

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

Resolution No 95 (EC)

Introduced by:

T.R. Muña Barnes
v.c. pangelinan
J.T. WonPat

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

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

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

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

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

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

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

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

18 **WHEREAS**, H.R. 972, the "Civilian Agent Orange Act of 2007," was
19 introduced in the 110th Congress on February 8, 2007 to address this
20 omission and proposes to provide compensation for those individuals who
21 were employees of the Federal Government or contractor employees of the
22 Department of Defense during the Vietnam conflict, and suffered disability
23 or death because of exposure to Agent Orange; and

24 **WHEREAS**, as written, H.R. 972 allows for compensation for
25 exposed civilian employees during the Vietnam conflict who were present
26 in the Republic of Vietnam during the period beginning January 9, 1962,
27 and ending on May 7, 1975, or in or near the Korean demilitarized zone

1 during the period beginning September 1, 1967, and ending on August 31,
2 1971, and Guam is not included in the present language of the bill; and

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

11 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guåhan* does
12 hereby, on behalf of the people of Guam, request that the Honorable
13 Madeleine Z. Bordallo, Guam's Delegate to Congress, seek an amendment
14 for H.R. 972, the "Civilian Agent Orange Act of 2007," to include Guam in
15 this legislation that seeks to provide compensation for those individuals
16 who were employees of the Federal Government or contractor employees
17 of the Department of Defense in Guam during the Vietnam conflict, and
18 suffered disability or death from exposure to Agent Orange; and be it
19 further

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

25 **RESOLVED**, that the Speaker and the Chairperson of the Executive
26 Committee of *I Mina'Bente Nuebi Na Liheslaturan Guåhan* attest to the
27 adoption hereof, and that copies of the same be thereafter transmitted to
28 the Honorable Congressman John Conyers, Jr. of Michigan, Chairman,

1 Committee on the Judiciary, United States House of Representatives; to the
2 Honorable Congressman Lamar S. Smith of Texas, Ranking Member,
3 Committee on the Judiciary, United States House of Representatives; to the
4 author of H.R. 972, the Honorable Congressman Robert Wexler of Florida,
5 United States House of Representatives; to the Honorable George W. Bush,
6 President of the United States of America; to the Honorable Madeleine Z.
7 Bordallo, Member of Congress, U. S. House of Representatives; and to the
8 Honorable Felix P. Camacho, *I Maga'lahen Guåhan*.

**DULY AND REGULARLY ADOPTED BY I MINA'BENTE NUEBI NA
LIHESLATURAN GUÅHAN ON THIS DAY OF 2007.**