

In Pursuit of Justice for All Those Who Were Damaged



September 20, 2021

New Mexico Legislature
Radioactive and Hazardous Materials Committee
Compensation for Downwinders and Uranium Mine Workers
Presented by Tina Cordova
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Items for discussion:

- 1) Work of the TBDC to get the Radiation Exposure Compensation Act (RECA) of 1990 amended to include the people of New Mexico including the Post 71 Uranium Mine Workers
 - a. Working with the staff of Sen. Crapo (R) Idaho, Sen. Lujan (D) New Mexico and Rep. Leger Fernandez (D) New Mexico to get bills introduced in the House and Senate yet this month.
 - b. Working with a group of frontline communities to include members of the Navajo Nation, Laguna/Acoma Pueblo Post 71 Uranium Mine Workers, and Downwinders from Guam, Idaho and Utah. Also working with other groups from across the country to target certain key members of Congress.
 - c. Original RECA bill will sunset in July, 2022. We have no time to waste.
 - d. Have worked extensively on the language to make certain it goes far enough to benefit the people of New Mexico.
 - e. Language of importance: Qualification period for the people of New Mexico will begin in 1944 when they first started testing nuclear devices in Los Alamos through 1962 when they conducted the last above ground test at the Nevada Test Site. Increase the onetime payout from \$50,000.00 to \$150,000.00 for both Downwinders and Uranium Mine Workers. Include health care coverage to match what is offered to nuclear workers through the Energy Employees Occupational Illness Compensation Act (EEOICPA). Include all leukemia, including childhood leukemia and lymphocytic leukemia. Make certain legal fees continue to be capped at 2%

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- rather than 10%. Make certain the apology clause is maintained. Include all lung disease and renal disease for Uranium Mine Workers not just cancers.
- f. The bills will also address adding Downwinders from all of the Pacific Islands, Idaho, Montana, Colorado, Arizona, Utah and Nevada.
 - g. We need every vote in the Senate Judiciary Committee. We can request that Chairman Durbin advance the bill to the Senate floor for a vote. We had a hearing on a similar RECA amendment bill in 2018. You can view the testimony at <https://www.judiciary.senate.gov/meetings/examining-the-eligibility-requirements-for-the-radiation-exposure-compensation-program-to-ensure-all-downwinders-receive-coverage> Key to the success of the bill is Chairman Durbin, ranking Member Grassley and all the members of the Senate Judiciary Committee. Go to www.senate.judiciary.gov/about/members for a list of members.
 - h. We also need every vote in the House Judiciary Committee. We can request that Chairman Nadler advance the bill to House floor for a vote. We had a hearing this year on the RECA amendments. You can view the testimony at [Examining the Need to Expand Eligibility Under the Radiation Exposure Compensation Act | U.S. House of Representatives Judiciary Committee](#) Key to the success of the bill is Chairman Nadler, Ranking Member Jordan and all the members of the House Judiciary Committee. Go to www.judiciary.house.gov/about/members for a list of members.
 - i. The bills have had bipartisan support in the past and we expect more support this year. Congressional Members from states like Utah, Nevada, Arizona and Colorado will have a greater interest in supporting the amendments since their constituents will no longer be able to apply to the program if the bill sunsets.
 - j. The RECA amendments have the potential to bring hundreds of millions of dollars if not billions in the way of partial restitution payments back to the people of New Mexico. This will mean that some people will not be forced into poverty or bankruptcy as they spend all they have taking care of their health. This does not account for the health care coverage which will mean the difference between life and death for some. The bill will have a major positive economic impact for the people of New Mexico and the state in general. We have collected about 1000 health surveys through a voluntary process in the towns of Tularosa, San Antonio and Socorro and are currently surveying Carrizozo. If only 1000 people were to qualify for the partial restitution it would amount to 150 million dollars. People will be able to apply on behalf of deceased loved ones that meet all the qualification criteria. Passage of the bills will have a significant economic impact on our state.

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- k. Through the RECA bill there will also be the establishment of Radiation Exposure Screening & Education Program (RESEP) clinics where New Mexicans can go to receive free cancer screening. This is very important for the people living in rural areas where there are scarce health care resources. Early detection means a better prognosis.
 - l. The RECA amendments are a Social Justice/Environmental Justice issue. There is a moral and ethical imperative for the government to account for the mistakes that were made during the nuclear testing of the 40s, 50s and 60s. New Mexicans were also Downwind of the Nevada Test Site well documented. The Downwind compensation ends at the Arizona/New Mexico border. New Mexico contributed more than any other state during WWII. We had more volunteer enlistees, more casualties per capita than any other state and we have shouldered the negative health consequences and the cost of being overexposed to radiation from Uranium mining and the Trinity test.
- 2) We are currently conducting a door-to-door health surveying of the town of Carrizozo and we hope to record as many oral histories as we can. We've worked with Farmers from up and down the Rio Grande who support our work to bring about 4000 lbs. of locally grown organic produce to the people of Carrizozo. They have no grocery store so this has been wonderful for them.
 - 3) This Committee should consider holding field hearings in New Mexico where Downwinders and Uranium Mine Workers could present their histories. The untold legacy of Uranium mining and the Trinity Downwinders are a heartbreaking 76 plus year history of how the people of New Mexico have sacrificed and suffered.
 - 4) The New Mexico State Legislature by way of request of this Committee could write a bipartisan letter to Congress expressing your support of the RECA amendments and urge them to pass the bills as soon as possible. The truth is exposure to radiation is not discerning. It affects the young and the old, male and female, Democrat and Republican. We cannot afford to view this as a partisan issue and must work together to achieve passage of these bills.
 - 5) Passage of the RECA amendments should be part of both the New Mexico Democratic and Republican Party's state platforms.
 - 6) If members of the New Mexico State Legislature have relationships with members of Congress from other States we ask that they do outreach to those people and ask for support of the bills.

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- 7) We would like to see this Committee draft an Op-Ed to be sent to all the Newspapers in New Mexico expressing the State Legislatures support of passing the RECA amendment bills.
- 8) Questions?