

Calendar No. 336118TH CONGRESS
2D SESSION**S. 3853**

To extend the period for filing claims under the Radiation Exposure Compensation Act and to provide for compensation under such Act for claims relating to Manhattan Project waste, and to improve compensation for workers involved in uranium mining.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Mr. HAWLEY introduced the following bill; which was read the first time

MARCH 5, 2024

Read the second time and placed on the calendar

A BILL

To extend the period for filing claims under the Radiation Exposure Compensation Act and to provide for compensation under such Act for claims relating to Manhattan Project waste, and to improve compensation for workers involved in uranium mining.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
 3 “Radiation Exposure Compensation Reauthorization
 4 Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MANHATTAN PROJECT WASTE

Sec. 101. Short title.

Sec. 102. Claims relating to Manhattan Project waste.

Sec. 103. Cooperative agreement.

TITLE II— COMPENSATION FOR WORKERS INVOLVED IN URA-
 NIUM MINING AND INDIVIDUALS LIVING DOWNWIND OF AT-
 MOSPHERIC NUCLEAR TESTING

Sec. 201. Short title.

Sec. 202. References.

Sec. 203. Extension of fund.

Sec. 204. Claims relating to atmospheric testing.

Sec. 205. Claims relating to uranium mining.

Sec. 206. Expansion of use of affidavits in determination of claims; regulations.

Sec. 207. Limitation on claims.

Sec. 208. Grant program on epidemiological impacts of uranium mining and
 milling.

Sec. 209. Energy Employees Occupational Illness Compensation Program.

Sec. 210. GAO study and report.

7 **TITLE I—MANHATTAN PROJECT**
 8 **WASTE**

9 **SEC. 101. SHORT TITLE.**

10 (a) SHORT TITLE.—This title may be cited as the
 11 “Radiation Exposure Compensation Expansion Act”.

1 **SEC. 102. CLAIMS RELATING TO MANHATTAN PROJECT**
2 **WASTE.**

3 The Radiation Exposure Compensation Act (Public
4 Law 101–426; 42 U.S.C. 2210 note) is amended by insert-
5 ing after section 5 the following:

6 **“SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT**
7 **WASTE.**

8 “(a) IN GENERAL.—A claimant shall receive com-
9 pensation for a claim made under this Act, as described
10 in subsection (b) or (c), if—

11 “(1) a claim for compensation is filed with the
12 Attorney General—

13 “(A) by an individual described in para-
14 graph (2); or

15 “(B) on behalf of that individual by an au-
16 thorized agent of that individual, if the indi-
17 vidual is deceased or incapacitated, such as—

18 “(i) an executor of estate of that indi-
19 vidual; or

20 “(ii) a legal guardian or conservator
21 of that individual;

22 “(2) that individual, or if applicable, an author-
23 ized agent of that individual, demonstrates that the
24 individual—

1 “(A) was physically present in an affected
2 area for a period of at least 2 years after Janu-
3 ary 1, 1949; and

4 “(B) contracted a specified disease after
5 such period of physical presence;

6 “(3) the Attorney General certifies that the
7 identity of that individual, and if applicable, the au-
8 thorized agent of that individual, is not fraudulent
9 or otherwise misrepresented; and

10 “(4) the Attorney General determines that the
11 claimant has satisfied the applicable requirements of
12 this Act.

13 “(b) LOSSES AVAILABLE TO LIVING AFFECTED INDI-
14 VIDUALS.—

15 “(1) IN GENERAL.—In the event of a claim
16 qualifying for compensation under subsection (a)
17 that is submitted to the Attorney General to be eligi-
18 ble for compensation under this section at a time
19 when the individual described in subsection (a)(2) is
20 living, the amount of compensation under this sec-
21 tion shall be in an amount that is the greater of
22 \$50,000 or the total amount of compensation for
23 which the individual is eligible under paragraph (2).

24 “(2) LOSSES DUE TO MEDICAL EXPENSES.—A
25 claimant described in paragraph (1) shall be eligible

1 to receive, upon submission of contemporaneous
2 written medical records, reports, or billing state-
3 ments created by or at the direction of a licensed
4 medical professional who provided contemporaneous
5 medical care to the claimant, additional compensa-
6 tion in the amount of all documented out-of-pocket
7 medical expenses incurred as a result of the specified
8 disease suffered by that claimant, such as any med-
9 ical expenses not covered, paid for, or reimbursed
10 through—

11 “(A) any public or private health insur-
12 ance;

13 “(B) any employee health insurance;

14 “(C) any workers’ compensation program;

15 or

16 “(D) any other public, private, or employee
17 health program or benefit.

