96910

Ref: Radiation Exposure Compensation Act 2017/"Mark Takai Atomic Veterans
Healthcare Parity Act"

Buenas yan Hafa Adai, Vice Speaker Terlaje, thank you for your support and concern on two important issues facing our Island and our people of Guam. Recently in the U.S. Congress, Senator Mike Crapo (R-Id) with other senators have introduced legislation to amend the Radiation Exposure Compensation Act (RECA).

The RECA program provides compensation to those exposed to ionizing radiation from Atomic testing, uranium miners, millers, ore transporters and downwinders. Senate Bill 197 was introduced on January 24, 2017 by Senator Mike Crapo, Mr. Risch, Mr. Heinrich, and Mr. Bennet, A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining and for other purposes. Vice Speaker, Guam is included in this bill thanks to our friends in Idaho, and New Mexico.

Congresswoman Meng from New York has also introduced legislation to assist Atomic Veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans. H.R. 632 was introduced on January 24, 2017. Vice Speaker, I was part of the cleanup of Enewetak Atoll in 1977 and many of my comrades are suffering from different diseases and some have died. Please support Congresswoman Meng in our bill so that we be included in the "Mark Takai Atomic Veterans Parity Act". We have also been left out from receiving health benefits and being identified as "Atomic Veterans". Thank you again for your support.

Sincerely,


Robert A. Celestial
PARS, president

Vice Speaker Therese M. Terlaje

FEB 13 2017

Time: 11:07am

Received by: 



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Telephone:(671) 688-7277

1/30 REC'D
RB
OFFICE OF
CONGRESS WOMAN
BORDALLO

January 25, 2017

Honorable Madeliene Z. Bordallo
2441 Rayburn Bldg
Washington D. C. 20515

Greetings, Congresswoman Bordallo, It has been twelve years since Dr. Evan Douple and his committee of scientists, with the National Research Committee indicated and recommended that the residents of Guam be included in the Radiation Exposure Compensation program as downwinders who were exposed to Nuclear Fallout from Nuclear testings here in the Pacific. We have been waiting patiently for you and the U.S. Congress to act on our behalf to include Guam as a designated area in RECA as 'Downwinders' so that eligible individuals from Guam may receive the same benefits as those exposed to Nuclear Fallout from Utah, Nevada and Arizona.

The people of Guam during that time period are eligible to receive compensation as Downwinders through RECA and the Radiation Exposure Compensation Trust fund is still active with funds to compensate qualified individuals as Downwinders. Congress should act to include Guam in RECA as soon as possible.

In 2002, PL 107-273 was enacted to provide technical amendments to RECA, including the reinsertion of a downwinder area Mohave County Arizona which had been inadvertently removed from the 2000 RECA amendments.

Also, in 2002 in response to a congressional mandate (PL 107-206), the Health Resources and Services Administration (HRSA) asked the National Research Counsel's Board on Radiation Effects Research to convene a committee.

Page 2

The HRSA charged the committee to consider the issues and make recommendations, on the basis of scientific knowledge and principles regarding whether other groups of people or additional geographic areas should be covered under the Radiation Exposure Compensation Act (RECA) program.

“The committee initiated an independent assessment of the radiologic consequences related to the weapons test in the Pacific to people living on Guam.”

“Conclusions As a result of its analysis, the committee concludes that Guam did receive measurable fallout from atmospheric testing of nuclear weapons in the Pacific. Residents of Guam during that period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders.” (ref; page 200, NRC RESEP 2005.)

Congresswoman Bordallo, it was Congress that initiated and mandated the National Research Committee through the HRSA to find if there were other geographical areas and if other groups of people were harmed from Nuclear Testing.

We humbly ask for your support and favor to bring our issue before your colleagues in congress so that, consistent with the NRC conclusions, Guam may be included in RECA and the people of Guam receive the same benefits as those already qualified in RECA.

Thank you and May God bless!

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert N. Celestial', written in a cursive style with a large loop at the end.

Robert N. Celestial
PARS, president

ASSESSMENT OF THE **SCIENTIFIC**
INFORMATION FOR THE
RADIATION EXPOSURE SCREENING
AND **EDUCATION PROGRAM**



ADDITIONAL POPULATIONS ENVIRONMENTALLY AT RISK FOR RADIATION EXPOSURE

Nuclear Testing: Downwinders and Onsite Participants

The committee reviewed the locations where nuclear-weapons tests were performed. The current RECA downwinder population is concentrated in the area around the NTS, and the 1997 NCI ¹³¹I report (NCI, 1997) dealt with emissions from the NTS.

In RECA, Congress found that fallout from atmospheric nuclear tests exposed people to radiation that is presumed to have caused an excess of cancer and that this risk was borne by these people to serve the national security interests of the United States. The United States has conducted nuclear-weapons tests in areas other than the NTS, and populations exposed to fallout from these tests may also be considered as possible candidates for RECA compensation if Congress so chooses. The tests in question include the Trinity test near Alamogordo, New Mexico, and the Pacific tests. Onsite participants in the tests are already included under RECA, but RECA coverage may be extended to the downwinder populations in those areas.

Over the last several years, there has been a concern about the health effects associated with radioactive fallout that reached Guam during the testing of nuclear weapons in Micronesia. The Pacific Association for Radiation Survivors was formed. In 2002, a blue ribbon panel, authorized by the government of Guam, submitted the *Committee Action Report on Radioactive Contamination in Guam between 1946 and 1958*.

In March 2004, Robert Celestial provided written and oral testimony to the committee indicating that Guam did receive fallout from nuclear-weapons testing in the Pacific. He included statements from retired Navy Lt. Bert Schreiber, who testified that "the Geiger counters were off scale" in November 1952. In addition to this, various support ships deployed at Bikini Atoll during Operation Crossroads were sent to Guam and elsewhere for decontamination.

In April 2004, the congressional delegation from the Pacific Island Territory of Guam submitted a petition to Congress to amend RECA to include Guam in the jurisdiction of downwinders and onsite participants.

The committee initiated an independent assessment of the radiologic consequences related to the weapons tests in the Pacific to people living on Guam. The details of the assessment are presented in Appendix C.

Conclusions As a result of its analysis, the committee concludes that Guam did receive measurable fallout from atmospheric testing of nuclear weapons in the Pacific. Residents of Guam during that period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders.

The committee concludes that available evidence does not show that the general population of Guam was subjected to unwarranted radiation exposure resulting from the decontamination of naval vessels. Persons who have proof of their employment by a federal agency or its contractor in the process of decontaminating ships affected by fallout are already eligible for compensation as onsite participants under RECA.

Suggested Citation: "7 Diseases, Populations, and Other Issues of Public Concern." National Research Council. 2005. *Assessment of the Scientific Information for the Radiation Exposure Screening and Education Program*. Washington, DC: The National Academies Press. doi: 10.17226/11279.



**U.S. Department of
Justice**

**Radiation Exposure
Compensation Act
Trust Fund**

**FY 2017 Budget and
Performance Plan**

Submitted to the Congress of the United States
February 2016

Overview

The Radiation Exposure Compensation Act (“the Act” or “RECA”) offers an apology and monetary compensation to individuals who contracted certain cancers and other serious diseases as a result of their exposure to radiation released during above-ground atmospheric nuclear weapons tests or as a result of their occupational exposure while employed in the uranium industry during the build-up to the Cold War.

The Department of Justice established the Radiation Exposure Compensation Program (“the Program”) within the Civil Division to adjudicate claims under the Act. Since the Program commenced operations in April 1992, 43,804 claims have been filed and over \$2.07 billion has been awarded in connection with 31,415 approved claims (as of December 2015).

FY 2017 Estimate. For FY 2017, it is estimated that claim activity will be very similar to prior year activity. Therefore, at this time, Civil estimates that approximately \$70 million will be needed for the RECA Trust Fund in FY 2017.

Significant Achievements

\$2 Billion Program Award Benchmark. The Program saw a significant accomplishment in FY 2015. In March, the Program announced the obligation of over \$2 billion in claim awards since the beginning of the program. Compensation has been awarded to individuals residing in all 50 states, as well as several foreign countries. Residents of the so-called “Four Corners” region of the American southwest filed the majority of the claims and received awards valued at \$1.4 billion. Of the \$2 billion in awards, approximately \$264 million has been awarded to Native American claimants and distributed among members of 17 different tribes, and \$266 million has been awarded to veterans, civil servants, and contractors who participated onsite in atmospheric nuclear tests.

Reduction of Claim Processing Time. A second notable recent accomplishment has been the Program reducing significantly the average claim processing time in FY 2015. In FY 2014 the Program averaged 272 days to process an average claim. In FY 2015 the Program achieved an average processing time of 207 days, a 24% decrease and a reduction of 65 days.

Radiation Exposure Compensation Act (RECA) Update

NOTICE: Clarification of Definition after the Supreme Court's Decision in *United States v. Windsor*. The Radiation Exposure Compensation Act uses the following definition: "the spouse of an individual is a wife or husband of that individual who was married to that individual for at least one year immediately before the death of that individual." 42 U.S.C. § 2210 note, Sec. 6(c)(4)(C) (2011); 28 C.F.R. § 79.2(o). Consistent with the Supreme Court's decision in *United States v. Windsor*, the Department of Justice clarifies that this definition, as well as any reference to "marriage" or "married" in the Department's implementing regulations, 28 C.F.R. Part 79, will be interpreted to include same-sex spouses. All spouses, regardless of gender, must establish their eligibility to file a claim as set forth in 28 C.F.R. § 79.71(e), which lists documents that may be used to establish a marriage and includes documents issued by the jurisdiction in which the marriage was celebrated, such as a public record or certificate of marriage.

Program Summary

The United States conducted nearly 200 atmospheric nuclear weapons development tests from 1945 to 1962. Essential to the nation's nuclear weapons development was uranium mining and processing, which was carried out by tens of thousands of workers. Following the tests' cessation in 1962 many of these workers filed class action lawsuits alleging exposure to known radiation hazards. These suits were dismissed by the appellate courts. Congress responded by devising a program allowing partial restitution to individuals who developed serious illnesses after exposure to radiation released during the atmospheric nuclear tests or after employment in the uranium industry: the Radiation Exposure Compensation Act (the Act, or RECA), 42 U.S.C. § 2210 note (2006), was passed on October 5, 1990. The Act's scope of coverage was broadened in 2000.

The Act presents an apology and monetary compensation to individuals who contracted certain cancers and other serious diseases:

- following their exposure to radiation released during the atmospheric nuclear weapons tests, or
- following their occupational exposure to radiation while employed in the uranium industry during the Cold War arsenal buildup.

