

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

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE AUTHOR/ COMMITTEE REPORT FILED	NOTES
29-37 (COR)	Jesse A. Lujan Frank Blas, Jr. Telo T. Taitague Tina Rose Muña Barnes Christopher M. Dueñas William A. Parkinson Joanne Brown Dwayne T. D. San Nicolas Roy A. B. Quinata Sabina Flores Perez	Relative to requesting the U.S. Congress to appropriate monies for Guam non-military residents who were exposed to Agent Orange and who are suffering from ailments caused by exposure to Agent Orange.	2/22/23 9:00 a.m.							

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

Resolution No. 29-37 (COR)

Introduced by:

Jesse A. Lujan
Frank Blas Jr.
Telo T. Taitague
Tina Rose Muña Barnes
Christopher M. Dueñas
William A. Parkinson
Joanne Brown
Dwayne T. D. San Nicolas
Roy A. B. Quinata
Sabina Flores Perez

Relative to requesting the U.S. Congress to appropriate monies for Guam non-military residents who were exposed to Agent Orange and who are suffering from ailments caused by exposure to Agent Orange.

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

3 **WHEREAS, *I Liheslaturan Guåhan*** finds that with the passing of the Honoring
4 Our PACT Act of 2022 (“The PACT Act”), the United States Government finally
5 recognized that U.S. military veterans stationed in Guam within the twenty-two-year
6 timeframe of 1958 and 1980 were exposed to Agent Orange and consequentially
7 suffered ailments. However, The PACT Act was not inclusive of non-veterans who
8 were also exposed to Agent Orange and also suffered ailments at the same time as their

1 military veteran counterparts who are now eligible for Agent Orange Disability
2 Compensation; and

3 **WHEREAS**, Agent Orange belongs to a class of color-coded or rainbow
4 herbicides. The properties of Agent Orange consist of a fifty-fifty mixture of two
5 herbicides: 2, 4-D and 2, 4, 5-T, as well as the toxic contaminant, Dioxin, otherwise
6 known as 2, 3, 7, 8-tetrachloro-dibenzo para-dioxin, or TCDD. Other harmful
7 herbicides containing Dioxin include Agents White, Blue, Purple, Pink, and Green.
8 Dioxin buried or leached under the surface or deep in the sediment of rivers and other
9 bodies of water can have a half-life of more than one hundred (100) years; and

10 **WHEREAS**, for the first time on August 10, 2022, the territory of Guam was
11 added to the list of locations eligible for Agent Orange Disability Compensation and
12 thus ended decades of the U.S. military's persistent denial that Agent Orange was not
13 used on the island of Guam. The PACT Act also incorporated the "Lonnie Kilpatrick
14 Central Pacific Relief Act" which was named after the late veteran who led the fight for
15 recognition of Agent Orange use on Guam which is noted at the 117th Congress, 1st
16 Session, J.R. 3368; and

17 **WHEREAS**, the U.S. Government Accountability Office (GAO) submitted the
18 GAO-19-24 report to the U.S. Congress. Published in November of 2018, the detailed
19 report relative to Agent Orange use on Guam indicates that not all shipment records
20 pertaining to the disposal of Agent Orange were complete, including shipment
21 documentation and logbooks that identify ports where vessels made stops en route to
22 Southeast Asia. The GAO states that of the 13.9 million gallons of Agent Orange
23 obtained by the Department of Defense, the GAO collected and examined shipment
24 documents for more than 12.1 million of those gallons (DOD). After scrutinizing
25 ninety-six (96%) percent of the logbooks for the aforementioned shipments, they
26 discovered that among the vessels traveling to Southeast Asia, at least one vessel
27 carrying Agent Orange made a stop on Guam; and

1 **WHEREAS**, during the Vietnam War, Andersen Air Force Base served as the
2 cornerstone of U.S. airpower in the conflict. To support bombing operations, B-52s
3 were amassed on the base in the fall of 1972. Testimony presented to the U.S. Congress
4 clearly demonstrated that at the time, Agent Orange was sprayed, among other places,
5 at Andersen Air Force Base along the fence line, flight line, sidewalks, golf course, and
6 at Naval Air Station along fence line and flight line, and along the Cross Island Road
7 oil pipeline that ran between the two military bases, all of which are now the subject of
8 substantial, credible reports of herbicide application by Vietnam-era veterans. This was
9 strongly asserted and confirmed in the “NVLSP (National Veterans Legal Services
10 Program) And VLSC (Veterans Legal Services Clinic) White Paper Confirming That
11 Veterans Who Served in Guam from 1958-1980 Were Likely Exposed to Dioxin-
12 Containing Herbicide Agents including Agent Orange” issued by the Yale Law School
13 Veterans Legal Services Clinic, in May of 2020, and updated in February of 2021; and

14 **WHEREAS**, *I Liheslaturan Guåhan* recognizes the disparity between the
15 unequal treatment of military personnel and non-military personnel exposed to Agent
16 Orange and a large number of Guam residents who were civilians and non-military have
17 testified to having similar exposure to Agent Orange resulting in similar ailments as the
18 U.S. military veterans but are not covered by The PACT Act; now therefore, be it

19 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Siette Na*
20 *Liheslaturan Guåhan* does hereby, on behalf of the people of Guam, strongly urge the
21 United States Congress and the Executive Branch of the U.S. Government to treat Guam
22 residents and non-veterans in the manner equal to the treatment now given to military
23 veterans in providing funding and compensation to those who are suffering from
24 ailments as a result of exposure to Agent Orange on Guam; and be it further

25 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules
26 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of
27 the same be thereafter transmitted to Honorable Joseph R. Biden, Jr., President of the

1 United States; the Honorable Kamala D.Harris, Vice President of the United States; the
2 Honorable Michael S. Regan, Administrator of the Environmental Protection Agency;
3 the Honorable Kevin McCarthy, Speaker of the House of Representatives; the
4 Honorable Tom Carper, Chairman of the Environment and Public Works Committee of
5 the U.S. Senate; the Honorable James C. Moylan, Guam Delegate to the US House of
6 Representatives; and to the Honorable Lourdes A. Leon Guerrero, *I Maga'hågan*
7 *Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN ON THE DAY
OF MONTH 2023.**

THERESE M. TERLAJE
Speaker

CHRIS BARNETT
Chairperson, Committee on Rules

AMANDA L. SHELTON
Legislative Secretary