18 “(c) PAYMENTS TO BENEFICIARIES OF DECEASED
19 INDIVIDUALS.—In the event that an individual described
20 in subsection (a)(2) who qualifies for compensation under
21 subsection (a) is deceased at the time of submission of
22 the claim—

23 “(1) a surviving spouse may, upon submission
24 of a claim and records sufficient to satisfy the re-
25 quirements of subsection (a) with respect to the de-

1 ceased individual, receive compensation in the
2 amount of \$25,000; or

3 “(2) in the event that there is no surviving
4 spouse, the surviving children, minor or otherwise, of
5 the deceased individual may, upon submission of a
6 claim and records sufficient to satisfy the require-
7 ments of subsection (a) with respect to the deceased
8 individual, receive compensation in the total amount
9 of \$25,000, paid in equal shares to each surviving
10 child.

11 “(d) AFFECTED AREA.—For purposes of this section,
12 the term ‘affected area’ means—

13 “(1) in the State of Missouri, the ZIP Codes of
14 63031, 63033, 63034, 63042, 63045, 63074, 63114,
15 63135, 63138, 63044, 63121, 63140, 63145, 63147,
16 63102, 63304, 63134, 63043, 63341, 63368, and
17 63367;

18 “(2) in the State of Tennessee, the ZIP Codes
19 of 37716, 37840, 37719, 37748, 37763, 37828,
20 37769, 37710, 37845, 37887, 37829, 37854, 37830,
21 and 37831;

22 “(3) in the State of Alaska, the ZIP Codes of
23 99546 and 99547; and

24 “(4) in the State of Kentucky, the ZIP Codes
25 of 42001, 42003, and 42086.

1 “(e) SPECIFIED DISEASE.—For purposes of this sec-
2 tion, the term ‘specified disease’ means any of the fol-
3 lowing:

4 “(1) Any leukemia, other than chronic
5 lymphocytic leukemia, provided that the initial expo-
6 sure occurred after the age of 20 and the onset of
7 the disease was at least 2 years after first exposure.

8 “(2) Any of the following diseases, provided
9 that the onset was at least 2 years after the initial
10 exposure:

11 “(A) Multiple myeloma.

12 “(B) Lymphoma, other than Hodgkin’s
13 disease.

14 “(C) Primary cancer of the—

15 “(i) thyroid;

16 “(ii) male or female breast;

17 “(iii) esophagus;

18 “(iv) stomach;

19 “(v) pharynx;

20 “(vi) small intestine;

21 “(vii) pancreas;

22 “(viii) bile ducts;

23 “(ix) gall bladder;

24 “(x) salivary gland;

25 “(xi) urinary bladder;

- 1 “(xii) brain;
2 “(xiii) colon;
3 “(xiv) ovary;
4 “(xv) bone;
5 “(xvi) renal;
6 “(xvii) liver, except if cirrhosis or hep-
7 atitis B is indicated; or
8 “(xviii) lung.

9 “(f) PHYSICAL PRESENCE.—

10 “(1) IN GENERAL.—For purposes of this sec-
11 tion, the Attorney General shall not determine that
12 a claimant has satisfied the requirements of sub-
13 section (a) unless demonstrated by submission of—

14 “(A) contemporaneous written residential
15 documentation and at least 1 additional em-
16 ployer-issued or government-issued document or
17 record that the claimant, for at least 2 years
18 after January 1, 1949, was physically present
19 in an affected area; or

20 “(B) other documentation determined by
21 the Attorney General to demonstrate that the
22 claimant, for at least 2 years after January 1,
23 1949, was physically present in an affected
24 area.

1 “(2) TYPES OF PHYSICAL PRESENCE.—For
2 purposes of determining physical presence under this
3 section, a claimant shall be considered to have been
4 physically present in an affected area if—

5 “(A) the claimant’s primary residence was
6 in the affected area;

7 “(B) the claimant’s place of employment
8 was in the affected area; or

9 “(C) the claimant attended school in the
10 affected area.

11 “(g) DISEASE CONTRACTION IN AFFECTED
12 AREAS.—For purposes of this section, the Attorney Gen-
13 eral shall not determine that a claimant has satisfied the
14 requirements of subsection (a) unless the claimant sub-
15 mits—

16 “(1) written medical records or reports created
17 by or at the direction of a licensed medical profes-
18 sional, created contemporaneously with the provision
19 of medical care to the claimant, that the claimant,
20 after a period of physical presence in an affected
21 area, contracted a specified disease; or

22 “(2) other documentation determined by the At-
23 torney General to demonstrate that the claimant
24 contracted a specified disease after a period of phys-
25 ical presence in an affected area.”.