This unique statute was designed to serve as an expeditious, low-cost alternative to litigation. Significantly, RECA does not require claimants to establish causation. Rather, claimants qualify for compensation by establishing the diagnosis of a listed compensable disease after working or residing in a designated location for a specific period of time. The Act provides compensation to individuals who contracted one of 27 medical conditions. It covers all states where uranium was mined and processed, as well as specified counties in Nevada, Utah, and Arizona, where significant fallout from the atmospheric nuclear testing was measured.

The U.S. Attorney General established the Radiation Exposure Compensation Program within the Constitutional and Specialized Tort Litigation Section in April 1992. The DOJ promulgated regulations for carrying out the program that permit use of existing records so claims could be resolved reliably, objectively, and non-adversarially, with little administrative cost to either the individual filing the RECA claim or the United States government. The initial 1992 regulations were updated in 1997 and revised on March 23, 2004.

RECA establishes lump sum compensation awards for individuals who contracted specified diseases in three defined populations:

Uranium miners, millers, and ore transporters – \$100,000; “Onsite participants” at atmospheric nuclear weapons tests – \$75,000; and individuals who lived downwind of the Nevada Test Site (“downwinders”) – \$50,000.

Although the Four Corners Region (Utah, Colorado, New Mexico, and Arizona) residents have filed the majority of RECA claims, the program has awarded compensation to individuals residing in each state, as well as several foreign countries.

Indian Country. The claimant population includes many Native American tribes. The Program regularly cooperates with members of the Navajo, Hopi, Yavapai Apache, and Spokane nations. The Program has also visited more than a dozen reservations to meet with tribal leaders and assist members filing RECA claims. The map below illustrates the areas covered by the Act.

Onsite Participant Inquiries

Since 2012, the Radiation Exposure Compensation Program has processed an increased number of claims from individuals filing under the Onsite Participant provisions of the Radiation Exposure Compensation Act. Many of those claims were filed by individuals serving in Japan after the atomic bombing of Hiroshima and Nagasaki; other claims were filed by World War II veterans stationed in the Pacific Theater. Notably, the Act’s coverage is limited to the atmospheric nuclear testing program conducted by the United States that followed the war. Also, the Act only provides compensation for an individual who has contracted a “covered” cancer following their exposure to radiation. For a full description of the claim categories and requirements for compensation under the Act, please see the RECA Claimant Categories Summary tab above. Claim forms are also available at the links provided.

It is helpful if specific information can be provided regarding the test site location, assignment of duties, and a description of duties for the service member. This would include a DD-214 or other relevant service report.

Because of the significant number of calls to our toll free line, you may have to leave a message. We will return every call we receive and the Program appreciates your interest in this unique statute. Please feel free to call this line at 1-800-729-7327. If a RECA staff member is not immediately available, you will be directed to a voice mailbox. Your telephone call will be returned as soon as possible.

You may also leave an e-mail message at the following email address: civil.reca@usdoj.gov

Expenses and Costs under the Radiation Exposure Compensation Act.

In light of the Federal Circuit Court decision in *Hackwell v. United States*, 491 F.3d 1229 (10th Cir. 2007), the Justice Department no longer enforces the regulation concerning attorney fees whereby attorneys are prohibited from receiving reimbursement for expenses and costs in addition to the statutory fee limits, pursuant to 28 C.F.R. § 79.74(b). Accordingly, attorneys who represent clients under the Radiation Exposure Compensation Act may receive reimbursement for expenses and costs related to the claim, in addition to the statutory attorney fee. On October 23, 2008, the Department published a Notice in the Federal Register (73 F.R. 63196) regarding its regulation concerning attorney’s fees and costs.

Policy Guidance Regarding the Combination of Periods of Employment for Miners, Millers, and Ore Transporters.

It has been the Department's practice to permit claimants to combine periods of employment as miners, millers, and ore transporters to meet the statutory one-year duration of employment requirement. For all three categories of uranium workers (mining, milling, and ore transporting), the Act specifies six common diseases: primary cancer of the lung, fibrosis of the lung, pulmonary fibrosis, cor pulmonale related to fibrosis of the lung, silicosis, and pneumoconiosis. Therefore, in

cases involving these six illnesses, the Act's exposure criteria can be satisfied by combining periods of employment that include mining, milling, and ore transporting. For millers and ore transporters (but not miners), the Act specifies two additional compensable diseases: primary renal cancer and chronic renal disease including nephritis and kidney tubal tissue injury. In cases involving these two illnesses, the Act's exposure criteria can be satisfied by combining periods of employment that include only milling and ore transporting.

Contact the RECA Program by telephone

Telephone: 1-800-729-RECP (1-800-729-7327)

Contact the RECA Program by U.S. Postal Service

U.S. Department of Justice
Radiation Exposure Compensation Program
P.O. Box 146
Ben Franklin Station
Washington, DC 20044-0146

Contact RECA by e-mail: civil.reca@usdoj.gov

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No Amount Of Ionizing Radiation Is Safe

Atomic Veteran  Home Page

115TH CONGRESS
1ST SESSION

S. 197

To amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2017

Mr. CRAPO (for himself, Mr. UDALL, Mr. RISCH, Mr. HEINRICH, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Radiation Exposure
5 Compensation Act Amendments of 2017”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise specifically provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to or repeal of a section or other provi-

1 sion of law, the reference shall be considered to be made
2 to a section or other provision of the Radiation Exposure
3 Compensation Act (Public Law 101-426; 42 U.S.C. 2210
4 note).

5 **SEC. 3. EXTENSION OF FUND.**

6 Section 3(d) is amended—

7 (1) by striking the first sentence and inserting
8 “The Fund shall terminate 19 years after the date
9 of the enactment of the Radiation Exposure Com-
10 pensation Act Amendments of 2017.”; and

11 (2) by striking “22-year” and inserting “19-
12 year”.

13 **SEC. 4. CLAIMS RELATING TO ATMOSPHERIC TESTING.**

14 (a) **LEUKEMIA CLAIMS RELATING TO TRINITY TEST**
15 **IN NEW MEXICO AND TESTS IN THE PACIFIC.**—Section
16 4(a)(1)(A) is amended—

17 (1) in clause (i)—

18 (A) in subclause (II)—

19 (i) by striking “in the affected area”
20 and inserting “in an affected area”; and

21 (ii) by striking “or” after the semi-
22 colon;

23 (B) by redesignating subclause (III) as
24 subclause (V); and

1 (C) by inserting after subclause (II) the
2 following:

3 “(III) was physically present in
4 an affected area for the period begin-
5 ning on June 30, 1945, and ending on
6 July 31, 1945; or

7 “(IV) was physically present in
8 an affected area—

9 “(aa) for a period of at least
10 1 year during the period begin-
11 ning on June 30, 1946, and end-
12 ing on August 19, 1958; or

13 “(bb) for the period begin-
14 ning on April 25, 1962, and end-
15 ing on November 5, 1962; or”;
16 and

17 (2) in clause (ii)(I), by striking “physical pres-
18 ence described in subclause (I) or (II) of clause (i)
19 or onsite participation described in clause (i)(III)”
20 and inserting “physical presence described in sub-
21 clause (I), (II), (III), or (IV) of clause (i) or onsite
22 participation described in clause (i)(V)”.

23 (b) AMOUNTS FOR CLAIMS RELATED TO LEU-
24 KEMIA.—Section 4(a)(1) is amended—

1 (1) in subparagraph (A) by striking “an
2 amount” and inserting “the amount”; and

3 (2) by striking subparagraph (B) and inserting
4 the following:

5 “(B) AMOUNT.—If the conditions de-
6 scribed in subparagraph (C) are met, an indi-
7 vidual who is described in subparagraph (A)(i)
8 shall receive \$150,000.”.

9 (c) SPECIFIED DISEASES CLAIMS RELATING TO
10 TRINITY TEST IN NEW MEXICO AND TESTS IN THE PA-
11 CIFIC.—Section 4(a)(2) is amended—

12 (1) in subparagraph (A), by striking “in the af-
13 fected area” and inserting “in an affected area”;

14 (2) in subparagraph (B)—

15 (A) by striking “in the affected area” and
16 inserting “in an affected area”; and

17 (B) by striking “or” at the end;

18 (3) by redesignating subparagraph (C) as sub-
19 paragraph (E); and

20 (4) by inserting after subparagraph (B) the fol-
21 lowing:

22 “(C) was physically present in an affected
23 area for the period beginning on June 30,
24 1945, and ending on July 31, 1945;

1 “(D) was physically present in an affected
2 area—

3 “(i) for a period of at least 2 years
4 during the period beginning on June 30,
5 1946, and ending on August 19, 1958; or

6 “(ii) for the period beginning on April
7 25, 1962, and ending on November 5,
8 1962; or”.

9 (d) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED
10 DISEASES.—Section 4(a)(2) is amended in the matter fol-
11 lowing subparagraph (E) (as redesignated by subsection
12 (c) of this section) by striking “\$50,000 (in the case of
13 an individual described in subparagraph (A) or (B)) or
14 \$75,000 (in the case of an individual described in subpara-
15 graph (C)),” and inserting “\$150,000”.

16 (e) MEDICAL BENEFITS.—Section 4(a) is amended
17 by adding at the end the following:

18 “(5) MEDICAL BENEFITS.—An individual re-
19 ceiving a payment under this section shall be eligible
20 to receive medical benefits in the same manner and
21 to the same extent as an individual eligible to receive
22 medical benefits under section 3629 of the Energy
23 Employees Occupational Illness Compensation Pro-
24 gram Act (as enacted into law by Public Law 106-
25 398; 114 Stat. 165A-507).”.

1 (f) DOWNWIND STATES.—Section 4(b)(1) is amended
2 to read as follows:

3 “(1) ‘affected area’ means—

4 “(A) except as provided under subpara-
5 graphs (B) and (C), Arizona, Colorado, Idaho,
6 Montana, Nevada, New Mexico, and Utah;

7 “(B) with respect to a claim by an indi-
8 vidual under subsection (a)(1)(A)(i)(III) or
9 (2)(C), only New Mexico; and

10 “(C) with respect to a claim by an indi-
11 vidual under subsection (a)(1)(A)(i)(IV) or
12 (2)(D), only Guam.”.

13 **SEC. 5. CLAIMS RELATING TO URANIUM MINING.**

14 (a) EMPLOYEES OF MINES AND MILLS.—Section
15 5(a)(1)(A)(i) is amended—

16 (1) by inserting “(I)” after “(i)”;

17 (2) by striking “December 31, 1971; and” and
18 inserting “December 31, 1990; or”; and

19 (3) by adding at the end the following:

20 “(II) was employed as a core driller in
21 a State referred to in subclause (I) during
22 the period described in such subclause;
23 and”.

24 (b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended
25 by inserting “or renal cancer or any other chronic renal

1 disease, including nephritis and kidney tubal tissue in-
2 jury” after “nonmalignant respiratory disease”.

