

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

4                                   2021 GENERAL SESSION

5                                   STATE OF UTAH

6                                   **Chief Sponsor: Doug Owens**

7                                   Senate Sponsor: Evan J. Vickers

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9   **LONG TITLE**

10 **General Description:**

11           This concurrent resolution addresses the Radiation Exposure Compensation Act.

12 **Highlighted Provisions:**

13           This resolution:

- 14           ▶ addresses the Radiation Exposure Compensation Act;
- 15           ▶ discusses history of health effects from radiation exposure;
- 16           ▶ discusses legislative statements related to past radiation exposure;
- 17           ▶ outlines congressional efforts to extend and expand the Radiation Exposure

18 Compensation Act; and

- 19           ▶ supports congressional efforts to extend and expand the Radiation Exposure

20 Compensation Act.

21 **Special Clauses:**

22           None

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24 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

25           WHEREAS, Congress enacted the Radiation Exposure Compensation Act (RECA) in  
26 1990 and broadened the act's scope in 2000 to provide compensation for the devastating and  
27 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 tens to hundreds  
41 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.