



MARK GORDON  
GOVERNOR OF WYOMING  
CHAIR

MICHELLE LUJAN GRISHAM  
GOVERNOR OF NEW MEXICO  
VICE CHAIR

JACK WALDORF  
EXECUTIVE DIRECTOR

May 1, 2024

The Honorable Mike Johnson  
Speaker  
House of Representatives  
H-232, The Capitol  
Washington, DC 20515

The Honorable Hakeem Jeffries  
Minority Leader  
House of Representatives  
H-204, The Capitol  
Washington, DC 20515

Dear Speaker Johnson and Minority Leader Jeffries:

Western Governors write regarding S. 3853, the Radiation Exposure Compensation Reauthorization Act. This bipartisan legislation was introduced by Senator Josh Hawley (R-MO) and currently has six cosponsors. S. 3853 was approved by the full Senate on March 7 by a 69-30 vote, and the legislation is currently being held at the desk in the House.

Title II of S. 3853, the Radiation Exposure Compensation Act Amendments of 2024, is substantially similar to two other pieces of bipartisan legislation supported by Western Governors: S. 1751 and H.R. 4426. Our prior correspondence in support of the bills is attached and provides additional detail on Western Governors' position.

The bill acknowledges that nuclear weapons production and testing has had much broader effects than currently recognized by statute, and Western Governors encourage you to expeditiously schedule the legislation for consideration by the full House. Please contact us if we can be of assistance with this effort.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Gordon'.

Mark Gordon  
Governor of Wyoming  
Chair, WGA

A handwritten signature in blue ink that reads 'Michelle Lujan Grisham'.

Michelle Lujan Grisham  
Governor of New Mexico  
Vice Chair, WGA

Attachments (2)

---

September 5, 2023

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

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

Dear Chairman Jordan and Ranking Member Nadler:

On behalf of Western Governors, we write to express our support for H.R. 4426, the Radiation Exposure Compensation Act Amendments of 2023. This bipartisan legislation was introduced by Representative Teresa Leger Fernandez (D-NM) and Delegate James C. Moylan (R-GU), and currently has 31 bipartisan cosponsors. A companion bill, S. 1751, has been introduced in the Senate by Senators Ben Ray Lujan (D-NM) and Mike Crapo (R-ID), and has 15 bipartisan cosponsors.

Western Governors were pleased to see that the text of S. 1751 was included as an amendment (S. Amdt. 1058) to H.R. 2670, the National Defense Authorization Act (NDAA) for FY24, during the Senate's floor consideration. As Congress turns to resolving differences between the House and Senate versions of the FY24 NDAA, we encourage you to retain this important language in the final version of the bill.

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 2023 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 Honorable Jim Jordan  
The Honorable Jerrold Nadler  
September 5, 2023  
Page 2

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. 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.

We encourage you to expeditiously approve this important legislation, which acknowledges that nuclear weapons production and testing has had much broader effects than currently recognized by statute. Retention of the language adopted during the Senate's consideration of the FY24 NDAA would accomplish this objective.

Sincerely,

  
Mark Gordon  
Governor of Wyoming  
Chair, WGA

  
Michelle Lujan Grisham  
Governor of New Mexico  
Vice Chair, WGA

cc: The Honorable Teresa Leger Fernandez  
The Honorable James C. Moylan  
The Honorable Cathy McMorris Rodgers, Chair, Committee on Energy and Commerce  
The Honorable Frank Pallone, Jr., Ranking Member, Committee on Energy and Commerce  
The Honorable Virginia Foxx, Chairwoman, Committee on Education and the Workforce  
The Honorable Robert C. "Bobby" Scott, Ranking Member, Committee on Education and the Workforce

---

September 5, 2023

The Honorable Dick Durbin  
Chair  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Lindsey Graham  
Ranking Member  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chair Durbin and Ranking Member Graham:

On behalf of Western Governors, we write to express our support for S. 1751, the Radiation Exposure Compensation Act Amendments of 2023. This bipartisan legislation was introduced by Senators Ben Ray Lujan (D-NM) and Mike Crapo (R-ID), and currently has 15 cosponsors. A companion bill, H.R. 4426, has been introduced by Representative Teresa Leger Fernandez (D-NM) and Delegate James C. Moylan (R-GU) in the House and has 31 bipartisan cosponsors.

Western Governors were pleased to see that the text of S. 1751 was included as an amendment (S. Amdt. 1058) to H.R. 2670, the National Defense Authorization Act (NDAA) for FY24, during the Senate's floor consideration. As Congress turns to resolving differences between the House and Senate versions of the FY24 NDAA, we encourage you to retain this important language in the final version of the bill.

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 2023 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 Honorable Dick Durbin  
The Honorable Lindsey Graham  
September 5, 2023  
Page 2

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. 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.

We encourage you to expeditiously approve this important legislation, which acknowledges that nuclear weapons production and testing has had much broader effects than currently recognized by statute. Retention of the language adopted during the Senate's consideration of the FY24 NDAA would accomplish this objective.

Sincerely,

  
Mark Gordon  
Governor of Wyoming  
Chair, WGA

  
Michelle Lujan Grisham  
Governor of New Mexico  
Vice Chair, WGA

cc: The Honorable Ben Ray Lujan  
The Honorable Mike Crapo