1 **SEC. 103. COOPERATIVE AGREEMENT.**

2 (a) IN GENERAL.—Not later than September 30,
3 2024, the Secretary of Energy, acting through the Direc-
4 tor of the Office of Legacy Management, shall award to
5 an eligible association a cooperative agreement to support
6 the safeguarding of human and ecological health at the
7 Amchitka, Alaska, Site.

8 (b) REQUIREMENTS.—A cooperative agreement
9 awarded under subsection (a)—

10 (1) may be used to fund—

11 (A) research and development that will im-
12 prove and focus long-term surveillance and
13 monitoring of the site;

14 (B) workforce development at the site; and

15 (C) such other activities as the Secretary
16 considers appropriate; and

17 (2) shall require that the eligible association—

18 (A) engage in stakeholder engagement; and

19 (B) to the greatest extent practicable, in-
20 corporate Indigenous knowledge and the partici-
21 pation of local Indian Tribes in research and
22 development and workforce development activi-
23 ties.

24 (c) DEFINITIONS.—In this section:

1 (1) ELIGIBLE ASSOCIATION.—The term “eligi-
2 ble association” means an association of 2 or more
3 of the following:

4 (A) An institution of higher education (as
5 that term is defined in section 101(a) of the
6 Higher Education Act of 1965 (20 U.S.C.
7 1001(a))) located in the State of Alaska.

8 (B) An agency of the State of Alaska.

9 (C) A local Indian Tribe.

10 (D) An organization—

11 (i) described in section 501(c)(3) of
12 the Internal Revenue Code of 1986 and ex-
13 empt from taxation under section 501(a)
14 of such Code; and

15 (ii) located in the State of Alaska.

16 (2) LOCAL INDIAN TRIBE.—The term “local In-
17 dian Tribe” means an Indian tribe (as that term is
18 defined in section 4 of the Indian Self-Determination
19 and Education Assistance Act (25 U.S.C. 5304))
20 that is located in the Aleut Region of the State of
21 Alaska.

1 **TITLE II— COMPENSATION FOR**
2 **WORKERS INVOLVED IN URA-**
3 **NIUM MINING AND INDIVID-**
4 **UALS LIVING DOWNWIND OF**
5 **ATMOSPHERIC NUCLEAR**
6 **TESTING**

7 **SEC. 201. SHORT TITLE.**

8 This title may be cited as the “Radiation Exposure
9 Compensation Act Amendments of 2024”.

10 **SEC. 202. REFERENCES.**

11 Except as otherwise specifically provided, whenever in
12 this title an amendment or repeal is expressed in terms
13 of an amendment to or repeal of a section or other provi-
14 sion of law, the reference shall be considered to be made
15 to a section or other provision of the Radiation Exposure
16 Compensation Act (Public Law 101–426; 42 U.S.C. 2210
17 note).

18 **SEC. 203. EXTENSION OF FUND.**

19 Section 3(d) is amended—

20 (1) by striking the first sentence and inserting
21 “The Fund shall terminate 6 years after the date of
22 the enactment of the Radiation Exposure Compensa-
23 tion Act Amendments of 2024.”; and

24 (2) by striking “2-year” and inserting “6-year”.

1 **SEC. 204. CLAIMS RELATING TO ATMOSPHERIC TESTING.**

2 (a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST
3 IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND
4 IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

5 (1) in clause (i)—

6 (A) in subclause (I), by striking “October
7 31, 1958” and inserting “November 6, 1962”;

8 (B) in subclause (II)—

9 (i) by striking “in the affected area”
10 and inserting “in an affected area”; and

11 (ii) by striking “or” after the semi-
12 colon;

13 (C) by redesignating subclause (III) as
14 subclause (V); and

15 (D) by inserting after subclause (II) the
16 following:

17 “(III) was physically present in an af-
18 fected area for a period of at least 1 year
19 during the period beginning on September
20 24, 1944, and ending on November 6,
21 1962;

22 “(IV) was physically present in an af-
23 fected area—

24 “(aa) for a period of at least 1
25 year during the period beginning on

1 July 1, 1946, and ending on Novem-
2 ber 6, 1962; or

3 “(bb) for the period beginning on
4 April 25, 1962, and ending on No-
5 vember 6, 1962; or”; and

6 (2) in clause (ii)(I), by striking “physical pres-
7 ence described in subclause (I) or (II) of clause (i)
8 or onsite participation described in clause (i)(III)”
9 and inserting “physical presence described in sub-
10 clause (I), (II), (III), or (IV) of clause (i) or onsite
11 participation described in clause (i)(V)”.

