

Post-'71 radiation victims face uphill battle in fight for compensation

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MILAN — When the Chicago Cubs won the 2016 World Series, it was proof positive that nothing is impossible — except maybe getting Congress to pass the Radiation Exposure Compensation Act amendments as written.

Or getting the New Mexico Legislature to show its support for sick, dead and dying contributors to the nation's defense by passing a memorial supporting Uranium Workers Day.

Without state support, it is highly unlikely that congressional leaders across the country will pay much attention to the bill when it is reintroduced, Linda Evers, co-chairwoman of the Post-'71 Uranium Workers Committee, told a full house Saturday at the American Legion in Milan.

"I think Washington could hear us a little bit better if we had the voice of our New Mexico legislators on board with it," Evers said. "The main goal here is we have to put pressure on Washington. We're going to have to get nationwide attention."

State Rep. Wonda Johnson, D-McKinley County, is reintroducing the memorial, which would be an important piece of paper in Washington, Evers said.

"We still have our resolutions from the 19 Native American tribes in the Four Corners area," she said. "It's the New Mexico Legislature we've been trying to get on board for years. They haven't done it yet."

Game on

All eyes turned expectantly to Cal Curley, of U.S. Sen. Tom Udall's office, as he walked to the front of the room to address the audience.

"Senator Udall has been introducing this legislation every year since joining Congress and is committed to fighting for this expanded coverage," Curley said. "The senator and five other co-sponsors have reached out to the Senate Judiciary Committee requesting a hearing to quickly move on this legislation, but nothing has happened."

Udall's father, former Interior Secretary Stewart Udall, was similarly stymied by the Justice Department. He wrote in a Dec. 17, 1993, letter to the assistant attorney general that the regulations concerning documentation of medical facts severely penalized Navajo applicants and that the Justice Department was punishing Navajo widows by delaying the processing of their claims.

Curley, whose life also has been touched by the loss of lives in support of the Cold War, attempted to appease the audience.

"I know this is a frustratingly long process," Curley said. "It sounds like a broken record. But Senator Udall is committed to continue working with you all. He is committed to working with the

majority Republican Congress. We have a new president coming in. It would be great if we could get him at the table as well.”

Curley recommended the group continue to advocate with legislators from every state. He said he was looking at the list of co-sponsors of the 2015 bill and estimated the Radiation Exposure Compensation Act amendments had the support of leaders in about eight states out of 50.

“All I can say is we’re here to fight for you,” he said. “I don’t have an answer.” Udall also plans to continue seeking support from his colleagues to hold a local field hearing.

Political clout

Evers said that as advised by U.S. Sen. Martin Heinrich’s office, the committee is going to have to get the issue into the national arena if the members are going to make a difference.

“Our five little states down here don’t carry much weight in Washington,” she said.

With the retirement of U.S. powerhouse Sens. Pete Domenici and Jeff Bingaman, the state’s political clout in Washington appears to have diminished. Bingaman conducted congressional field hearings in Shiprock in 1990, which led to the passage of the Radiation Exposure Compensation Act, and again in 1993 when Udall’s father testified about the inadequacies of the 1990 law and the need to amend it. Although the first set of amendments passed in 2000, the current delegation has been powerless to get the second set out of committee.

“We have lobbied in Washington more than once, and gone office to office,” Evers said. “Once you get out of New Mexico, Arizona, Colorado offices, they’re oblivious to RECA - what it is, and what’s going on down here. They’re still of the opinion that nuclear energy is clean.”

One factor in the holdup could be the projected price tag for the amendments, estimated in 2014 at \$17 billion, but a mere drop in the bucket compared to the Department of Defense budget request of \$582.7 billion for 2017.

In an effort to pare down costs, the uranium workers committee is recommending the \$5 million health impact study be cut from the amendments.

“It’s a chunk of money and there is no program in the government that can pick up the research and do it right now and have the funding,” Evers said. “So to me, that’s a no-brainer. We should cut it off. I don’t think we had any argument on that because it didn’t seem to affect any sponsors. But they are having conversation about how we can make these amendments more amenable to everybody that’s sponsored already and still get some movement on it.

“This year we’re on a frantic, panic mode. This is the last full session we’re going to be able to get the attention of the politicians,” Evers said. “If we don’t get the amendments pushed through in 2022, there won’t be any reason for us to petition Washington. There’s not going to be a program to compensate us.”

Give and take

The Radiation Exposure Compensation Act of 1990 was amended in 2000 to extend coverage to mill and ore workers. But it left out drillers and those employed by the uranium industry after Dec. 31, 1971, when the United States was no longer the sole purchaser of the ore. The amendments would extend compensation to Dec. 31, 1990, the year the Cold War with Soviet bloc countries ended.

The Radiation Exposure Compensation Act also provides monetary damages to victims of cancer and other illnesses linked to exposure to fallout from nuclear weapons testing in the 1950s and 1960s. Radioactive clouds from the Nevada test site were dispersed as far away as New York, but only individuals living in a few select counties in Utah, Colorado and Arizona are eligible for compensation. The amendments would expand the list of “downwind” states by adding Nevada, Montana, Idaho and New Mexico — birth place of the atomic bomb.

“We’re on a ‘reintroduce the bill’ mode again,” Evers said. “Historically, it’s happened between March and April, so now’s a good time to call the senators, the congressmen and let them know we’re still out here waiting for justice to come our way.”

The committee will post updated congressional contact information and blank form letters on its website within the next two weeks. The group also is hoping to see a large turnout of post-’71 workers Feb. 27 at the Roundhouse in Santa Fe to support the Uranium Workers Day memorial. Sarah Scott, director of health care company Critical Nurse Staffing Inc. in Grants, said the group is selling T-shirts to be worn that day.

“They’re going to know why we’re there,” she said. “We have to stand up and say, ‘This is who we are.’” The group is petitioning for gas money and hopes to be able to give \$10 to those who need help with fuel costs to Santa Fe.

Information:

www.post71exposure.org; Evers, 505-287-2304

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