
March 10, 2022

The Honorable Nancy Pelosi
Speaker
House of Representatives
H-232 The Capitol
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
House of Representatives
H-204 The Capitol
Washington, DC 20515

Dear Speaker Pelosi and Minority Leader McCarthy:

On behalf of Western Governors, we write to express our support for H.R. 5338, the Radiation Exposure Compensation Act Amendments of 2021. This bipartisan legislation has been introduced by Representatives Teresa Leger Fernandez (D-NM) and Burgess Owens (R-UT), and currently has 64 bipartisan cosponsors.

From 1945 to 1992, the United States conducted over 1,000 nuclear weapons tests, nearly 200 of which were atmospheric tests. The vast majority of these tests were conducted in western states or the Pacific islands. Sites for such testing included Alaska, Colorado, Nevada, New Mexico, Guam and the Northern Mariana Islands. The uranium ore mining and milling activities that provided the feedstock for these weapons tests and the nation's nuclear weapons arsenal also occurred primarily in the American West.

The residents of western states and U.S. territories were the individuals primarily affected by these national security activities. Such individuals include employees of the nuclear weapons complex, miners and mill workers, and the general public. Known as "downwinders," these individuals suffered exposure to the fallout from atmospheric testing. In recognition of their exposure to deadly risks in order to advance our national security, Congress passed the Radiation Exposure Compensation Act (RECA, Pub. L. 101-426). This legislation offers compensation to individuals who contracted certain cancers and other serious diseases following exposure to radiation released from above-ground atmospheric nuclear weapons tests or following occupational exposure to radiation while employed in the uranium industry.

The RECA Amendments of 2021 would update the current statute to recognize the broader scope of populations and activities negatively affected by the nuclear weapons program. Importantly, it would expand the definition of "affected area" for downwind states to include Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Guam, all of which have been shown to have been affected by downwind contamination.

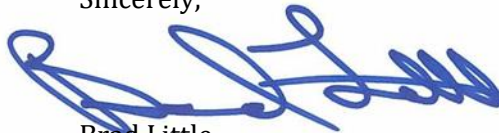
The bill would also extend the Radiation Exposure Compensation Trust Fund for 19 years and increase the amount of compensation an individual filing a claim may receive to \$150,000, up from between \$50,000-\$100,000 under the current statute. Without this extension, the ability of an individual to apply for a claim under the Act would expire on July 10, 2022. It also includes provisions to address the radiation exposures of the uranium mine and mill employees who worked to advance our national security. The bill would retain statutory requirements that ensure individuals file claims with the U.S. Attorney General and meet the law's standards for qualification before any compensation is allocated.

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On December 8, 2021, the Committee on the Judiciary held a markup of the legislation and approved it by a bipartisan 25-8 vote. It awaits consideration by the two other Committees of referral: Energy and Commerce, and Education and Labor.

We encourage the additional Committees of referral and the full House to expeditiously consider and approve this important legislation, which acknowledges that nuclear weapons production and testing has had much broader effects than currently recognized by statute.

Sincerely,



Brad Little
Governor of Idaho
Chair, Western Governors' Association



Jared Polis
Governor of Colorado
Vice Chair, Western Governors' Association

cc: The Honorable Frank Pallone, Jr., Chairman, Committee on Energy and Commerce
The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and Commerce
The Honorable Bobby Scott, Chairman, Committee on Education and Labor
The Honorable Virginia Foxx, Ranking Member, Committee on Education and Labor