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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

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1 Navajo Nation, and many Navajo people were employed to work in  
2 the mines; and

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

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

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

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

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

23 WHEREAS, the federal Radiation Exposure Compensation Act  
24 limited compensation for uranium miners, millers and haulers to  
25 those workers employed by the uranium industry before January

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1 1, 1972; and

2 WHEREAS, the amount of monetary compensation awarded  
3 pursuant to the federal Radiation Exposure Compensation Act  
4 differs widely according to whether an individual was exposed  
5 due to being in a downwind area or according to the type of  
6 uranium industry-related work the individual performed; and

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

12 WHEREAS, in 2019, United States Representative Ben R.  
13 Lujan introduced United States House Resolution 3783, which was  
14 then co-sponsored by United States Representatives Xochitl  
15 Torres Small and Debra A. Haaland, and United States Senators  
16 Tom Udall and Martin T. Heinrich have co-sponsored Senate Bill  
17 947, both of which would extend compensation to uranium workers  
18 who were exposed from 1972 to 1990; and

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

25 WHEREAS, United States House Resolution 3783 would have

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1 added other areas to the list of downwind areas in New Mexico,  
2 Arizona, Colorado, Idaho, Montana, Nevada, Utah and Guam; and

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

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

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

17 WHEREAS, on January 24, 2017, United States Senate Bill  
18 197, a bill to amend the federal Radiation Exposure  
19 Compensation Act to improve compensation for workers involved  
20 in uranium mining, and for other purposes, was co-sponsored by  
21 Senators Tom Udall and Martin T. Heinrich;

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
23 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico  
24 congressional delegation be requested to continue to support  
25 proposed federal legislation to expand and improve compensation

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1 under the federal Radiation Exposure Compensation Act; and  
2 BE IT FURTHER RESOLVED that copies of this memorial be  
3 transmitted to members of the New Mexico congressional  
4 delegation.

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