CONCURRENT RESOLUTION SUPPORTING
EXTENSION AND EXPANSION OF THE RADIATION
EXPOSURE COMPENSATION ACT

2021 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Doug Owens
Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:
This concurrent resolution addresses the Radiation Exposure Compensation Act.

Highlighted Provisions:
This resolution:
- addresses the Radiation Exposure Compensation Act;
- discusses history of health effects from radiation exposure;
- discusses legislative statements related to past radiation exposure;
- outlines congressional efforts to extend and expand the Radiation Exposure Compensation Act; and
- supports congressional efforts to extend and expand the Radiation Exposure Compensation Act.

Special Clauses:
None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:
WHEREAS, Congress enacted the Radiation Exposure Compensation Act (RECA) in 1990 and broadened the act's scope in 2000 to provide compensation for the devastating and deadly health effects and the grave injustice inflicted upon unsuspecting civilians by exposure to radiation from fallout from atmospheric nuclear weapons tests and by exposures from working in the uranium industry;
WHEREAS, RECA was a bi-partisan bill, sponsored by Representative Wayne Owens and Senator Orrin Hatch and included amongst the compensation provisions eligibility for compensation for downwinders with certain cancers who lived in a limited number of counties in Utah, Nevada, and Arizona during specified years;

WHEREAS, the RECA terminates in 2022 and the RECA Trust Fund terminates after July 10, 2022, and claims not filed within 22 years after July 10, 2000, will be barred;

WHEREAS, over 23,000 downwinder claims, 4,749 onsite participant claims, and 8,785 uranium workers for compensation under RECA have been approved, according to the Congressional Research Service (2020), with 278 claims pending as of January 7, 2020;

WHEREAS, studies of the numbers of premature deaths due to fallout exposure from United States atmospheric nuclear weapons testing vary widely, but amount to tens to hundreds of thousands;

WHEREAS, people throughout Utah and neighboring western states have suffered and continue to suffer serious health consequences from exposure to fallout from past explosive nuclear testing;

WHEREAS, the Legislature has acknowledged the harms experienced by Utahns as the result of nuclear testing, for example:

(1) in 2001, the 54th Legislature of the state of Utah voted in support of H.C.R. 1, Resolution for a Day of Remembrance, marking the 50th anniversary of the beginning of nuclear testing at the Nevada Test Site, recognizing that "many Utahns and many other citizens of the United States of America living downwind of those tests suffered as a result of being 'active participants' in the nation's nuclear testing program"; and

(2) in 2010, the House of Representatives of the 58th Legislature of the state of Utah voted in support of H.R. 4, Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty, recognizing that "past nuclear weapons testing at the Nevada Test Site has devastated the health and livelihoods of thousands of Utahns";

WHEREAS, some of the highest recorded and documented exposures to fallout from some tests were in portions of Montana, Idaho, and northern Utah, which are not covered by
WHEREAS, bills sponsored by members of both parties have been introduced in both
the United States House of Representatives and the Senate to extend and expand RECA in past
sessions of Congress;

WHEREAS, a recent congressional bill proposed to extend the time for filing of claims
under RECA for an additional 23 years (through 2045) and increase compensation for
downwinders from $50,000 to $150,000;

WHEREAS, examples of other changes proposed by congressional legislation include:

(1) the geographical eligibility for compensation for exposure to atmospheric atomic
testing to cover all of Utah, Arizona, Colorado, Idaho, Montana, Nevada, and New Mexico;

(2) geographical eligibility to cover persons present during atmospheric testing in the
Pacific;

(3) to create a special geographical category for compensation of individuals physically
present for two years in the area of the Trinity Test in New Mexico from June 30, 1945, until
August 19, 1958; and

(4) to create eligibility for compensation for those present during the cleanup of
Enewetak Atoll; and

WHEREAS, two bills to expand and extend RECA have been filed in the United States
House of Representatives, H.R. 612 and H.R. 538, and there is every expectation that similar
bi-partisan legislation will also be filed in 2021:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
Governor concurring therein, supports congressional legislative efforts to extend and expand
RECA.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Utah
congressional delegation, the speaker of the United States House of Representatives, the
majority leader of the United States Senate, and the President of the United States of America.