12 (b) AMOUNTS FOR CLAIMS RELATED TO LEU-
13 KEMIA.—Section 4(a)(1) is amended—

14 (1) in subparagraph (A), by striking “an
15 amount” and inserting “the amount”; and

16 (2) by striking subparagraph (B) and inserting
17 the following:

18 “(B) AMOUNT.—If the conditions de-
19 scribed in subparagraph (C) are met, an indi-
20 vidual who is described in subparagraph (A)
21 shall receive \$100,000.”.

22 (c) CONDITIONS FOR CLAIMS RELATED TO LEU-
23 KEMIA.—Section 4(a)(1)(C) is amended—

24 (1) by striking clause (i); and

1 (2) by redesignating clauses (ii) and (iii) as
2 clauses (i) and (ii), respectively.

3 (d) SPECIFIED DISEASES CLAIMS RELATING TO
4 TRINITY TEST IN NEW MEXICO AND TESTS AT THE NE-
5 VADA SITE AND IN THE PACIFIC.—Section 4(a)(2) is
6 amended—

7 (1) in subparagraph (A)—

8 (A) by striking “in the affected area” and
9 inserting “in an affected area”;

10 (B) by striking “2 years” and inserting “1
11 year”; and

12 (C) by striking “October 31, 1958” and
13 inserting “November 6, 1962”;

14 (2) in subparagraph (B)—

15 (A) by striking “in the affected area” and
16 inserting “in an affected area”; and

17 (B) by striking “or” at the end;

18 (3) by redesignating subparagraph (C) as sub-
19 paragraph (E); and

20 (4) by inserting after subparagraph (B) the fol-
21 lowing:

22 “(C) was physically present in an affected
23 area for a period of at least 1 year during the
24 period beginning on September 24, 1944, and
25 ending on November 6, 1962;

1 “(D) was physically present in an affected
2 area—

3 “(i) for a period of at least 1 year
4 during the period beginning on July 1,
5 1946, and ending on November 6, 1962; or

6 “(ii) for the period beginning on April
7 25, 1962, and ending on November 6,
8 1962; or”.

9 (e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED
10 DISEASES.—Section 4(a)(2) is amended in the matter fol-
11 lowing subparagraph (E) (as redesignated by subsection
12 (d) of this section) by striking “\$50,000 (in the case of
13 an individual described in subparagraph (A) or (B)) or
14 \$75,000 (in the case of an individual described in subpara-
15 graph (C)),” and inserting “\$100,000”.

16 (f) DOWNWIND STATES.—Section 4(b)(1) is amended
17 to read as follows:

18 “(1) ‘affected area’ means—

19 “(A) except as provided under subpara-
20 graphs (B) and (C), Arizona, Colorado, Idaho,
21 Montana, Nevada, New Mexico, Utah, and
22 Guam;

23 “(B) with respect to a claim by an indi-
24 vidual under subsection (a)(1)(A)(i)(III) or sub-
25 section (a)(2)(C), only New Mexico; and

1 “(C) with respect to a claim by an indi-
2 vidual under subsection (a)(1)(A)(i)(IV) or sub-
3 section (a)(2)(D), only Guam.”.

4 (g) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECI-
5 FIED DISEASE.—Section 4(b)(2) is amended by striking
6 “other than chronic lymphocytic leukemia” and inserting
7 “including chronic lymphocytic leukemia”.

8 **SEC. 205. CLAIMS RELATING TO URANIUM MINING.**

9 (a) EMPLOYEES OF MINES AND MILLS.—Section
10 5(a)(1)(A)(i) is amended—

11 (1) by inserting “(I)” after “(i)”;

12 (2) by striking “December 31, 1971; and” and
13 inserting “December 31, 1990; or”; and

14 (3) by adding at the end the following:

15 “(II) was employed as a core driller in
16 a State referred to in subclause (I) during
17 the period described in such subclause;
18 and”.

19 (b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended
20 by inserting “or renal cancer or any other chronic renal
21 disease, including nephritis and kidney tubal tissue in-
22 jury” after “nonmalignant respiratory disease”.

