

Tuesday, April 12, 2011

Washington, D.C. – Congressman Ben Ray Luján of New Mexico’s Third District led the effort to introduce legislation today in the House of Representatives that expands compensation for those exposed to radiation while working in uranium mines or living downwind from atomic weapons tests. Luján’s bill is the companion to legislation introduced in the Senate today by Senator Tom Udall and cosponsored by Senator Jeff Bingaman, both of New Mexico.

A number of House members joined Congressman Luján in introducing the **Radiation Exposure Compensation Act (RECA) Amendments of 2011**, including Representatives Jim Matheson of Utah and Martin Heinrich of New Mexico.

Among the provisions included in the bill are much needed amendments that would build upon previous RECA legislation by further widening qualifications for compensation for radiation exposure; qualifying post 1971 uranium workers for compensation; equalizing compensation for all claimants to \$150,000; expanding the downwind exposure area to include Colorado, Idaho, Montana, and New Mexico, as well as any county in Arizona, Nevada, or Utah, which has been shown to be impacted by downwind contamination; and funding an epidemiological study of the health impacts on families of uranium workers and residents of uranium development communities.

“Communities throughout New Mexico are still reeling from the legacy of uranium mining, as it continues to impact families to this day. It is critical that we continue to fight for those who have been affected so they can be compensated for the suffering they have endured,” **Luján** said.

“This legislation recognizes the sacrifices of the workers and miners whose efforts contributed to our victory during the Cold War, and the downwinders who have been forgotten for too long. These patriotic Americans have waited long enough for the compensation they deserve.”

“Evidence compiled over the last 14 years points to the likelihood that there are even more victims in Utah and other states than are already acknowledged under current law,” said **Mathe son**

“This bill builds upon RECA by expanding and equalizing compensation to ‘downwinders’, uranium miners, millers and ore haulers whose health was sacrificed in the rush to build bombs and win the Cold War.”

“Uranium mining has left an ugly legacy in communities across New Mexico,” **Heinrich** said. “As patriots of the Cold War, hardworking Americans paid the price with their health and lives in the name of our nation’s freedom and democracy. I’m pleased that these families will now get the compensation they so greatly deserve.”

“As the U.S. government built up its Cold War nuclear arsenal during the mid-20th century, many Americans paid the price with their health – and all the while, the government was slow to implement federal protections,” **Udall** said. “With this legislation, we honor a generation of hardworking Americans who sacrificed their lives and health by working or living near the uranium mines. We are taking the next step to close this sad chapter in our history by expanding RECA to include all who are justified in receiving radiation exposure compensation.”

Specifically, the Radiation Exposure Compensation Act Amendments of 2011 will:

- Extend compensation to employees of mines and mills employed after Dec. 31, 1971. These are individuals who began working in uranium mines and mills after the U.S. stopped purchasing uranium, but failed to implement and enforce adequate uranium mining safety standards. Many of these workers have the same illnesses as pre-1971 workers who currently qualify for RECA compensation.

- Add core drillers to the list of compensable employees, which currently only includes miners, millers and ore transporters.

- Add renal cancer, or any other chronic renal disease, to the list of compensable diseases for employees of mines and mills. Currently, millers and transporters are covered for kidney disease, but miners are not.

- Allow claimants to combine work histories to meet the requirement of the legislation. For example, individuals who worked half a year in a mill and half a year in a mine would be eligible for compensation. Currently, the Department of Justice makes some exceptions for this, but the policy is not codified in law.

- Make all claimants available for an equal amount of compensation, specifically \$150,000, regardless of whether they are millers, miners, ore transporters, onsite employees, or downwinders.
- Make all claimants eligible for medical benefits. Currently, only miners, millers and ore transporters can claim medical benefits through the medical expense compensation program.
- Recognize radiation exposure from the Trinity Test Site in New Mexico, as well as tests in the Pacific Ocean.
- Expand the downwind areas to include all of Arizona, Nevada, New Mexico, Colorado, Idaho, Montana, and Utah for the Nevada Test Site; New Mexico for the Trinity Test Site; and Guam for the Pacific tests.
- Allow the use of affidavits to substantiate employment history, presence in affected area, and work at a test site. Current legislation only allows miners to use affidavits.

- Return all attorney fees to a cap of 10 percent of the amount of the RECA claim, as was mandated in the original 1990 RECA legislation.

- Authorize \$3 million for five years for epidemiological research on the impacts of uranium development on communities and families of uranium workers. The funds would be allocated to the National Institute of Environmental Health Sciences to award grants to universities and non-profits to carry out the research.

- Allow miners, millers, core drillers, and ore transporters to file a Special Exposure Cohort petition within the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). Other DOE workers are currently allowed to file such petitions for compensation when claims are denied and there is not enough information for the National Institute for Occupational Safety and Health to do dose reconstruction to determine the impacts of exposure.

To meet its responsibility to those Americans who sacrificed so much for our national security, Congress passed the Radiation Exposure Compensation Act (RECA) on October 5, 1990 and later broadened the scope of the Act's coverage on July 10, 2000. The current law offers compensation to individuals who contracted certain cancers and other serious diseases following their exposure to radiation released during above-ground atmospheric nuclear weapons tests or following their occupational exposure to radiation while employed in the uranium industry. However, there are many additional individuals who are sick or dying from radiation exposure and are unable to receive the compensation they deserve.

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