

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE MEMORIAL 51

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

INTRODUCED BY

William F. Burt

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

underscoring material = new
~~[bracketed material] = delete~~

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

.217266.1

underscored material = new
~~[bracketed material] = delete~~

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

.217266.1

underscored material = new
~~[bracketed material] = delete~~

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 SENATE OF THE STATE
23 OF NEW MEXICO that the New Mexico congressional delegation be
24 requested to continue to support proposed federal legislation
25 to expand and improve compensation under the federal Radiation

.217266.1

underscored material = new
~~[bracketed material]~~ = delete

1 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.

5 - 5 -

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25