

## **[S.2798 / H.R.5338](#): Radiation Exposure Compensation Act (RECA) Amendments of 2021**

RECA provides compensation to people exposed to radiation from U.S. nuclear weapons testing and uranium mining. S.2798 / H.R.5338 would extend RECA and expand coverage to multiple communities exposed to radiation that have so far been excluded. **Congress recently passed a short term extension of RECA through 2024. While this is an important first step, we must still strengthen and expand RECA.**

### What is RECA?

- [RECA](#), or the Radiation Exposure Compensation Act was first passed in 1990 and provides compensation to approved individuals that have illnesses that are likely caused by radiation exposure.
- However, RECA is very small in scope compared to the actual number of people who were likely impacted by nuclear weapons in the U.S.
- Many people who suffer from radiation exposure due to nuclear testing, mining, production, cleanup, and storage are not eligible, despite the reported impacts on their health.

### Who [can and cannot currently apply](#) to RECA?

- Downwinders (individuals who lived downwind of the Nevada Test Site) from certain counties in Arizona, Nevada, and Utah are eligible for \$50,000. Downwinders of the Trinity test and open air testing at Los Alamos National Laboratory are currently excluded.
- Uranium miners, millers, and ore transporters who worked in the uranium industry from 1942 to 1971 are eligible for \$100,000. Uranium workers after 1971 are currently excluded.
- “Onsite participants” of atmospheric nuclear weapons tests (these can be either military service members or civilian contractors employed at U.S. nuclear weapons test sites) are eligible for \$75,000. Veterans who cleaned up waste from nuclear tests and accidents are currently excluded.
- Downwinders of nuclear production sites are not included in RECA or any other benefits program.
- RECA provides funding for local rural and urban health centers and nonprofit organizations to conduct cancer screenings and support individuals in filing RECA claims. However, RECA does not provide medical benefits to most claimants.
- Currently, the claims process can be long and it can be difficult to obtain compensation. Some people die of their illnesses before they are able to complete the process.

### How much funding has RECA provided?

- As of [July 2021](#), RECA has paid \$2.44 billion to over 38,000 claimants, roughly 1,200 claims per year.
- In comparison, the US has spent roughly \$1.2 trillion on our US nuclear weapons budget over the same period of time.
- The amount of compensation has not changed over the past 30 years, despite inflation. This means that many claimants do not even receive enough funding for one round of chemotherapy.

### What would the RECA Amendments of 2021 do?

- RECA is set to expire in 2024 unless action is taken by Congress.
- S.2798 / H.R.5338 would expand the program to better cover those harmed, including by:
  - Extending RECA by 19 years
  - Expanding the downwinder eligibility areas to ID, MT, CO, NM, Guam, and all of NV, AZ, and UT, which were shown to have received high levels of fallout from nuclear testing, including from the Trinity Test and tests in the Pacific
  - Extending the period for uranium worker eligibility to better cover exposed workers; including additional categories of uranium workers
  - Expanding the number of compensable illnesses
  - Increasing the amount of compensation to reflect the costs of care and inflation, and allowing past successful claimants to receive the difference between their claim and the new, increased amount
  - Providing health care benefits

### What can your office do to help?

This bill has been referred to the Senate and House Judiciary Committees. It is sponsored by Senator Crapo (R-ID), Senator Lujan (D-NM) and Rep. Leger Fernández (NM-03). You can co-sponsor this bill by contacting [elizabeth.arevalo@mail.house.gov](mailto:elizabeth.arevalo@mail.house.gov), [Calli\\_Shapiro@lujan.senate.gov](mailto:Calli_Shapiro@lujan.senate.gov), or [Colin\\_St.Maxens@crapo.senate.gov](mailto:Colin_St.Maxens@crapo.senate.gov).

## Background and History

### How are communities in the U.S. affected by the nuclear system?

- From 1945 - 1962, the U.S. government conducted over [200 above-ground nuclear tests](#). During these tests, winds carried radioactive materials (fallout) hundreds of miles away from the nuclear testing sites, exposing people in the surrounding areas to unsafe levels of radiation.
- Beginning in the late 1940s, [uranium mining in the United States dramatically expanded](#), driven by the production of nuclear weapons. Uranium miners and other workers were exposed to dangerous levels of radiation on the worksite.
- [Hundreds of thousands of service members](#) were also exposed to radiation through nuclear weapons testing and the cleanup of radioactive materials.

### What are the health impacts of this radiation exposure?

- [International studies](#) since the early 1900's show clear links between cancers and other deadly illnesses from nuclear radiation.
- [Beginning in the 1950s](#), studies on US uranium miners demonstrated increased illnesses, such as cancer, and deaths linked to their exposure.
- [A 1997 National Cancer Institute study](#) showed that nuclear testing likely caused tens to hundreds of thousands of cancers in populations downwind.
- Since the government did not adequately measure the levels of human radiation exposure or attempt to assess cancer deaths or cases attributed to radiation exposure until long after the initial nuclear tests, we do not know the precise impacts of these tests on downwinders. But independent reports indicate more people have been harmed than many government studies suggest.