23 (c) MILLERS, CORE DRILLERS, AND ORE TRANS-
24 PORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

1 (1) by inserting “, core driller,” after “was a
2 miller”;

3 (2) by inserting “, or was involved in remedi-
4 ation efforts at such a uranium mine or uranium
5 mill,” after “ore transporter”;

6 (3) by inserting “(I)” after “clause (i)”;

7 (4) by striking all that follows “nonmalignant
8 respiratory disease” and inserting “or renal cancer
9 or any other chronic renal disease, including nephri-
10 tis and kidney tubal tissue injury; or”.

11 (d) COMBINED WORK HISTORIES.—Section
12 5(a)(1)(A)(ii) is further amended—

13 (1) by striking “or” at the end of subclause (I);
14 and

15 (2) by adding at the end the following:

16 “(III)(aa) does not meet the condi-
17 tions of subclause (I) or (II);

18 “(bb) worked, during the period de-
19 scribed in clause (i)(I), in two or more of
20 the following positions: miner, miller, core
21 driller, and ore transporter;

22 “(cc) meets the requirements of para-
23 graph (4) or (5), or both; and

24 “(dd) submits written medical docu-
25 mentation that the individual developed

1 lung cancer or a nonmalignant respiratory
2 disease or renal cancer or any other chron-
3 ic renal disease, including nephritis and
4 kidney tubal tissue injury after exposure to
5 radiation through work in one or more of
6 the positions referred to in item (bb);”.

7 (e) DATES OF OPERATION OF URANIUM MINE.—Sec-
8 tion 5(a)(2)(A) is amended by striking “December 31,
9 1971” and inserting “December 31, 1990”.

10 (f) SPECIAL RULES RELATING TO COMBINED WORK
11 HISTORIES.—Section 5(a) is amended by adding at the
12 end the following:

13 “(4) SPECIAL RULE RELATING TO COMBINED
14 WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST
15 ONE YEAR OF EXPERIENCE.—An individual meets
16 the requirements of this paragraph if the individual
17 worked in one or more of the positions referred to
18 in paragraph (1)(A)(ii)(III)(bb) for a period of at
19 least one year during the period described in para-
20 graph (1)(A)(i)(I).

21 “(5) SPECIAL RULE RELATING TO COMBINED
22 WORK HISTORIES FOR MINERS.—An individual
23 meets the requirements of this paragraph if the indi-
24 vidual, during the period described in paragraph
25 (1)(A)(i)(I), worked as a miner and was exposed to

1 such number of working level months that the Attor-
2 ney General determines, when combined with the ex-
3 posure of such individual to radiation through work
4 as a miller, core driller, or ore transporter during
5 the period described in paragraph (1)(A)(i)(I), re-
6 sults in such individual being exposed to a total level
7 of radiation that is greater or equal to the level of
8 exposure of an individual described in paragraph
9 (4).”.

10 (g) DEFINITION OF CORE DRILLER.—Section 5(b) is
11 amended—

12 (1) by striking “and” at the end of paragraph
13 (7);

14 (2) by striking the period at the end of para-
15 graph (8) and inserting “; and”; and

16 (3) by adding at the end the following:

17 “(9) the term ‘core driller’ means any indi-
18 vidual employed to engage in the act or process of
19 obtaining cylindrical rock samples of uranium or va-
20 nadium by means of a borehole drilling machine for
21 the purpose of mining uranium or vanadium.”.

22 **SEC. 206. EXPANSION OF USE OF AFFIDAVITS IN DETER-**
23 **MINATION OF CLAIMS; REGULATIONS.**

24 (a) AFFIDAVITS.—Section 6(b) is amended by adding
25 at the end the following:

1 “(3) AFFIDAVITS.—

2 “(A) EMPLOYMENT HISTORY.—For pur-
3 poses of this Act, the Attorney General shall ac-
4 cept a written affidavit or declaration as evi-
5 dence to substantiate the employment history of
6 an individual as a miner, miller, core driller, or
7 ore transporter if the affidavit—

8 “(i) is provided in addition to other
9 material that may be used to substantiate
10 the employment history of the individual;

11 “(ii) attests to the employment history
12 of the individual;

13 “(iii) is made subject to penalty for
14 perjury; and

15 “(iv) is made by a person other than
16 the individual filing the claim.

17 “(B) PHYSICAL PRESENCE IN AFFECTED
18 AREA.—For purposes of this Act, the Attorney
19 General shall accept a written affidavit or dec-
20 laration as evidence to substantiate an individ-
21 ual’s physical presence in an affected area (as
22 defined in section 4(b)(1)) during a period de-
23 scribed in section 4(a)(1)(A)(i) or section
24 4(a)(2) if the affidavit—

1 “(i) is provided in addition to other
2 material that may be used to substantiate
3 the individual’s presence in an affected
4 area during that time period;

5 “(ii) attests to the individual’s pres-
6 ence in an affected area during that pe-
7 riod;

8 “(iii) is made subject to penalty for
9 perjury; and

10 “(iv) is made by a person other than
11 the individual filing the claim.

