HOUSE MEMORIAL 5

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Angelica Rubio and Joanne J. Ferrary and D. Wonda Johnson

A MEMORIAL

REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION TO SUPPORT
LEGISLATION TO EXPAND COMPENSATION UNDER THE FEDERAL RADIATION
EXPOSURE COMPENSATION ACT FOR INDIVIDUALS EXPOSED TO RADIATION.

WHEREAS, from 1945 to 1962, the United States government
implemented a massive program of conducting hundreds of
atmospheric nuclear weapons development tests; and

WHEREAS, to provide uranium for the atmospheric nuclear
testing being carried out, the United States undertook uranium
mining and processing in many areas, especially in New Mexico,
Arizona, Colorado, Montana, Nevada and Utah; and

WHEREAS, individuals in New Mexico, Arizona, Colorado,
Montana, Nevada, Utah and elsewhere were hired to work in the
uranium mines and in uranium processing; and

WHEREAS, large uranium deposits were found on or near the
Navajo Nation, and many Navajo people were employed to work in
the mines; and

    WHEREAS, thousands of individuals have been exposed to
radiation in large doses through atmospheric nuclear weapons
testing or through employment in uranium mining and processing;
and

    WHEREAS, radiation exposure has been linked to a number of
serious illnesses in exposed individuals, including cancers;
gastrointestinal, neurological and blood disorders; and other
conditions leading to the debilitation or death of individuals
exposed to radiation; and

    WHEREAS, in 1990, the United States congress passed the
federal Radiation Exposure Compensation Act; and

    WHEREAS, the federal Radiation Exposure Compensation Act
was designed to provide some compensation to those exposed to
radiation through certain atmospheric nuclear weapons tests and
uranium mining and processing operations; and

    WHEREAS, the federal Radiation Exposure Compensation Act
designated certain areas of Arizona and Utah that were deemed
to have been downwind of atmospheric nuclear weapons testing as
official downwind areas for which compensation would be
provided; and

    WHEREAS, the federal Radiation Exposure Compensation Act
limited compensation for uranium miners, millers and haulers to
those workers employed by the uranium industry before January
215954.1
WHEREAS, the amount of monetary compensation awarded pursuant to the federal Radiation Exposure Compensation Act differs widely according to whether an individual was exposed due to being in a downwind area or according to the type of uranium industry-related work the individual performed; and

WHEREAS, under the strict guidelines of the federal Radiation Exposure Compensation Act, many individuals who have lived downwind from test sites outside of Arizona, Nevada and Utah or who worked in the uranium industry have been left with no remedy for their radiation exposure; and

WHEREAS, in 2019, United States Representative Ben R. Lujan introduced United States House Resolution 3783, which was then co-sponsored by United States Representatives Xochitl Torres Small and Debra A. Haaland, and United States Senators Tom Udall and Martin T. Heinrich have co-sponsored Senate Bill 947, both of which would extend compensation to uranium workers who were exposed from 1972 to 1990; and

WHEREAS, United States House Resolution 3783 and United States Senate Bill 947 also proposed expanding the list of eligible workers to include uranium core drillers, in addition to uranium miners, millers and ore transporters, as employees potentially eligible for compensation from the federal Radiation Exposure Compensation Act; and

WHEREAS, United States House Resolution 3783 would have
added other areas to the list of downwind areas in New Mexico, Arizona, Colorado, Idaho, Montana, Nevada, Utah and Guam; and

WHEREAS, United States House Resolution 3783 and United States Senate Bill 947 would have made all qualifying claims eligible for one hundred fifty thousand dollars ($150,000) of compensation, regardless of whether the claimants were exposed as miners, millers, ore transporters, on-site employees or individuals living in a downwind area; and

WHEREAS, United States House Resolution 3783 and United States Senate Bill 947 would have expanded the types of medical conditions that render claimants eligible for compensation pursuant to the federal Radiation Exposure Compensation Act; and

WHEREAS, members of New Mexico's congressional delegation are continuing their previous efforts to expand and improve compensation for individuals exposed to radiation; and

WHEREAS, on January 24, 2017, United States Senate Bill 197, a bill to amend the federal Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes, was co-sponsored by Senators Tom Udall and Martin T. Heinrich;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico congressional delegation be requested to continue to support proposed federal legislation to expand and improve compensation
under the federal Radiation Exposure Compensation Act; and

BE IT FURTHER RESOLVED that copies of this memorial be
transmitted to members of the New Mexico congressional
delegation.

- 5 -