### How is the United States Federal Government responsible?

- The government internally acknowledged the risks they were taking with human health and knew that uranium workers and people downwind of nuclear tests could be exposed to more radiation than what was considered safe. Yet they [assured the public the tests were safe](#), even encouraging people downwind to [bring a picnic](#) to witness the tests as a family activity. They continued to test, did not improve working conditions in mines, and in some cases actively suppressed or denied information that could have protected people.
- In 1984, [a federal district court ruled](#) that the U.S. federal government had been neglectful in monitoring exposure and informing people of the risks of nuclear testing. The ruling was overturned, claiming sovereign immunity, leaving downwinders and others to seek legislative channels rather than the courts.
- A 1994 [Presidentially appointed committee](#) included uranium workers in its report on human radiation experiments, due to the lack of informed consent and known exposure of uranium workers.
- Many downwinders and uranium worker civilians consider themselves patriots and veterans of the Cold War, due to their unwitting sacrifice for the security of our nation.
- Atomic Energy Commission, ERDA, and Department of Energy workers are covered by the [Energy Employee Occupational Illness Compensation Act](#) (EEOICPA). Many of these workers are neighbors of civilians who were exposed by similar nuclear weapons activities, but are not provided the same amounts of compensation, nor medical care for their illnesses.

## Quotes from Impacted Community Members

Ihla Nation, Montana Downwinder now living in Colorado

I am one of the Downwinders. Born in 1950, I was exposed to radiation after over 100 above-ground nuclear tests. At 16 I had thyroid cancer and had to have my thyroid and part of my parathyroid glands removed. My immune system was permanently damaged and I have suffered all kinds of health problems because of it. No one paid for my expensive thyroid medication and other health costs due to this. No one has been concerned about the hundreds of Americans who have suffered through the results of actions by the US government that was fully aware of the dangers of radiation exposure. It is time. Downwinders have waited and waited. It is time for the wait to come to an end. It is time for RECA to be expanded to those of us forgotten for so long.

Linda Evers, Post-71 Uranium Workers Committee, Grants, NM

“The RECA program is very important to the workers that unknowingly gave their lives during and after the Cold War. Our own government was and still is responsible for worker safety, and from the early 1940’s right up to today, they still are not protecting uranium workers properly. The government and uranium industry made millions in profits while knowingly killing workers, and this injustice has gone on for over 20 years now. When can the dying workers expect the government to own their part of the devastation of lives they have caused and compensate ALL the uranium affected people? The group of workers known as the post ’71 uranium workers are dying at a rapid rate with no financial or medical help for their uranium caused afflictions that are the same and much worse than the workers before them.”

Mary Dickson, Downwinder, Salt Lake City, UT

“Downwinders have waited so long for justice. Too many have died, too many have become ill waiting. We are grateful to see these bipartisan bills introduced by Senators and House members who understand too well how their constituents have suffered.”

The Cold War was not without casualties. We are those casualties — veterans of a war we never enlisted in. We have waited decades for justice. These bipartisan bills to expand and extend RECA finally give us hope.”

Sherrie Hanna, Downwinder and Downwinder Advocate, Prescott, AZ

“As a child growing up in Northern Arizona, one of the areas affected by the fallout from the nuclear testing in the 1950’s, who would have thought that actions by your own Government, would impact your life, and countless others lives, in such a devastating way.

Without compensation from the RECA program, my husband, who was a Downwinder and diagnosed with one of the covered cancers, would not have been able to seek treatment of his choice and have me there with him for support during his treatment. I personally know how important the compensation means to Downwinders, and their family, battling Cancer.

Should the funding for the RECA Program expire, not only will the compensation for Downwinder victims go away, so will the opportunity for the free Cancer screenings, to qualified individuals, expire. These screenings are critical in detecting early signs of the forms of Cancer covered under the RECA Program. Please help by supporting legislation that will bring “Justice to the Downwinders!”

Keith Kiefer, NAAV National Commander, Zimmerman, MN

“The RECA act of 2021 provides partial restitution to those contracting specific serious diseases as a result of radiation from the nuclear test programs. This restitution is often the difference between homelessness and/or bankruptcy.”

Tina Cordova, Founder, Tularosa Basin Downwinders Consortium, Albuquerque, NM

“I’m a native New Mexican, a Downwinder and a cancer survivor. I’m the fourth generation in my family to suffer with cancer since the Trinity bomb was detonated in 1945 essentially in our backyards. I grew up in a community about 45 miles the way the crows fly from the test site although people lived as close as 12 miles to the test site. We’ve been dealing with the devastating health consequences for a full 76 years now without aid or assistance from the government we pledge allegiance to. Make no mistake we are the ultimate patriots. The people of New Mexico and other states are the forgotten collateral damage of the first nuclear test conducted anyplace in the world. We are the American citizens that without consent or knowledge were enlisted into the service of our country only to be ignored by our own government. We’ve been paying the price ever since. We bury our loved ones on a regular basis and then another one of us is diagnosed with cancer. It is time to recognize that mistakes were made and correct the injustices perpetuated on American Citizens. We have no time to waste. To remain complacent in the face of knowing about the injustice of the nuclear testing and subsequent damage to the health of American Citizens renders a person complicit in that injustice. There is a moral and ethical imperative today to stand with us to right this wrong. Please stand with us!”