3 (c) MILLERS, CORE DRILLERS, AND ORE TRANS-
4 PORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

5 (1) by inserting “, core driller,” after “was a
6 miller”;

7 (2) by inserting “(I)” after “clause (i)”; and

8 (3) by striking all that follows “nonmalignant
9 respiratory disease” and inserting “or renal cancer
10 or any other chronic renal disease, including nephri-
11 tis and kidney tubal tissue injury; or”.

12 (d) COMBINED WORK HISTORIES.—Section
13 5(a)(1)(A)(ii) is further amended—

14 (1) by striking “or” at the end of subclause (I);
15 and

16 (2) by adding at the end the following:

17 “(III)(aa) does not meet the condi-
18 tions of subclause (I) or (II);

19 “(bb) worked, during the period de-
20 scribed in clause (i)(I), in two or more of
21 the following positions: miner, miller, core
22 driller, and ore transporter;

23 “(cc) meets the requirements of para-
24 graph (4) or (5), or both; and

1 “(dd) submits written medical docu-
2 mentation that the individual developed
3 lung cancer or a nonmalignant respiratory
4 disease or renal cancer or any other chron-
5 ic renal disease, including nephritis and
6 kidney tubal tissue injury after exposure to
7 radiation through work in one or more of
8 the positions referred to in item (aa);”.

9 (e) DATES OF OPERATION OF URANIUM MINE.—Sec-
10 tion 5(a)(2)(A) is amended by striking “December 31,
11 1971” and inserting “December 31, 1990”.

12 (f) SPECIAL RULES RELATING TO COMBINED WORK
13 HISTORIES.—Section 5(a) is amended by adding at the
14 end the following:

15 “(4) SPECIAL RULE RELATING TO COMBINED
16 WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST
17 ONE YEAR OF EXPERIENCE.—An individual meets
18 the requirements of this paragraph if the individual
19 worked in one or more of the positions referred to
20 in paragraph (1)(A)(ii)(III)(bb) for a period of at
21 least one year during the period described in para-
22 graph (1)(A)(i)(I).

23 “(5) SPECIAL RULE RELATING TO COMBINED
24 WORK HISTORIES FOR MINERS.—An individual
25 meets the requirements of this paragraph if the indi-

1 vidual, during the period described in paragraph
2 (1)(A)(i)(I), worked as a miner and was exposed to
3 such number of working level months that the Attor-
4 ney General determines, when combined with the ex-
5 posure of such individual to radiation through work
6 as a miller, core driller, or ore transporter during
7 the period described in paragraph (1)(A)(i)(I), re-
8 sults in such individual being exposed to a total level
9 of radiation that is greater or equal to the level of
10 exposure of an individual described in paragraph
11 (4).”.

12 (g) DEFINITION OF CORE DRILLER.—Section 5(b) is
13 amended—

14 (1) by striking “and” at the end of paragraph
15 (7);

16 (2) by striking the period at the end of para-
17 graph (8) and inserting “; and”; and

18 (3) by adding at the end the following:

19 “(9) the term ‘core driller’ means any indi-
20 vidual employed to engage in the act or process of
21 obtaining cylindrical rock samples of uranium or va-
22 nadium by means of a borehole drilling machine for
23 the purpose of mining uranium or vanadium.”.

1 **SEC. 6. EXPANSION OF USE OF AFFIDAVITS IN DETERMINA-**
2 **TION OF CLAIMS; REGULATIONS.**

3 (a) **AFFIDAVITS.**—Section 6(b) is amended by adding
4 at the end the following:

5 “(3) **AFFIDAVITS.**—

6 “(A) **EMPLOYMENT HISTORY.**—For pur-
7 poses of this Act, the Attorney General shall ac-
8 cept a written affidavit or declaration as evi-
9 dence to substantiate the employment history of
10 an individual as a miner, miller, core driller, or
11 ore transporter if the affidavit—

12 “(i) is provided in addition to other
13 material that may be used to substantiate
14 the employment history of the individual;

15 “(ii) attests to the employment history
16 of the individual;

17 “(iii) is made subject to penalty for
18 perjury; and

19 “(iv) is made by a person other than
20 the individual filing the claim.

21 “(B) **PHYSICAL PRESENCE IN AFFECTED**
22 **AREA.**—For purposes of this Act, the Attorney
23 General shall accept a written affidavit or dec-
24 laration as evidence to substantiate an individ-
25 ual’s physical presence in an affected area dur-

1 ing a period described in section 4(a)(1)(A)(i)
2 or section 4(a)(2) if the affidavit—

3 “(i) is provided in addition to other
4 material that may be used to substantiate
5 the individual’s presence in an affected
6 area during that time period;

7 “(ii) attests to the individual’s pres-
8 ence in an affected area during that pe-
9 riod;

10 “(iii) is made subject to penalty for
11 perjury; and

12 “(iv) is made by a person other than
13 the individual filing the claim.

14 “(C) PARTICIPATION AT TESTING SITE.—

15 For purposes of this Act, the Attorney General
16 shall accept a written affidavit or declaration as
17 evidence to substantiate an individual’s partici-
18 pation onsite in a test involving the atmospheric
19 detonation of a nuclear device if the affidavit—

20 “(i) is provided in addition to other
21 material that may be used to substantiate
22 the individual’s participation onsite in a
23 test involving the atmospheric detonation
24 of a nuclear device;

1 “(ii) attests to the individual’s partici-
2 pation onsite in a test involving the atmos-
3 pheric detonation of a nuclear device;

4 “(iii) is made subject to penalty for
5 perjury; and

6 “(iv) is made by a person other than
7 the individual filing the claim.”.

8 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

9 Section 6 is amended—

10 (1) in subsection (b)(2)(C), by striking “section
11 4(a)(2)(C)” and inserting “section 4(a)(2)(E)”;

12 (2) in subsection (c)(2)—

13 (A) in subparagraph (A)—

14 (i) in the first sentence, by striking
15 “subsection (a)(1), (a)(2)(A), or (a)(2)(B)
16 of section 4” and inserting “subsection
17 (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or
18 (a)(2)(D) of section 4”; and

19 (ii) in clause (i), by striking “sub-
20 section (a)(1), (a)(2)(A), or (a)(2)(B) of
21 section 4” and inserting “subsection
22 (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or
23 (a)(2)(D) of section 4”; and

1 (B) in subparagraph (B), by striking “sec-
2 tion 4(a)(2)(C)” and inserting “section
3 4(a)(2)(E)”; and

4 (3) in subsection (e), by striking “subsection
5 (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and in-
6 serting “subsection (a)(1), (a)(2)(A), (a)(2)(B), or
7 (a)(2)(C) of section 4”.

8 (c) REGULATIONS.—Section 6(k) is amended by add-
9 ing at the end the following: “Not later than 180 days
10 after the date of enactment of the Radiation Exposure
11 Compensation Act Amendments of 2017, the Attorney
12 General shall issue revised regulations to carry out this
13 Act.”.

14 **SEC. 7. LIMITATION ON CLAIMS.**

15 (a) EXTENSION OF FILING TIME.—Section 8(a) is
16 amended—

17 (1) by striking “22 years” and inserting “19
18 years”; and

19 (2) by striking “2000” and inserting “2013”.

20 (b) RESUBMITTAL OF CLAIMS.—Section 8(b) is
21 amended to read as follows:

22 “(b) RESUBMITTAL OF CLAIMS.—

23 “(1) DENIED CLAIMS.—After the date of enact-
24 ment of the Radiation Exposure Compensation Act
25 Amendments of 2017, any claimant who has been

1 denied compensation under this Act may resubmit a
2 claim for consideration by the Attorney General in
3 accordance with this Act not more than three times.
4 Any resubmittal made before the date of the enact-
5 ment of the Radiation Exposure Compensation Act
6 Amendments of 2017 shall not be applied to the lim-
7 itation under the preceding sentence.

8 “(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

9 “(A) IN GENERAL.—After the date of en-
10 actment of the Radiation Exposure Compensa-
11 tion Act Amendments of 2017, any claimant
12 who received compensation under this Act may
13 submit a request to the Attorney General for
14 additional compensation and benefits. Such re-
15 quest shall contain—

16 “(i) the claimant’s name, social secu-
17 rity number, and date of birth;

18 “(ii) the amount of award received
19 under this Act before the date of enact-
20 ment of the Radiation Exposure Com-
21 pensation Act Amendments of 2017;

22 “(iii) any additional benefits and com-
23 pensation sought through such request;
24 and

1 “(iv) any additional information re-
2 quired by the Attorney General.

3 “(B) ADDITIONAL COMPENSATION.—If the
4 claimant received compensation under this Act
5 before the date of enactment of the Radiation
6 Exposure Compensation Act Amendments of
7 2017 and submits a request under subpara-
8 graph (A), the Attorney General shall—

9 “(i) pay the claimant the amount that
10 is equal to any excess of—

11 “(I) the amount the claimant is
12 eligible to receive under this Act (as
13 amended by the Radiation Exposure
14 Compensation Act Amendments of
15 2017); minus

16 “(II) the aggregate amount paid
17 to the claimant under this Act before
18 the date of enactment of the Radi-
19 ation Exposure Compensation Act
20 Amendments of 2017; and

21 “(ii) in any case in which the claimant
22 was compensated under section 4, provide
23 the claimant with medical benefits under
24 section 4(a)(5).”.

1 **SEC. 8. ATTORNEY FEES.**

2 Section 9(b)(1) is amended by striking "2 percent"
3 and inserting "10 percent".

4 **SEC. 9. GRANT PROGRAM ON EPIDEMIOLOGICAL IMPACTS**
5 **OF URANIUM MINING AND MILLING.**

6 (a) **DEFINITIONS.**—In this section—

7 (1) the term "institution of higher education"
8 has the meaning given under section 101 of the
9 Higher Education Act of 1965 (20 U.S.C. 1001);

10 (2) the term "program" means the grant pro-
11 gram established under subsection (b); and

12 (3) the term "Secretary" means the Secretary
13 of Health and Human Services.

14 (b) **ESTABLISHMENT.**—The Secretary shall establish
15 a grant program relating to the epidemiological impacts
16 of uranium mining and milling. Grants awarded under the
17 program shall be used for the study of the epidemiological
18 impacts of uranium mining and milling among non-occu-
19 pationally exposed individuals, including family members
20 of uranium miners and millers.

21 (c) **ADMINISTRATION.**—The Secretary shall admin-
22 ister the program through the National Institute of Envi-
23 ronmental Health Sciences.

24 (d) **ELIGIBILITY AND APPLICATION.**—Any institution
25 of higher education or nonprofit private entity shall be eli-
26 gible to apply for a grant. To apply for a grant an eligible

1 institution or entity shall submit to the Secretary an appli-
2 cation at such time, in such manner, and containing or
3 accompanied by such information as the Secretary may
4 reasonably require.

