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**Chairman**

**The Subcommittee on Asia, the Pacific and the Global Environment**

**FOR IMMEDIATE RELEASE**

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Washington, D.C.

**FALEOMAVAEGA CONVENES HEARING ON  
MARSHALL ISLANDS AND UNRESOLVED  
PROBLEMS FROM NUCLEAR TESTS**

The Chairman of the Subcommittee on Asia, the Pacific and the Global Environment, Rep. Eni F.H. Faleomavaega, yesterday convened a hearing and briefing, "Oversight on the Compact of Free Association with the Republic of the Marshall Islands (RMI): Medical Treatment of the Marshallese People, U.S. Nuclear Tests, Nuclear Claims Tribunal, Forced Resettlement, Use of Kwajalein Atoll for Missile Programs and Land Use Development." The comprehensive hearing included witnesses from the Departments of State, Interior, Defense and Energy, the key agencies involved in U.S. relations with the Marshall Islands. In addition, it included a panel of private sector witnesses and a delegation from the Republic of the Marshall Islands led by Foreign Minister John Silk, Minister of Health Amenta Matthew, Minister of

Transportation Kenneth Kedi, Minister of Finance Jack Ading, Senator Tomaki Juda and Senator Tony de Brum. Other Members of Congress participating in the hearing included Rep. Gary Ackerman, Rep. Jeff Flake and Rep. Dana Rorabacher.

“From 1946 to 1958, the United States conducted 67 atmospheric nuclear tests in the Marshall Islands to further national security interests. Those tests also destroyed the homes and the lives of hundreds of Marshallese people whose islands remained part of a U.S.-administered, U.N. Trust Territory of the Pacific Islands. Today, more than a half century later, the people of the Republic of the Marshall Islands still await adequate redress from the United States for the harm they suffered,” Faleomavaega said.

“The United States accepted responsibility for the problems caused by the tests in 1986 when RMI entered into a Compact of Free Association with the United States. In particular, Section 177 of the Compact makes it clear that the United States recognizes its responsibility to ‘address past, present and future consequences of the Nuclear Testing Program, including the resolution of resultant claims.’ The United States authorized \$150 million under Section 177 and additional ex gratia assistance under sections 103, 105 and 224 of the Compact in order to settle such claims, which were to be determined by a Nuclear Claims Tribunal. Under the Compact, RMI could also seek additional compensation if ‘changed circumstances’ rendered the settlement ‘manifestly inadequate.’”

“The Nuclear Claims Tribunal determined a settlement amounting to \$2.2 billion. Yet, only a miniscule fraction of that total has actually been awarded because the fund created to cover the Tribunal’s recommendations proved grossly inadequate. When RMI filed a changed circumstances petition to gain appropriate compensation from Congress, the previous administration opposed the petition based on its contention that the settlement provided in the Compact was ‘full and final.’ No further action was taken on the petition. And last month, in response to a suit for just compensation filed by the people of Bikini and Enewetak in the U.S. Court of Claims, the Supreme Court declined to review the case, upholding the lower court’s dismissal of the suit,” Faleomavaega added.

“This failure to act by the United States was underscored earlier this month when the President’s Cancer Panel concluded, ‘the U.S. has not met its obligation to provide for ongoing health needs of the people of the Republic of the Marshall Islands resulting from radiation exposures they received during U.S. nuclear weapons testing in the Pacific from 1946-1958.’ The Panel went on to recommend to President Obama that ‘The U.S. Government should honor and make payments according to the judgment of the Marshall Islands Tribunal.’”

“At the hearing, Rep. Ackerman, a member of the Subcommittee and Chairman of the House Foreign Affairs Committee on the Middle East and South Asia, stated, ‘The Bush White House refused to pay this claim. The U.S. courts have washed their hands of the matter. What will the Obama Administration do? What will we do? Are we absolved? In the end, apologizing isn’t enough. There may be no justice in a case like this one. But that does not preclude the United States accepting responsibility for what it did and carrying that responsibility through until the last legitimate claim is satisfied. We do not hesitate to shame those who delay compensation to victims of Nazi atrocities until they die off and their ranks thin down. Here, in

this case, without question, there is great shame on us. We took the weak and powerless, and made them sick and helpless. And in the end, if that is the end, it's not a story about them. It's a story about us.”

“Rep. Ackerman’s eloquence on this point was reinforced by Rep. Rorabacher, who said, ‘We should not be too busy for the people of Marshall Islands. They are a small group of people, but they represent something vitally important to the United States. They represent whether the United States takes its commitments seriously; whether or not the United States can be a trusted friend; whether the United States will keep its word. And the Marshall Islands are more than good friends to us. They were incredibly generous to the people of the United States at a time when we really needed it. That’s a debt of more than gratitude, a debt of making sure that those people who suffered from these tests in the past are dealt with fairly, and that we keep our word.’”

