

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

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor: _____

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



28 to radiation from fallout from atmospheric nuclear weapons tests and by exposures from
29 working in the uranium industry;

30 WHEREAS, RECA was a bi-partisan bill, sponsored by Representative Wayne Owens
31 and Senator Orrin Hatch and included amongst the compensation provisions eligibility for
32 compensation for downwinders with certain cancers who lived in a limited number of counties
33 in Utah, Nevada, and Arizona during specified years;

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

36 WHEREAS, over 23,000 downwinder claims, 4,749 onsite participant claims, and
37 8,785 uranium workers for compensation under RECA have been approved, according to the
38 Congressional Research Service (2020), with 278 claims pending as of January 7, 2020;

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

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

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

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

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

56 WHEREAS, some of the highest recorded and documented exposures to fallout from
57 some tests were in portions of Montana, Idaho, and northern Utah, which are not covered by
58 RECA;

59 WHEREAS, bills sponsored by members of both parties have been introduced in both
60 the United States House of Representatives and the Senate to extend and expand RECA in past
61 sessions of Congress;

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

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

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

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

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

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

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

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

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