5 (e) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this section
7 \$3,000,000 for each of fiscal years 2015 through 2019.

8 **SEC. 10. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS**
9 **COMPENSATION PROGRAM.**

10 (a) COVERED EMPLOYEES WITH CANCER.—Section
11 3621(9) of the Energy Employees Occupational Illness
12 Compensation Program Act of 2000 (42 U.S.C. 7384l(9))
13 is amended by striking subparagraph (A) and inserting
14 the following:

15 “(A) An individual with a specified cancer
16 who is a member of the Special Exposure Co-
17 hort, if and only if—

18 “(i) that individual contracted that
19 specified cancer after beginning employ-
20 ment at a Department of Energy facility
21 (in the case of a Department of Energy
22 employee or Department of Energy con-
23 tractor employee) or at an atomic weapons
24 employer facility (in the case of an atomic
25 weapons employee); or

1 “(ii) that individual—

2 “(I) contracted that specified
3 cancer after beginning employment in
4 a uranium mine or uranium mill de-
5 scribed under section 5(a)(1)(A)(i) of
6 the Radiation Exposure Compensation
7 Act (42 U.S.C. 2210 note) (including
8 any individual who was employed in
9 core drilling or the transport of ura-
10 nium ore or vanadium-uranium ore
11 from such mine or mill) located in
12 Colorado, New Mexico, Arizona, Wyo-
13 ming, South Dakota, Washington,
14 Utah, Idaho, North Dakota, Oregon,
15 Texas, or any State the Attorney Gen-
16 eral makes a determination under sec-
17 tion 5(a)(2) of that Act for inclusion
18 of eligibility under section 5(a)(1) of
19 that Act; and

20 “(II) was employed in a uranium
21 mine or uranium mill described under
22 subclause (I) (including any individual
23 who was employed in core drilling or
24 the transport of uranium ore or vana-
25 dium-uranium ore from such mine or

1 mill) at any time during the period
2 beginning on January 1, 1942, and
3 ending on December 31, 1990.”.

4 (b) MEMBERS OF SPECIAL EXPOSURE COHORT.—

5 Section 3626 of the Energy Employees Occupational Ill-
6 ness Compensation Program Act of 2000 (42 U.S.C.
7 7384q) is amended—

8 (1) in subsection (a), by striking paragraph (1)
9 and inserting the following:

10 “(1) The Advisory Board on Radiation and
11 Worker Health under section 3624 shall advise the
12 President whether there is a class of employees—

13 “(A) at any Department of Energy facility
14 who likely were exposed to radiation at that fa-
15 cility but for whom it is not feasible to estimate
16 with sufficient accuracy the radiation dose they
17 received; and

18 “(B) employed in a uranium mine or ura-
19 nium mill described under section 5(a)(1)(A)(i)
20 of the Radiation Exposure Compensation Act
21 (42 U.S.C. 2210 note) (including any individual
22 who was employed in core drilling or the trans-
23 port of uranium ore or vanadium-uranium ore
24 from such mine or mill) located in Colorado,
25 New Mexico, Arizona, Wyoming, South Dakota,

1 Washington, Utah, Idaho, North Dakota, Or-
2 gon, Texas, and any State the Attorney Gen-
3 eral makes a determination under section
4 5(a)(2) of that Act for inclusion of eligibility
5 under section 5(a)(1) of that Act, at any time
6 during the period beginning on January 1,
7 1942, and ending on December 31, 1990, who
8 likely were exposed to radiation at that mine or
9 mill but for whom it is not feasible to estimate
10 with sufficient accuracy the radiation dose they
11 received.”; and

12 (2) by striking subsection (b) and inserting the
13 following:

14 “(b) DESIGNATION OF ADDITIONAL MEMBERS.—

15 “(1) Subject to the provisions of section
16 3621(14)(C), the members of a class of employees at
17 a Department of Energy facility, or at an atomic
18 weapons employer facility, may be treated as mem-
19 bers of the Special Exposure Cohort for purposes of
20 the compensation program if the President, upon
21 recommendation of the Advisory Board on Radiation
22 and Worker Health, determines that—

23 “(A) it is not feasible to estimate with suf-
24 ficient accuracy the radiation dose that the
25 class received; and

1 “(B) there is a reasonable likelihood that
2 such radiation dose may have endangered the
3 health of members of the class.

4 “(2) Subject to the provisions of section
5 3621(14)(C), the members of a class of employees
6 employed in a uranium mine or uranium mill de-
7 scribed under section 5(a)(1)(A)(i) of the Radiation
8 Exposure Compensation Act (42 U.S.C. 2210 note)
9 (including any individual who was employed in core
10 drilling or the transport of uranium ore or vana-
11 dium-uranium ore from such mine or mill) located in
12 Colorado, New Mexico, Arizona, Wyoming, South
13 Dakota, Washington, Utah, Idaho, North Dakota,
14 Oregon, Texas, and any State the Attorney General
15 makes a determination under section 5(a)(2) of that
16 Act for inclusion of eligibility under section 5(a)(1)
17 of that Act, at any time during the period beginning
18 on January 1, 1942, and ending on December 31,
19 1990, may be treated as members of the Special Ex-
20 posure Cohort for purposes of the compensation pro-
21 gram if the President, upon recommendation of the
22 Advisory Board on Radiation and Worker Health,
23 determines that—

Radiation survivors group votes in officers

2017 OFFICERS:

On Jan. 26, members of the Pacific Association for Radiation Survivors voted in their 2017 officers during their monthly membership meeting at Vice-Speaker Therese Terjape's conference room in Hogditch. Officers Robert Celestin, president; John Farnum, vice president; Lisa Damms, secretary; and Debra DeLo Cruz, treasurer, are pictured with Vice-Speaker Terjape and PARS members. Courtesy of the Pacific Association for Radiation Survivors



Radiation Exposure Compensation Act (RECA)

- The United States conducted nearly 200 atmospheric nuclear weapons development tests from 1945 to 1962 throughout the continental United States. Nuclear testing was also conducted on a number of sites in the Marshall Islands and a few other places in the Pacific Ocean.
- In 1990 Congress created a program allowing partial restitution to individuals who developed serious illnesses after exposure to radiation released during the atmospheric nuclear tests or after employment in the uranium industry: the Radiation Exposure Compensation Act (RECA), 42 U.S.C. § 2210. The Act's scope of coverage was broadened in 2000.
- Guam is currently not included in the RECA program.

Current RECA Eligibility Requirements

RECA establishes lump sum compensation awards for individuals who contracted specified diseases in three defined populations:

- ✓ Uranium miners, millers, and ore transporters in Arizona, Colorado, Idaho, New Mexico, North Dakota, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming – \$100,000 per individual or survivor and medical benefits;
- ✓ “Onsite participants” at atmospheric nuclear weapons tests in a test involving the atmospheric detonation of a nuclear device above or within the Pacific Test Sites, the Nevada Test Site, the South Atlantic Test Site, the Trinity Test Site, any designated location within a naval shipyard, air force base, or other official government installation where ships, aircraft or other equipment used in an atmospheric nuclear detonation were decontaminated – \$75,000 per individual or survivor and medical benefits; and
- ✓ Individuals who lived downwind of the Nevada Test Site (“downwinders”) including counties in Utah Nevada, and Arizona. – \$50,000 per individual or survivor and medical benefits.

Inclusion of Guam in RECA

- U.S. Congress members and Senators have been trying to include Guam in the RECA program through legislation since 2005. Resolutions in the Guam Legislature have been introduced and adopted since 2005 supporting the inclusion of Guam in RECA.
- The RECA Amendments of 2017 bill was most recently introduced in Congress through Senate Bill 197, to include Guam as an eligible covered area due to its proximity “downwind” from nuclear testing in the Marshall Islands.
- If Senate Bill 197 is passed, individuals who resided in Guam between June 30, 1946 and August 19, 1958 or between April 25, 1962 and November 5, 1962 would be eligible if they were diagnosed with leukemia (other than chronic lymphocytic leukemia), multiple myelom, lymphomas (other than Hodgkin’s disease or primary cancer of the larynx, thyroid, breast (female/male), small intestines, pancreas, ovary, salivary gland, lung, esophagus, stomach, brain, urinary bladder, bile ducts, liver, colon, and gall bladder.
- If Senate Bill 197 is passed, the compensation per individual or survivor will increase from \$50K to \$150K

Guam Legislature – Resolution No. 39-34 (COR)

- Vice Speaker Therese Terlaje introduced Resolution No. 39-34 in the 34th Guam Legislature to express support for S. 197 which would amend RECA to include Guam as a downwind area.

Resolution No. 39-34 relative to Radiation Exposure Compensation Act (RECA)

Downwinder Definition

Any person who was exposed downwind to fallout from the atmospheric detonation at the Nevada Test Site

Senate Bill 197, if passed, would add Guam to definition as "downwind" from Pacific Test Site

Eligibility Dates

Resided on Guam between June 30, 1946 and August 19, 1958 or between April 25, 1962 and November 5, 1962

Eligible Downwinder Illness

- leukemia (other than chronic lymphocytic leukemia)
- multiple myeloma
- lymphomas (other than Hodgkin's disease.)
- Primary cancer of the larynx, thyroid, breast (female/male), small intestines, pancreas, ovary, salivary gland, lung, esophagus, stomach, brain, urinary bladder, bile ducts, liver, colon, and gall bladder



**OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE**
Chairperson of the Committee
On Culture and Justice

*I Mina'trentai Kuattro na Liheslaturan Guahan
34th Guam Legislature*

**SENATOR TERLAJE LEADS THE FIGHT FOR VICTIMS OF RADIATION
EXPOSURE FROM NUCLEAR TESTING IN THE PACIFIC**

FOR IMMEDIATE NEWS RELEASE (February 22, 2017 – Hagåtña) - Senator Therese M. Terlaje (D-Yoña), along with fellow Democrat Senators Benjamin J. F. Cruz, Thomas C. Ada, Dennis G. Rodriguez, Jr., Frank B. Aguon, Jr., Michael F.Q. San Nicolas, Telena C. Nelson, Joe S. San Agustin, and Regine B. Lee, introduced **Resolution No. 39-34 (COR)**. The resolution urges the U.S. Congress to swiftly act on the passage of S. 197, which would provide some financial relief for those who fell victims of the **radiation exposure** from nuclear weapons testing in the Pacific and are now suffering from radiation-related illnesses, including cancer.

S. 197, the *Radiation Exposure Compensation Act Amendments of 2017*, was introduced on January 24, 2017, by Senators Mike Crapo, Jim Risch, Tom Udall, and Michael Heinrich. S. 197 seeks to amend the Radiation Exposure Compensation Act of 1990 (RECA) to expand the list of eligible downwind areas to include Guam. The passage of S. 197 would allow those who resided in Guam between 1945 and 1962, and who suffered from cancer or other radiation-related illnesses, to apply for compensation of up to \$150,000 from the remaining funds in the RECA Trust Fund.