“Rep. Flake, who recently spent time in the Marshall Islands, recommended, ‘that we proceed in a way forward that recognizes what a wonderful partnership this is from our side and that we make sure that we fulfill all of our commitments to the Marshallese government and to the people, and to make sure that not just a medical claim [is met], but everything else is done as we would treat someone who has been a very good friend to us as they have.’”

“Another key issue we addressed in the hearing is why there is a recent rush to move the people of Rongelap back to their Atoll – before it is fully safe to return, and in the shadow of a shameful history of previous attempts to resettle the Marshallese people on their contaminated islands. As detailed in a series of important articles by Mr. Thomas Maier in *Newsday* last year, the people of Rongelap were resettled on their land in 1957 – until they fled again in 1985 – because the doctors from Brookhaven National Labs who treated them allowed their ‘primary responsibility to address medical concerns [of the Marshallese to be] trumped by the goal of studying the effects of nuclear radiation on the human body.’ In other words, these doctors spent more time studying the effects of nuclear exposure upon the Marshallese people than giving them proper medical treatment, which is absolutely shameful and without justification,” Faleomavaega said.

“How could these doctors abandon their most consequential responsibility? I believe a 1956 statement made by Mr. Merrill Eisenbud, a senior Atomic Energy Commission official, regarding information that might be gleaned in resettling the people of Utrik is revealing. ‘Now, data of this type has never been available,’ he said. ‘While it is true that these people do not live the way westerners do, civilized people, it is nonetheless also true that they are more like us than the mice.’”

“The United States has obviously made dramatic progress in reducing such blatant racism over the past half century. But when it comes to the people of the Marshall Islands, our failure to treat them justly, to honor their sacrifices and now to push them to return to contaminated lands harkens back to an uglier period in our history. So, too, does our continued failure to deal adequately with the squalid and horrible conditions of some 12,000 Marshallese men, women and children who currently live on the tiny island of Ebeye – 66 acres of barren land – in order to

allow the U.S. government to operate its missile tracking facility nearby on the island of Kwajalein,” Faleomavaega said.

“The United States regards the Ronald Reagan Ballistic Missile Defense Test Site on Kwajalein as vital to our national security. Yet our government has not met the most basic needs of the Marshallese people displaced as we built the facilities. We need to do better for the people of Kwajalein, just as we need to do better for the Marshallese people harmed by our nuclear testing.”

“We have a new Administration in office, one that is committed to reducing the threat posed by nuclear weapons and addressing their broadest impacts. I think it is particularly appropriate, then, that we convene this hearing just after the Obama Administration’s ‘nuclear spring,’ and while the Review Conference of the Nuclear Non-Proliferation Treaty proceeds.”

“President Obama’s recent accomplishments – devising a new U.S. nuclear strategy, completing a nuclear arms control agreement with Russia, convening the Nuclear Security Summit agreement and supporting the South Pacific Nuclear-Weapon-Free Zone Treaty – deserve our support and appreciation. But if we are to address the full range of problems posed by nuclear weapons, we must also deal with the tragic legacy of our nuclear tests in the Marshall Islands,” Faleomavaega noted.

“Toward that end, I commend Sen. Jeff Bingaman and Senator Lisa Murkowski, the Chairman and Ranking Member, respectively, of the Senate Committee on Energy and Natural Resources, for their interest and leadership in working to assist the Republic of the Marshall Islands through legislation that would provide supplemental compensation for the impacts of nuclear testing. Two days ago, Chairman Bingaman held a hearing on S.2941, the Republic of the Marshall Islands Supplemental Nuclear Compensation Act of 2010, which would create a health care program for the affected atolls, require periodic surveys on radiological conditions on Runit Island and a National Academy of Sciences assessment of the health impacts of the testing program. It would also mandate that RMI citizens receive the same treatment as U.S. citizens working in our nuclear weapons programs. These are all important matters that should be pursued. At the hearing, the Administration indicated that it does not support the bill as currently drafted, but I look forward to working with them and with my colleagues in the House and Senate to craft legislation that both meets the needs of the people of the Marshall Islands and can be passed in this session of Congress.”

“That would be a step forward, but only a small one on a long road that I believe we must take if we are finally to fulfill the moral obligations we incurred to the people of the Marshall Islands when we started testing nuclear weapons there 64 years ago. I will never give up the fight for the Marshallese people. And with the help of Reps. Ackerman, Flake, and Rorabacher, I am convinced that one day we will succeed, justice will be served, our promises will be kept and the people of the Marshall Islands will be accorded the dignity, honor and respect they deserve from the United States,” Faleomavaega concluded.

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