12 “(C) PARTICIPATION AT TESTING SITE.—
13 For purposes of this Act, the Attorney General
14 shall accept a written affidavit or declaration as
15 evidence to substantiate an individual’s partici-
16 pation onsite in a test involving the atmospheric
17 detonation of a nuclear device if the affidavit—

18 “(i) is provided in addition to other
19 material that may be used to substantiate
20 the individual’s participation onsite in a
21 test involving the atmospheric detonation
22 of a nuclear device;

23 “(ii) attests to the individual’s partici-
24 pation onsite in a test involving the atmos-
25 pheric detonation of a nuclear device;

1 “(iii) is made subject to penalty for
2 perjury; and

3 “(iv) is made by a person other than
4 the individual filing the claim.”.

5 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

6 Section 6 is amended—

7 (1) in subsection (b)(2)(C), by striking “section
8 4(a)(2)(C)” and inserting “section 4(a)(2)(E)”;

9 (2) in subsection (c)(2)—

10 (A) in subparagraph (A)—

11 (i) in the matter preceding clause (i),
12 by striking “subsection (a)(1), (a)(2)(A),
13 or (a)(2)(B) of section 4” and inserting
14 “subsection (a)(1), (a)(2)(A), (a)(2)(B),
15 (a)(2)(C), or (a)(2)(D) of section 4”; and

16 (ii) in clause (i), by striking “sub-
17 section (a)(1), (a)(2)(A), or (a)(2)(B) of
18 section 4” and inserting “subsection
19 (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or
20 (a)(2)(D) of section 4”; and

21 (B) in subparagraph (B), by striking “sec-
22 tion 4(a)(2)(C)” and inserting “section
23 4(a)(2)(E)”;

24 (3) in subsection (e), by striking “subsection
25 (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and in-

1 serting “subsection (a)(1), (a)(2)(A), (a)(2)(B),
2 (a)(2)(C), or (a)(2)(D) of section 4”.

3 (c) REGULATIONS.—

4 (1) IN GENERAL.—Section 6(k) is amended by
5 adding at the end the following: “Not later than 180
6 days after the date of enactment of the Radiation
7 Exposure Compensation Act Amendments of 2024,
8 the Attorney General shall issue revised regulations
9 to carry out this Act.”.

10 (2) CONSIDERATIONS IN REVISIONS.—In
11 issuing revised regulations under section 6(k) of the
12 Radiation Exposure Compensation Act (Public Law
13 101–426; 42 U.S.C. 2210 note), as amended under
14 paragraph (1), the Attorney General shall ensure
15 that procedures with respect to the submission and
16 processing of claims under such Act take into ac-
17 count and make allowances for the law, tradition,
18 and customs of Indian tribes, including by accepting
19 as a record of proof of physical presence for a claim-
20 ant a grazing permit, a homesite lease, a record of
21 being a holder of a post office box, a letter from an
22 elected leader of an Indian tribe, or a record of any
23 recognized tribal association or organization.

1 **SEC. 207. LIMITATION ON CLAIMS.**

2 (a) **EXTENSION OF FILING TIME.**—Section 8(a) is
3 amended—

4 (1) by striking “2 years” and inserting “5
5 years”; and

6 (2) by striking “RECA Extension Act of 2022”
7 and inserting “Radiation Exposure Compensation
8 Act Amendments of 2024”.

9 (b) **RESUBMITTAL OF CLAIMS.**—Section 8(b) is
10 amended to read as follows:

11 “(b) **RESUBMITTAL OF CLAIMS.**—

12 “(1) **DENIED CLAIMS.**—After the date of enact-
13 ment of the Radiation Exposure Compensation Act
14 Amendments of 2024, any claimant who has been
15 denied compensation under this Act may resubmit a
16 claim for consideration by the Attorney General in
17 accordance with this Act not more than three times.
18 Any resubmittal made before the date of the enact-
19 ment of the Radiation Exposure Compensation Act
20 Amendments of 2024 shall not be applied to the lim-
21 itation under the preceding sentence.

