
October 11, 2019

The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
House of Representatives
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable Doug Collins
Ranking Member
Committee on the Judiciary
House of Representatives
2142 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Collins:

On behalf of Western Governors, we write to express our support for H.R. 3783, the Radiation Exposure Compensation Act Amendments of 2019. This bipartisan legislation was recently introduced by Representative Ben Ray Lujan (D-NM).

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 our 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, including 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 their 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 2019 would update the current statute to recognize the broader scope of the 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 until 2045 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. 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 Attorney General and meet the law’s standards for qualification before any compensation is allocated.

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We encourage you to expeditiously consider and approve this important legislation, which acknowledges that nuclear weapons production and testing has had much broader impacts than currently recognized by statute.

Sincerely,



Doug Burgum
Governor of North Dakota
Chair, Western Governors' Association



Kate Brown
Governor of Oregon
Vice Chair, Western Governors' Association