“There is no doubt that Guam was exposed to the radiation testing conducted by the U.S. Government in the mid-40s through the early 60s,” Terlaje stated. The committee tasked to do an independent assessment on this issue by the Health Resources and Services Administration found that “Guam did receive measurable fallout from atmospheric testing of nuclear weapons in the Pacific” and recommended that “Residents of Guam during that period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders.”

“This has been a very long battle, and it’s time for the U.S. Congress to move forward and do the right thing. Guam victims of the radiation exposure are dying and their families—aside from the obvious emotional toll—are suffering from mounting medical bills,” stated Terlaje. “Through the persistence of individuals like Mr. Robert N. Celestial, the late Dr. Chris Perez, and former Speakers Ben Pangelinan, Mark Forbes, and Judith Won Pat, to name a few, and through the leadership of the Pacific Association of Radiation Survivors, Guam was included in the RECA amendment bill,” Terlaje said. “Now, it’s up for us to continue fighting until the amendment including Guam on the list is passed into law.”

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For more information, please call the Office of Vice Speaker Therese M. Terlaje at (671) 472-3586.

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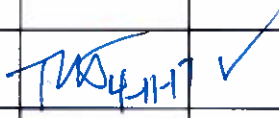
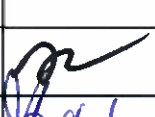
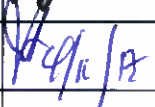

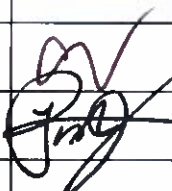
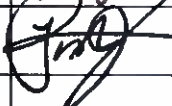
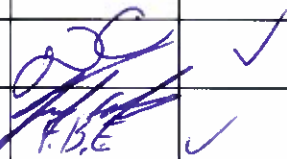



**OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
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On Culture and Justice**

*I Mina'trentai Kuåttro na Liheslaturan Guåhan
34th Guam Legislature*

SUBSTANTIVE RESOLUTION VOTE SHEET

Resolution No. 39-34 (COR), As Introduced – Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of I Mina'trentai Kuåttro na Liheslaturan Guåhan for S. 197, introduced in the US Congress on January 24, 2017, which would amend the Radiation Exposure Compensation Act to include Guam as a downwind area.

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Speaker B.J.F. Cruz						
Vice Speaker Therese M. Terlaje		✓				
Senator Régine Biscoe Lee						
Senator Thomas C. Ada		✓				
Senator Joe S. San Agustin		✓				
Senator Telenia Cruz Nelson		✓				
Senator Michael F.Q. San Nicolas						
Senator Dennis G. Rodriguez, Jr.		✓				
Senator Frank B. Aguon, Jr.	 4/11/17	✓				
Senator James V. Espaldon						
Senator Tommy Morrison						
Senator Mary Camacho Torres						
Senator Louise B. Muña						
Senator William M. Castro		✓				
Senator Fernando Esteves		✓				



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*I Mina'trentai Kuåttro na Liheslaturan Guåhan
34th Guam Legislature*

COMMITTEE REPORT DIGEST

Resolution No. 39-34 (COR), As Introduced – Therese M. Terlaje – “Relative to seeking compensation for cancer and other illnesses caused by exposure to ionizing radiation and to expressing the support of *I Mina'trentai Kuåttro na Liheslaturan Guåhan* for S. 197, introduced in the US Congress on January 24, 2017, which would amend the Radiation Exposure Compensation Act to include Guam as a downwind area.”

I. OVERVIEW

Resolution No. 39-34 (COR) was introduced by Vice Speaker Therese M. Terlaje on February 22, 2017, and referred to the Author on February 23, 2017.

Vice Speaker Therese M. Terlaje convened a public hearing on Tuesday, March 14, 2017, beginning at 5:30 p.m. in the Guam Congress Building's Public Hearing Room. The hearing for Resolution No. 39-34 (COR) and Bill No. 10-34 (COR) began at 5:43 p.m. and concluded at 6:31 p.m.

Public Notice Requirements.

Notices for this public hearing were disseminated via email to all senators and all main media broadcasting outlets on March 7, 2017 and again on March 10, 2017 and published in the Pacific Daily news from March 9th through the 14th, 2017.

Senators Present

Vice Speaker Therese M. Terlaje	Senator Frank B. Aguon, Jr.
Senator Telena Cruz Nelson	Speaker Fernando B. Esteves
Senator Régine Biscoe Lee	Senator Louise Borja Muña
Speaker Benjamin J.F. Cruz, Member	Senator William M. Castro

Appeared Before the Committee

Robert N. Celestial	Abu Rose
Dr. Robert A. Underwood, University of Guam	Josette Marie Quinata
Rosita Birdwell	

Submitted Written Testimony

Abu Rose	Josette Marie Lujan Quinata
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Connie Rose Lujan Sayama, BSW Anjelica Okada Roscoe
Renata Bordallo, MSW, CTR Mikaila San Nicolas, BSW
Cathy M. R. Castro

II. SUMMARY OF TESTIMONY & DISCUSSION

Vice Speaker Terlaje called the public hearing to order on Tuesday, March 14, 2017, at 5:33 p.m. Resolution No. 39-34 (COR) was the first item on the Agenda.

Vice Speaker Terlaje

I would like to thank my colleagues for attending this evening's hearing. On my left is Speaker Benjamin J.F. Cruz. To my right is Senator Telena Nelson. On her right is Senator Wil Castro. To his right is Senator Louise Borja Muña, To the left of Speaker Cruz is Senator F. B. Aguon, Jr., Senator Fernando B. Esteves, and Senator Régine Biscoe Lee.

I would like to call up those who signed up to testify on Resolution No. 39-34 (COR) starting with Mr. Robert Celestial and then Dr. Robert Underwood. Are you going to testify under Resolution No. 39-34 (COR), Dr. Underwood?

I would also like to call up Maryann Taitague, Rosita Birdwell, Connie Sayama, Tanya Simer, Emiliani Blas, Serene Pecha, and Peter Blaz. If any one of you would like to testify please come forward. If you don't want to testify, that's fine too. But if you would like to testify, please come forward.

Mikaila San Nicolas, Abu Rose, Carmelita Cepeda, or Jesse Cepeda, if any of you would like to come forward to testify, come up to the table. If not, that's okay too.

I'd like to state for the record, that we received written testimony, in advanced, on the Resolution No. 39-34 (COR) from Anjelica Okada Roscoe and Cathy Rivera Castro. We've also received some written testimony tonight, which I believe copies have been made of and are available for you.

As the sponsor of the Resolution, I have some brief remarks on Resolution 39-34 (COR):

There is a long history of the Legislature's efforts to include Guam in the Radiation Exposure Compensation Act (also known as RECA). There have been several resolutions introduced since 2005 and more recently in 2015 with Resolution No. 39-33 (COR) to support the amendments introduced by U.S. Senators and Congress representatives over the years to include Guam and to increase compensation amount for those impacted by radiation exposure.

There also was a Blue Ribbon Panel requested in 2002 by Senator Angel Santos and Senator Mark Forbes, which published a research report on the radioactive contamination in Guam between 1946-1958. I want to acknowledge the hard work of those involved with the Blue

Ribbon Panel. There were representatives from the 26th Guam Legislature: Angel Santos, Mark Forbes, Kaleo Moylan, Eddie Baza Calvo, Ben Pangelinan, Mark Charfauros, Lou Leon Guerrero, Judith Won Pat, Felix Camacho, and Frank Aguon. These were the senators who were part of the Blue Ribbon Panel. Community Members: Dr. W. Chris Perez, Dr. Juan Fernandez, Archbishop Anthony Apuron, Pastor Ron DeGuzman, Atty. Mike Phillips, Ray Tenorio, Bob Celestial, Ed Chanco, Jan Furakawa, Joaquin Santos, Mark Benavente, and Trinidad Torrez. I would like to acknowledge their help in the progress of this cause.

Resolution No. 39-34 (COR) continues these efforts and seeks to support the amendments of the RECA introduced in US Senate bill 197, to include Guam as a downwind area;

If included in the RECA program, individuals who lived on Guam between June 30, 1946 and August 19, 1958; or between April 25, 1962 and November 5, 1962 would be eligible for compensation and medical benefits if they were diagnosed with one of the compensable diseases listed in the act, and we are going to have a list of those diseases up on the screen a little later.

Between the years of 1945 and 1960, approximately 50 to 60 thousand people lived on Guam and may be eligible for compensation from the RECA program.

We will now accept testimony. Welcome Mr. Robert Celestial. You may now proceed.

Robert Celestial (*See attached presentation with the first page titled, "PARS First Group Members and Present."*)

Hafa adai yan buenas. Guåhu si Robert Namauleg Celestial. Si Yu'os Ma'åse' na kuma'udi yu' gui'ni. Thank you Vice Speaker, Speaker, and Honorable Senators.

I would like to give a presentation, if that would be okay? Vice Speaker?

Vice Speaker Terlaje
Yes. Please.

Robert Celestial

[Slide 1] This is our group, the first group and second group of the Pacific Association of Radiation Survivors (PARS). At first, we started about 2000, and like you said, we worked with Angel Santos at that time.

[Slide 2] What I did was I'd like to pay tribute to these gentlemen: Speaker Tony Unpingco, Senator Angel Santos, Speaker Ben Pangelinan, Dr. Chris Perez, our Health Physicist that came with us to Washington, D.C. to testify with myself and a Congresswoman and a scientist from U.K., who wrote in the Eisner Journal about Guam and also the Lieutenant (USN) Bert Schrieber, who was here, who gave his sworn

testimony with the National Research Council that his Geiger counters were going off the scale and also our Na'shion Chamoru, Må'ga Lahi, si Mr. Ed Benavente.

[Slide 3] From 1946-1962, the United States detonated 66 Nuclear/Hydrogen bombs in the Marshall Islands. Forty-three (43) was (were) in the Enewetak Atoll. I was stationed there in 1977.

[Slide 4] This is what the atoll looks like in the Marshall Islands. Like I said it is about 1,200 miles east of us.

[Slide 5] You can see where Guam is and the Republic of the Marshall Islands. What I wanted to give us was a gist of a general idea of how we were related to the Marshall Islands.

[Slide 6] In 1954, the detonated BRAVO, a hydrogen bomb. It just shows here the radius and how we are directly downwind from Enewetak and the Bikini Islands.

[Slide 7] And if you look up in the center, they have an island called Lojwa, spelled L o j w a. And that's the island I was stationed in (on). Enewetak is the main island on the far right.