22 “(2) **PREVIOUSLY SUCCESSFUL CLAIMS.**—

23 “(A) **IN GENERAL.**—After the date of en-
24 actment of the Radiation Exposure Compensa-
25 tion Act Amendments of 2024, any claimant
26 who received compensation under this Act may

1 submit a request to the Attorney General for
2 additional compensation and benefits. Such re-
3 quest shall contain—

4 “(i) the claimant’s name, social secu-
5 rity number, and date of birth;

6 “(ii) the amount of award received
7 under this Act before the date of enact-
8 ment of the Radiation Exposure Com-
9 pensation Act Amendments of 2024;

10 “(iii) any additional benefits and com-
11 pensation sought through such request;
12 and

13 “(iv) any additional information re-
14 quired by the Attorney General.

15 “(B) ADDITIONAL COMPENSATION.—If the
16 claimant received compensation under this Act
17 before the date of enactment of the Radiation
18 Exposure Compensation Act Amendments of
19 2024 and submits a request under subpara-
20 graph (A), the Attorney General shall—

21 “(i) pay the claimant the amount that
22 is equal to any excess of—

23 “(I) the amount the claimant is
24 eligible to receive under this Act (as
25 amended by the Radiation Exposure

1 Compensation Act Amendments of
2 2024); minus

3 “(II) the aggregate amount paid
4 to the claimant under this Act before
5 the date of enactment of the Radi-
6 ation Exposure Compensation Act
7 Amendments of 2024; and

8 “(ii) in any case in which the claimant
9 was compensated under section 4, provide
10 the claimant with medical benefits under
11 section 4(a)(5).”.

12 **SEC. 208. GRANT PROGRAM ON EPIDEMIOLOGICAL IM-**
13 **PACTS OF URANIUM MINING AND MILLING.**

14 (a) DEFINITIONS.—In this section—

15 (1) the term “institution of higher education”
16 has the meaning given under section 101 of the
17 Higher Education Act of 1965 (20 U.S.C. 1001);

18 (2) the term “program” means the grant pro-
19 gram established under subsection (b); and

20 (3) the term “Secretary” means the Secretary
21 of Health and Human Services.

22 (b) ESTABLISHMENT.—The Secretary shall establish
23 a grant program relating to the epidemiological impacts
24 of uranium mining and milling. Grants awarded under the
25 program shall be used for the study of the epidemiological

1 impacts of uranium mining and milling among non-occu-
2 pationally exposed individuals, including family members
3 of uranium miners and millers.

4 (c) ADMINISTRATION.—The Secretary shall admin-
5 ister the program through the National Institute of Envi-
6 ronmental Health Sciences.

7 (d) ELIGIBILITY AND APPLICATION.—Any institution
8 of higher education or nonprofit private entity shall be eli-
9 gible to apply for a grant. To apply for a grant an eligible
10 institution or entity shall submit to the Secretary an appli-
11 cation at such time, in such manner, and containing or
12 accompanied by such information as the Secretary may
13 reasonably require.

14 (e) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this section
16 \$3,000,000 for each of fiscal years 2024 through 2026.

17 **SEC. 209. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS**
18 **COMPENSATION PROGRAM.**

19 (a) COVERED EMPLOYEES WITH CANCER.—Section
20 3621(9) of the Energy Employees Occupational Illness
21 Compensation Program Act of 2000 (42 U.S.C. 7384l(9))
22 is amended by striking subparagraph (A) and inserting
23 the following:

1 “(A) An individual with a specified cancer
2 who is a member of the Special Exposure Co-
3 hort, if and only if—

4 “(i) that individual contracted that
5 specified cancer after beginning employ-
6 ment at a Department of Energy facility
7 (in the case of a Department of Energy
8 employee or Department of Energy con-
9 tractor employee) or at an atomic weapons
10 employer facility (in the case of an atomic
11 weapons employee); or

12 “(ii) that individual—

13 “(I) contracted that specified
14 cancer after beginning employment in
15 a uranium mine or uranium mill de-
16 scribed under section 5(a)(1)(A)(i) of
17 the Radiation Exposure Compensation
18 Act (42 U.S.C. 2210 note) (including
19 any individual who was employed in
20 core drilling or the transport of ura-
21 nium ore or vanadium-uranium ore
22 from such mine or mill) located in
23 Colorado, New Mexico, Arizona, Wyo-
24 ming, South Dakota, Washington,
25 Utah, Idaho, North Dakota, Oregon,

1 Texas, or any State the Attorney Gen-
2 eral makes a determination under sec-
3 tion 5(a)(2) of that Act for inclusion
4 of eligibility under section 5(a)(1) of
5 that Act; and

6 “(II) was employed in a uranium
7 mine or uranium mill described under
8 subclause (I) (including any individual
9 who was employed in core drilling or
10 the transport of uranium ore or vana-
11 dium-uranium ore from such mine or
12 mill) at any time during the period
13 beginning on January 1, 1942, and
14 ending on December 31, 1990.”.