[Slide 8] This is Lieutenant Bert Schreiber. After I gave testimony in Washington, D.C., I was invited to his home in Texas. And we had a good weekend together. And I even invited him here to Guam, which he did come to visit.

[Slide 9, 10] Just wanted to show you the precipitation of, at that time, how exactly not only the waters, but the winds come in directions towards our islands. And I wanted to give you an idea that how these radio nuclides during each detonation would actually affect the people of Guam.

[Slide 11, 12] So, in 1990, the Radiation Exposure Compensation Act was enacted and that President Bush had, at that time, wanted to sign this into law, but before that, it was very important to understand that the scientists were very reluctant to give compensation to people from these states like Arizona, Nevada, and Utah. But what he did is, he went ahead and if you could read the underlining statement,

[T]he bill provides compassionate payments to persons with specified diseases who fear that their health was harmed because of fallout from atmospheric atomic testing at the Nevada test site, regardless of whether causation can be scientifically established.

This is a very important statement. It's because we have the scientists who wanted to use like those reconstructions or probably the difficult causation it would really hinder receiving their compensation. So, this program, that whether, regardless of whether

causation and that's a lot of questions that people ask. How can you prove it? So, here he's saying, whether causation or scientific data can be provided, we're going to sign it and give people compassionate payments. And so that's how the RECA program came to be.

[Slide 13] In 1994, this is the secretary at that time, of Energy, Hazel O'Leary. She asked President Clinton in Hawaii, I read the statement that she asked if the President, at that time, would declassify all the agencies FBI, NIH, CIA that she believed that a lot of atrocities had been done.

[Slide 14] What the President did was he hired Dr. Ruth Faden. She was the Executive Director of the Phoebe R. Berman Bioethics Institute from John Hopkins University and they formed the Advisory Committee.

[Slide 15, 16, 17] And the Advisory Committee, we'll go right through the Advisory Committee, but what happened was they formed human radiation experiments and they went throughout all the different agencies and found out that they did do a lot of like injections of plutonium into people giving radiation iodine into bowls of cereals into elementary schools. So these were the atrocities she was trying to find and they did find it. And not only that, when they declassified all this information in 1994, Guam was in the Department of Energy's website and that was how I was able to extract all the information for Guam.

[Slide 18] So here we have five (5) categories; Onsite Participants, Downwinders, Uranium Ore Transporters, Uranium Millers, Uranium Miners. In the amendments of Senate Bill 197, I realized that Senator Mike Crapo is trying to introduce another class of people. It's called, 'Core Drillers' and I was really surprised when I read that because we only have five (5) categories. And when I read it last night, I said wait a minute, he's trying to introduce a new class, which is Core Drillers. So, I don't have it up here. It's in the Bill 197.

[Slide 19] So, from 1990 to 1994, the declassification all the way up to (the year) 2000, amendments what it did was, in July of 2000,

...Public Law 106-245, the Radiation Exposure Compensation Act Amendments of 2000 was passed. Introduced by Senator Hatch on August 5, 1999, the Amendments were one of many bills introduced in the 106th Congress with the intent to amend the existing law. Most significantly, the 2000 Amendments added two (2) new claimants (at that time) categories, provided additional compensable illnesses, lowered the radiation exposure threshold for uranium miners, included above-ground miners within the definition of "uranium miner," modified medical documentation requirement, and removed certain lifestyle restrictions...

It was very important because they had a requirement that if you smoked, you had a very small chance of receiving your compensation.

[Slide 20] Here, Guam was not included in the 1990, neither in the 2000, forgotten but not left behind, Guam gets into the radiation exposure.

[Slide 21] I remember at that time in 2001, I was a young individual and I didn't understand politics, so I wrote a four (4) page letter to the Governor, to the Delegate at that time, Archbishop, anyone who would hear my story, that Guam and its people were exposed to [a] nuclear fallout. So I informed them in words about the radiation fallout.

[Slide 21, 22] And so, when you read earlier in the 26th Guam Legislature, they formed the Blue Ribbon Panel. And you already named everybody, but I want to mention Senator Wil Castro and Shawn Briscole at that time worked for Senator Angel Santos and it was [were] these two (2) individuals that wrote the 97-page report so we've got to give them a lot of kudos. All I did was just provide them with just the documents, at that time. So thank you very much Senator Wil Castro.

[Slide 23] In September of 2002, Congress mandates the Health Resources Service Administrator (HRSA) in accordance with P.L. 107-206 to task the National Research Council's (NRC's) Board on Radiation Effects Research (BRER) Committee to a conduct study.

They already passed the 2000 amendments, but they wanted to find out what other geographical areas to include. So, the Board of Radiation Effects Research (BRER) invites Guam to present oral and written testimonies in Washington D.C.

[Slide 24] So, I contacted Dr. Isaf Al-Nubulsi, she's with the [30:59] Senior Study Director for the BRER Committee 2004 and Dr. W. Chris Perez, Dr. Wes Youngberg, and Dr. (Pablo) Guzman, they submitted letters to Dr. Isaf Al-Nubulsi, requesting that Guam did be included in RECA.

So in February 2004, Dr. Isaf Al-Nubulsi sends invitations for the Doctors' and myself to the March 2000, BRER Committee (Hearing), in Washington, D.C. This was before the National Academies of Science.

[Slide 25] So, just a photograph of myself and Mr. William Brady and Former Senator Carmen Fernandez and our good Delegate, Congresswoman Madeleine Bordallo. Mr. Brady, he was in a previous board for radiation and he retired and so I contacted him in Arizona, and he said he would represent Guam if we paid for his trip and everything and it was to my surprise that everybody knew him in the National Academy of Science. The National Academy of Science actually knew Mr. Brady and he was very instrumental to us being included or actually stating that Guam was eligible to receive compensation in the Radiation Exposure Compensation Act.

[Slide 26] So, after the meeting, this is Dr. Preston, he was the Chairperson and this is Dr. Iaf Al-Nabulsi. And after we gave the oral and written testimony, I wanted to thank them and the people of Guam. I had no clue on what we were going to write for Guam.

[Slide 27] So, we submitted documentation of evidence to the Board of Radiation Effects Research Committee and the sworn testimony of Lt. Bert Schrieber.

[Slide 28] So I just want to show you this page that the Department of Energy actually wrote a letter, to I believe Congressman, at that time, Mr. Robert Underwood stating that they did not do no wash downs here on Guam. Not knowing that I had the documents stating that they did. And so, I went ahead and submitted their letter saying that they didn't wash down any ships here in Guam and then I submitted all the documents.

[RECORDING WAS INAUDIBLE AT 33:09 timestamp UNTIL 33:39]

[Slide 29] [INAUDIBLE, slide appears at 33:20] *(Summary of slide: The National Research Council of the National Academies published a report titled "Assessment of the Scientific Information for the Radiation Exposure Screening and Education Program.")*

[Slide 30] [INAUDIBLE, slide appears at 33:31] *(Summary of slide: Operation Ivy Mike Shot at Enewetak Atoll had the first hydrogen bomb detonation in the Pacific at 10.4 megatons on November 1st, 1952.)*

[Slide 31] The dates are very important here because there was no reading as strong to the one here on Guam. But if you notice that on November 3rd, three (3) days later, they had a high peak of radiation fallout here on Guam. And this scale was actually given at the National Research Council and stated that Lt Bert Schreiber's Geiger counters were going off the scale and the people were being exposed to radiation fallout.

[Slide 32] And here's another diagram stating that Salt Lake City [UT] had the highest peak of strong tomb 90, which is a radionuclide, it can cause cancer. And, that if you notice, Guam had came in second highest. [34:36] So we were inundated with high levels of radiation during that time.

[Slide 33-34] And the conclusion, I'll just read the conclusion. It says that:
As a result of its analysis, the committee concludes that Guam did receive measurable fallout from atmospheric testing of nuclear weapons in the Pacific. Residents of Guam during that period should be eligible for compensation under RECA in a way similar to that of persons considered to be downwinders.

We've been eligible ever since 2005. And so, we've been waiting twelve (12) years to today, and I believe that this is the year we can get in if we push hard enough because

Senator Mike Crapo is a Republican and also he sits in the Judiciary Committee and he's been asking everybody, he asked seven (7) times if we were going to have a hearing for this bill. And that's a good thing, for Guam and the other States.

[Slide 36] I wanted to show you the examples of a half-life and the most important one here is CC137 Strong Tomb 90. They have a half-life of 30 years and 28 years. And so, the reason I want to show you this is because they are only giving us up to 1962. Anyone who was on Guam from 1946 to 1962, it's very important to understand that whoever goes before and testifies before this committee needs to understand that CC137 Strong Tomb 90 has a half-life of 30 years. You need to give the people of Guam who were exposed to from 1962 to 1992 because the nuclear fallout was still here on Guam and people were still being exposed to radiation.

[Slide 34-35] So, this is the bill, Senate Bill 197 and we thank our friends Tona Henderson and J. Truman from Idaho whose been really helping us. And that's how we got into the senate bill. It's because Tony Taitingfong and myself went years ago during a downwinders meeting from all the states. We presented our case and we became friends. And they've been helping us get into the bill.

[Slide 33] And so, this is a copy of the Resolution (No.) 39-34 (COR) and I thank everybody for being here.

[Slide 37, 38, 39] And for Onsite Participants, I just wanted to show you that we got Enewetak Atoll Cleanup from 1977 to 1978. That's me, on the left, and that's Mr. Ed Blas and our coconut crab that we ate. And I forgot the other gentleman's name there. And so, this is where they detonated 43 of the nuclear bombs and you notice how we're dressed? Shorts and that's it.

And so, we were highly exposed at that time, but we were young and so I just wanted to show you that Mr. Ed Blas passed away from cancer also.

That's how we went to work. That's how we got our mail.

[Slide 40] And I want to show you, this was a detonation in one of the islands in the atoll called Runit. A detonation they detonated a surface shot, a nuclear bomb.

[Slide 41] And this was the crater that it created. I remember when I first got there we had to go in there with our boots and drain all the water out. We didn't know it was a detonation of a nuclear bomb at that time.

[Slide 42] And we built the Runit Dome, which today, if you go to "Google" you'll find out that it's still highly active and it's still as contaminated as before. And that's what we did. We built this dome.

[Slide 43] And so, this is the completion. This is the completion of the dome.

[Slide 44, 45] This is the PAR'S first group.

And I want to thank Vice Speaker for really supporting us and the people of Guam. A lot of people don't really understand what we're trying to do, but, I hope that we could shed some light tonight and really touch in people's hearts that, yes, the people of Guam have been affected and that we have a lot of cancers and different diseases. And that Congress has, they can provide medical benefits in their amendments, in the Senate Bill 197. That they would pay all medical expenses and give one hundred fifty thousand dollars (\$150,000) to everyone who is eligible to apply.

And this concludes my testimony. Thank you very much. Un Dangkulu na Si' Yu'us Ma'ase.

Vice Speaker Terlaje

Thank you very much Mr. Celestial. If you could remain on the panel and we could ask some questions in a little while.

Robert Celestial:

Yes.

Vice Speaker Terlaje

I'll allow the rest of the panel of members to ask the questions.

Robert Celestial

Yes.

Vice Speaker Terlaje

We welcome testimony from Dr. Robert Underwood. Dr. Underwood?

Dr. Robert Underwood

Good evening; Buenas noches, todos hamyu'. I'm here on this particular panel just as a private citizen, not speaking on behalf of the University of Guam.

So I admire the courage of Mr. Celestial over the years and what he has done in bringing these issues to the attention of the public. You know (Name?) who passed away just a few weeks ago, the congressional delegate from American Samoa, was always fond of saying that "in the Pacific, the U.S. detonated 70 atomic weapons; two against enemies and sixty-eight against friends."

And when you consider the magnitude of what that means, then you consider the magnitude of what the downwinders, why this legislation exists, the United States in its testing program detonated over a thousand nuclear weapons. The Soviet Union, by

comparison, detonated about seven hundred (700) nuclear weapons. So the United States remains the champion, all time, for detonating nuclear weapons in the world. And that it was willing to do so not only in the Pacific, but also in the Nevada testing grounds and originally in New Mexico has affected thousands and thousands of people.

So I think it behooves the legislature to work on this resolution but it also, I would just like to offer a suggestion in terms of how you proceed.

First of all, the U.S. Department of Energy is the maintainer for the nuclear stock pile for the United States and as such they also maintain a lot of records. And so it is their physicists and their scientific apparatus that continually monitors this. While it is important to work legislatively, it is also important to do FOIA requests; ask and constantly, not harass, but just simply engage the Department of Energy in that. And that the ones who are continually engaging the Department of Energy on the issue of the effects of nuclear testing of course is the Republic of the Marshall Islands. So they have the expertise, they have the attorneys; they have the long history of doing this.

So again, it behooves the legislature rather than, or the Government of Guam, rather than to do this whole enterprise is to engage again the people in the Marshall Islands because the people in the Marshall Islands are always trying to deal with an issue called "Chain circumstances" so that they can document for compensation for themselves. So that chain circumstance is based on more and more testing and more and more scientific data. And that's going to help kind of make the difference. So, I think it's important that in the context of this resolution and looking forward that we make that contact.

But again I just want to congratulate Robert. I've known him for decades and he's a great spokesman and a person who speaks from the heart. Of course there's a whole team of people with him and many of them are here today so I just want to keep that encouragement but to also recognize that the U.S. Department of Energy is responsible for maintaining the viability of the nuclear stockpile and they also maintain a series of records and they are required to do continually testing and continually monitoring so it's important to figure out how that works in terms of providing more data.

Thank you.

Vice Speaker Terlaje

Thank you very much Dr. Underwood. Rosita Birdwell.

Rosita Birdwell

Good afternoon everybody. It is indeed a privilege to be here. Not too long ago I testified for the same reason. I spoke at the old building. But I am here because I am a cancer survivor. I think it is very sad and it doesn't matter how much we get compensated, it is not going to bring family members that have passed away because of cancer. Very close to me is my brother Carlos L. Taitano. I spent a whole month with

him at the hospital in Washington State when he was suffering from pancreatic cancer. I am very lucky and God has blessed me because I had a cancer operation in 1983 and then in 2005; and so far I haven't had a reoccurrence of that.

But it would be very nice, any compensation I'm sure would be appreciated but it's a shame that when they do have these things that could ruin human beings, that they would've thought how to avoid this. And it is very sad that that wasn't done. But I am glad it is being brought up today and I thank you very much and I do hope and I thank those people who brought this up.

I know Mr. Celestial and I've known him for years. I have heard of him and attended some of his sessions and I've been a member of PARS; I'm sure you're all aware of what PARS is.

Thank you very much and I hope that you people, you know there is so many new faces up there, I'm not familiar with just three (3) people up there but you're all very young and I wish you all the luck that you can bring success to this bill.

Thank you and God bless you.

Vice Speaker Terlaje

Thank you very much and God bless you too. Okay, Abu Rose. Ms. Abu Rose.

Abu Rose:

Guahu si Abu Rose. Buenas hamyo tao tao tano.

“Bad Wind”: I was born in 1946. Today I'm seventy one. Almost for my entire life I've been breathing radiation and have had been sustaining on contaminated crops, fish, and farm animals since. Not only are atomic and hydrogen bombing very destructive, but extremely dangerous. The only difference in comparison with the biblical flood of Noah's time, the deluge killed that world's population instantly, whereas radiation is a prolonged, painful suffering of a slow death and the anguish of the family members watching death taking too long. Many have since passed away and the promises of grandchildren constantly awaiting them. God hides in the clouds, for God cannot even face the fears; cannot comfort tears; and cannot undo the injustice. Mak po'.

Vice Speaker Terlaje

Si Yu'os Ma'ase'. Si Yu'os Ma'ase'. I would like to ask my fellow senators if they've got any questions for this panel beginning with the Speaker. Senators? Senator Aguon.

Senator Frank Aguon, Jr.

Thank you very much Madam Chair, Madam Vice Speaker.

First of all Mr. Celestial thank you for your continued efforts in this quest and journey to

try and get compensation because certainly it's been a little over a decade since you've been pushing this very aggressively and involving some of the other survivors.

The question I have is to you, I always refer to him as Congressman rather than President in most cases but Mr. Congressman understanding and having worked in that environment I noticed that you emphasized, or you made a suggestion in terms of working with the Marshall Islands seeing if by any chance they can provide us any additional evidence but understanding where we are today, in addition to this resolution reinforcing the support of the local community, is there anything else that you feel that perhaps the association under the leadership of Mr. Celestial needs to continue to push in regards to working with members of Congress because really it's your experience and your knowledge of how the process works that really also has to be incorporated as part of this whole entire process,? So I hope you understood my question.

Dr. Robert Underwood

Well, I'll give it my best shot Senator. As I understand your question, what else could we suggest moving forward and maybe why did I raise the Marshall Islands as context. The Marshall Islands of course is the government of people that is most directly affected by these nuclear tests so there's a whole series of compensation packages available to them and one of the sticking issues is that, for them, in order to seek more compensation they have to document what they call chain circumstances.

So the constant scientific inquiry and legal wrangling over chain circumstances is very extensive. And all I'm suggesting is you're talking about lots and lots of money in the case of the Marshall Islands because they directly suffered from this. So obviously it has attracted the interest of very high powered attorneys and organizations so that has kind of fed the level of expertise.

And all I'm suggesting is to find a way to utilize our connections with the Marshall Islands to engage in that but like everything else in a situation like this I don't know whether they're open to it. I'm assuming they might be but of course they might see that the pie is being further divided rather than being expanded so there are those issues that are attended to it. But the Department of Energy is required to monitor the viability and the health and the effects of the nuclear stock pile so they have teams of physicists that are monitoring this. And I just have to believe that that's the source of it.

The work of advocacy as evidence by Mr. Celestial and PARS is excellent in terms of bringing attention in a public hearing and in trying to get the word out and maybe I'm hoping he gets invited to present his case to a Senate hearing on this new legislation. But the issue has to remain, how do you make the case scientifically and legally.

As much as we can all gather here and kind of figure out what is our common level of energy and our outrage or concern, it doesn't really approach the level of expertise and attention that has been given to the Marshall Islands. Of course Robert here has worked

in the Marshall Islands; you've seen the pictures.

I hope the size of that ayu'yu' has nothing to do with the nuclear testing, but I couldn't help but look at that and say, "Boy, that's one big ayu'yu'." So I hope it has nothing to do with the nuclear testing.

But I have to say that's really where the friends may be and there's nothing wrong with including them in the resolution asking them for their assistance. That's basically all I'm saying.

Senator Frank Aguon, Jr.

Si Yu'us Ma'ase,' Mr. Congressman. Thank (you) Madam Chair.

Vice Speaker Terlaje

Thank You. Vice Chair Nelson did you have any questions? Any other questions for this panel? Senator Biscoe Lee?

Senator Régine Biscoe Lee

Thank you Madam Chair. I just want to thank you all for your continued advocacy on this issue and for mentioning all those who have helped in this effort over the years. I had the privilege of meeting with Mr. Celestial years ago in Congresswoman Bordallo's office and discussing this matter and then again more recently this week and he gave me a little bit of an update with this issue.

I agreed to write a letter of support for Senate Bill 197 to the author but also to a number of other Senators just to express my support and hopefully the support of our entire community.

I also want to thank Dr. Underwood for the information about engaging with the Department of Energy; we can look forward to doing that. But, I also just wanted to share for the record that myself and my colleagues had the privilege of meeting with the Congressional delegation a few weeks ago.

There was a CoDel visit by the House Committee on Natural Resources and the Vice Speaker was good enough to raise with those federal representatives that the Guam Legislature would be drafting and hopefully transmitting two letters to Congress pertaining to the impact of nuclear weapons testing in our region.

It's been over seventy years since these testings but we just wanted to emphasize that there continues to be negative effects. We know that in our region, our people, including our veterans. So I emphasized that the impacts on our region and our people have not gone away and neither will our resolve to make sure that we continue to seek the remedy and the attention of Congress on this issue.

So my office has followed up with a letter to the offices of all the CoDel representatives that were here and I just want again to thank your work on this issue and to the author for introducing the resolution. Mr. Celestial, just for the record, if you could maybe give us an idea of how many people have made claims under RECA?

Mr. Robert Celestial

I'm going to give you information from the Department of Justice Radiation Exposure Compensation Act Trust Fund Fiscal Budget of 2017. As of April of 1992, forty three thousand eight hundred and four (43,804) claims have been filed over two point seven billion (\$2.7B) has been awarded in connection with thirty one thousand four hundred and fifteen (31,415) approved claims as of December of 2015.

For 2017, the civil division for RECA estimates that approximately seventy million (\$70M) will be needed for RECA trust fund this year and I believe ten (10) years ago Congress passed a bill that made it a permanent funding for RECA so every year it's funded so for this year, seventy million (\$70M) has been placed into the trust fund. So if you want a break down its two hundred and sixty four million (\$2.64M) has been awarded to Native American claimants distributed among seventeen (17) tribes and two hundred and six million (\$206M) has been awarded to veterans, civil service contractors who participated in on site participants, and that's about it.

Senator Régine Biscoe Lee

You mentioned that there was a trust fund that was set up. It's my understanding that it could be coming to an end in the next few years?