15 (b) MEMBERS OF SPECIAL EXPOSURE COHORT.—
16 Section 3626 of the Energy Employees Occupational Ill-
17 ness Compensation Program Act of 2000 (42 U.S.C.
18 7384q) is amended—

19 (1) in subsection (a), by striking paragraph (1)
20 and inserting the following:

21 “(1) The Advisory Board on Radiation and
22 Worker Health under section 3624 shall advise the
23 President whether there is a class of employees—

24 “(A) at any Department of Energy facility
25 who likely were exposed to radiation at that fa-

1 cility but for whom it is not feasible to estimate
2 with sufficient accuracy the radiation dose they
3 received; and

4 “(B) employed in a uranium mine or ura-
5 nium mill described under section 5(a)(1)(A)(i)
6 of the Radiation Exposure Compensation Act
7 (42 U.S.C. 2210 note) (including any individual
8 who was employed in core drilling or the trans-
9 port of uranium ore or vanadium-uranium ore
10 from such mine or mill) located in Colorado,
11 New Mexico, Arizona, Wyoming, South Dakota,
12 Washington, Utah, Idaho, North Dakota, Or-
13 egon, Texas, and any State the Attorney Gen-
14 eral makes a determination under section
15 5(a)(2) of that Act for inclusion of eligibility
16 under section 5(a)(1) of that Act, at any time
17 during the period beginning on January 1,
18 1942, and ending on December 31, 1990, who
19 likely were exposed to radiation at that mine or
20 mill but for whom it is not feasible to estimate
21 with sufficient accuracy the radiation dose they
22 received.”; and

23 (2) by striking subsection (b) and inserting the
24 following:

25 “(b) DESIGNATION OF ADDITIONAL MEMBERS.—

1 “(1) Subject to the provisions of section
2 3621(14)(C), the members of a class of employees at
3 a Department of Energy facility, or at an atomic
4 weapons employer facility, may be treated as mem-
5 bers of the Special Exposure Cohort for purposes of
6 the compensation program if the President, upon
7 recommendation of the Advisory Board on Radiation
8 and Worker Health, determines that—

9 “(A) it is not feasible to estimate with suf-
10 ficient accuracy the radiation dose that the
11 class received; and

12 “(B) there is a reasonable likelihood that
13 such radiation dose may have endangered the
14 health of members of the class.

15 “(2) Subject to the provisions of section
16 3621(14)(C), the members of a class of employees
17 employed in a uranium mine or uranium mill de-
18 scribed under section 5(a)(1)(A)(i) of the Radiation
19 Exposure Compensation Act (42 U.S.C. 2210 note)
20 (including any individual who was employed in core
21 drilling or the transport of uranium ore or vana-
22 dium-uranium ore from such mine or mill) located in
23 Colorado, New Mexico, Arizona, Wyoming, South
24 Dakota, Washington, Utah, Idaho, North Dakota,
25 Oregon, Texas, and any State the Attorney General

1 makes a determination under section 5(a)(2) of that
2 Act for inclusion of eligibility under section 5(a)(1)
3 of that Act, at any time during the period beginning
4 on January 1, 1942, and ending on December 31,
5 1990, may be treated as members of the Special Ex-
6 posure Cohort for purposes of the compensation pro-
7 gram if the President, upon recommendation of the
8 Advisory Board on Radiation and Worker Health,
9 determines that—

10 “(A) it is not feasible to estimate with suf-
11 ficient accuracy the radiation dose that the
12 class received; and

13 “(B) there is a reasonable likelihood that
14 such radiation dose may have endangered the
15 health of members of the class.”.

16 **SEC. 210. GAO STUDY AND REPORT.**

17 Not later than 1 year after the date of enactment
18 of this Act, the Comptroller General of the United States
19 shall conduct, and submit to Congress a report describing
20 the results of, a study on the importance of, and need for,
21 unmet medical benefits coverage for individuals who were
22 exposed to radiation in atmospheric nuclear tests con-
23 ducted by the Federal Government, and recommendations
24 to provide such unmet medical benefits coverage for such
25 individuals.

Calendar No. 336

118TH CONGRESS
2^D SESSION
S. 3853

A BILL

To extend the period for filing claims under the Radiation Exposure Compensation Act and to provide for compensation under such Act for claims relating to Manhattan Project waste, and to improve compensation for workers involved in uranium mining.

MARCH 5, 2024

Read the second time and placed on the calendar