Mr. Robert Celestial

Yes. Yes, in about five (5) years we only have until 2022. With the amendments of Senate Bill 197, if it is enacted and passed in 2018, that they extend it for another nineteen years so that's correct. Thank you Senator.

Senator Régine Biscoe Lee

One last question, I know this is probably going to be an extensive list but what kinds of diseases impact those who have been exposed to radiation?

Mr. Robert Celestial

I know that there's (are) twenty (20), twenty-one (21) cancers and other diseases that's all I could find at this time. There is a breakdown. The reason I don't want to give a complete breakdown is because every category has different diseases and some of the diseases don't cross each other.

Especially for like uranium miners, like lung cancer and other diseases that has partly for the lungs, some of the downwinders probably won't qualify for that so that's why I don't have a breakdown at this time.

However in the amendments of the Senate Bill 197 they did mention there other diseases to be included and they said that the medical benefits would be the same from the EEOICPA; which is the Energy Employs Occupational Individual Compensation Program Act. Which those that were contractors and energy employees they received medical benefits and so if this is passed, then what the Senator and his bill is claiming that the medical benefits will be the same as these individuals receiving.

And when I read Section 36, I believe 3679, in the EEOICPA it just states that all medical benefits will be paid. Meaning whatever you are charged, that the program will pay all your expenses and other expenses like nurses, equipment and other things that are need for the individual that either has cancer or other diseases.

So I read that last night in the bill and I was surprised to find out that he mirrored the EEOICPA. I hope I didn't go too far on that one.

Senator Régine Biscoe Lee

Thank you very much Mr. Celestial and thank you to everyone on the panel and everyone who is here to provide your support for this resolution. Thank you Madam Chair.

Vice Speaker Terlaje

Senator Nelson did you have a question?

Senator Telenia C. Nelson

Håfa Adai Mr. Celestial. Thank you for your testimony, everyone here thank you for coming to support this resolution.

This is a very monumental moment.

Again our government is trying to seek justice for what has been wrong to our people. And I would just like to ask a question Mr. Celestial because you've been an advocate in regards to these actions against our people.

What are some of the challenges that in the past legislative bodies?

What are the gaps we can fill to ensure that this one measure is heard in the United States Congress, the Executive branch?

If you could just maybe impart some of your experience and maybe recommendations for us?

Mr. Robert Celestial

That's a very good question.

From the top of my head, if each and every one of you take a flight to Washington D.C. and lobby for this bill, that would be one. Okay, we can do it as a non-profit organization, which I do plan on going to Washington D.C. this year to lobby.

How far I get? I do not know. But off the top of my head I wish that each and every one of the Senators would get a group, go to Washington, and support this appeal.

Another way that we could do it that I believe is when I talked to Tona Henderson and Jay Truman, the president of the Downwinders in Idaho, and they're the constituents of this bill, Senate Bill 197, is that they told me that they need to write a lot of letters to Senator Grassley, he's the chairperson for the Judiciary Committee.

He said to fill his office full of letters requesting for a Committee hearing. That is what was told to me. And that is what we plan on doing. That is why I believe that this resolution is the beginning. I already wrote to Senator Mike Crapo thanking him but from this resolution actually is supporting his bill so I would just say as many people from Guam or whoever wants to support his bill, to include Guam in RECA, I believe that's one of the things we can do is write as many letters and get it into the Judiciary Committee. I hope that answers some of your questions.

Senator Telenia C. Nelson
Si Yu'os Ma'ase' sir.

Mr. Robert Celestial
You're welcome.

Vice Speaker Terlaje
Senator Castro did you have a question?

Senator William M. Castro
Just a quick question, Mr. Celestial in your report, in the report, reference on page fifty-five (55) was the recommendation of the establishment of a Bravo Office.

Did you still (see) it necessary, in this day and age, to establish the Bureau of Radiation and Contamination in the Office of Victims Overseas to provide the necessary programmatic support?

Mr. Robert Celestial
That would be determined on the Legislature's part or the government's part that's why we formed the Pacific Association of Radiation Survivors, so that we can advocate on behalf of the people. Now, if the Legislature or any agency on Guam wants to pick that agency up, I don't know if it's possible but I would recommend it, yes.

Vice Speaker Terlaje

All right thank you. I'd like to call up, I have Josette Quinata. Are you going to testify?

Is there anyone else who is present who wants to give oral testimony?

All right, Ms. Quinata?

Ms. Josette Quinata

Buenas yan Håfa Adai distinguished members of I Mina'trentai Kuåttro Na Liheslaturan Guåhan, the honorable BJ Cruz, Vice Speaker Therese Terlaje, and colleagues. Dangkulo Na Si Yu'os Ma'åse' for your time in allowing me the opportunity to address this esteem body of our government.

And I'm a proud Chamorro daughter of Guåhan and of Micronesia. I'm honored to be here today to advocate for the voices of those who plead for your attention and support in passing the radiation exposure compensation act amendments of 2017.

I'm inspired to be among some of the individuals who were directly impacted by the radioactive fallout that occurred after the detonation of nuclear bombs in our Pacific Region and who is determined to be listened to.

My voice echoes their concerns and their strength through a poem I have written that highlights their stories and commitment in addressing continuing injustices on our people. This poem entitled "Colonial Illness" is dedicated to them.

"Immeasurable amounts of radiation and poisonous toxins permeate our lives, and become embedded in our subconscious and internal pain of scars and diseases.

These traces of contaminants were detonated in our blood streams, our ocean, our digestive system and foods, plants, crops and animals; our skin and organs, and the land in which we are rooted and connected.

Nuclear weapons and hazardous waste wash upon our shores and were decontaminated in our Pacific.

Radioactive particles and debris entered our bodies causing our disabled, restricted process of healing from the brunt of wars, outside of our control and made without our consent or decision.

We were ordered to participate in building a dome without any knowledge of the toxins that we were exposed to.

The dome minimized the blood stains of atomic experience on a people and culture.

Creating a barrier that enabled neglect, silence, and dismissal of our concerns and

injustices.

Rather than admitting to the malpractice and mishandling of nuclear weapons and radiation, we were prescribed with beliefs that our illnesses were solely from unhealthy habits of our food intake and lifestyle.

An assimilator process, our chief examiner and expert to that of ourselves, the Downwinders.

We weren't warned or informed of any increase in radioactivity yet we were subjected to the undertakings of others' destructions and atomic bombings.

Little did we realize that our dome had been created right here on Guåhan; where we did not have a voice. We were minimized, injected, silenced and ill informed of the grave effects such contaminants have on our health. We realized that our reparations was part of a strategic battle that was already designed to set us up for failure as traces of our struggle were not easily detected or measured. Our colonial disease and historical trauma parallels the cancer cells that our passed down from one generation to the next; from our Manåmko to I Famagu'on ta. Various toxins and chemicals continue to affect our island and our people. Yet our spirits remain strong like our lattes. The impact of terminal diseases are exacerbated in our island and detonated in our people as they have decapitated native hands from native lands. Forced contaminants into our bodies and strategically tried to remove our claims to justice and healing in a system that refuses to meet our needs. Their experimental tests became our exponential cost, that still torments our lives as we medicate our way through diabetes, cancer, Parkinson's, heart disease, kidney failure and sift through radioactive debris affecting our minds, bodies, and souls. We continue to hope for a positive prognosis despite the infectious disease perpetuated through colonialism. It's inevitable, our rapid deterioration and slow death couple with hospital visits, medications, rehabilitations, treatments and therapy aggravates the tumor that stifles our healing process, health and sustainability.

I taotao'tano continue to advocate against these elements impacting our political, culturally, social, economic, and health factors. Although we do not currently have the medical infrastructures, holistic healing centers, and cancer based research facilities needed to treat the colonial diseases and contaminants from nuclear bombs and radiation fallout that we were exposed to, what we do have and our equipped with is the courage to speak out and shed light on what is long overdue despite the irreparable damage infused in our people.

We encourage you to support legislation that includes us in a proposed mandate where we are no longer excluded or dismissed but rather placed at the forefront of this long, emotional, pain staking battle where many of whom were directly impacted or no longer with us today; but are with us in spirit.

I come before you on their behalf; as this is not a resolution but about the lives of our nanas, tatas, mothers, fathers, siblings, uncles, aunts, and children.

This is for our familia, and for their voices. That their struggle was made victorious and their efforts celebrated so the next generation of Guahan's leaders no longer have to turmoil over the atrocities and suffrage of our people from atomic bombs.

This is not a nuclear battle but a vicious cycle when left untreated implicitly weakens our immune system; making us susceptible to the disease that kills our vulnerability; the lack of listening to our stories and meeting the needs of our people.

It is time that we join in with the vulnerable, the brave, and determined; the strong; our people. This is beyond tragedy that we are still fighting for healing. This is sacred life.

This is more than legislation. This is about us. This is more than compensation; this is acknowledgment that the root cause of all of this is deeper than what they can measure, screen, or test.

This is long overdue; this is just the beginning. This is more than chronic illness, this is colonial disease. This is beyond pain, this is stage four; its terminal. This is not history, this is our present. This isn't about weakness; this exemplifies our strength, evidence, in our vulnerability.

Saina Ma'åse'.

Vice Speaker Terlaje

Thank you very much Josette.

Are there any questions?

I would like to thank all the panel members for your testimonies, very helpful for all of us. I know there are some Senators who have been here and heard this many, many times but there are some Senators who have probably heard this for the first time so I thank you all for telling your stories and for your advocacy.

And I thank all the members of PARS who have been advocating for this for a very many years. And many of you are present and I thank you for that.

And I thank your members I can see on your T-shirts the Mañe'lon Marianas. I thank you all for being here and everyone.

There's a lot at stake and I beg your indulgence to just read. These are the illnesses for Downwinders; that Downwinders are eligible for, or the illnesses will be covered:

Leukemia, multiple myeloma, lymphomas other than Hodgkin's disease, primary cancer of the larynx, thyroid, breast, small intestines, pancreas, ovary, salivary gland, lung, esophagus, stomach, brain, urinary bladder, bile ducts, liver, colon, and gall bladder.

And although we've sent resolutions to Congress before, I am very hopeful that this year, as Mr. Celestial said, we are going to make some progress. I think hopefully things in the United States have changes and also our resolve. We've really reaffirmed our resolve.

Dr. Underwood I thank you for your recommendations regarding the Department of Energy. I, for one intend to follow up on those and so, I, thank you all. Thank you for joining us in this hearing and thank you for joining us in this cause that we are one. And thank you very much. Thank you all.

The second agenda item was heard after Resolution 39-34 (COR). The public hearing was adjourned at 6:31 p.m.

III. FINDINGS AND RECOMMENDATIONS

Vice Speaker Therese M. Terlaje, author of the resolution, hereby reports out Resolution No. 39-34 (COR), As Introduced, with the recommendation TO DO PASS.