

**AMENDMENT TO H.R. 2699**  
**OFFERED BY MR. LUJÁN OF NEW MEXICO**

Add at the end the following:

1 **TITLE VII—RADIATION EXPO-**  
2 **SURE COMPENSATION ACT**  
3 **AMENDMENTS**

4 **SEC. 701. SHORT TITLE.**

5 This title may be cited as the “Radiation Exposure  
6 Compensation Act Amendments of 2019”.

7 **SEC. 702. FINDINGS, PURPOSE, AND APOLOGY.**

8 Section 2(a)(1) of the Radiation Exposure Com-  
9 pensation Act (Public Law 101–426; 42 U.S.C. 2210  
10 note) is amended by inserting “, including individuals in  
11 New Mexico, Idaho, Colorado, Arizona, Utah, Texas, Wyo-  
12 ming, Oregon, Washington, South Dakota, North Dakota,  
13 Nevada, Guam, and the Northern Mariana Islands,” after  
14 “tests exposed individuals”.

15 **SEC. 703. EXTENSION OF FUND.**

16 Section 3(d) of the Radiation Exposure Compensa-  
17 tion Act (Public Law 101–426; 42 U.S.C. 2210 note) is  
18 amended—

19 (1) by striking “22 years” and inserting “45  
20 years”; and

1           (2) by striking “22-year” and inserting “45-  
2           year”.

3 **SEC. 704. CLAIMS RELATING TO ATMOSPHERIC TESTING.**

4           (a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST  
5 IN NEW MEXICO AND TESTS IN THE PACIFIC.—Section  
6 4(a)(1)(A) of the Radiation Exposure Compensation Act  
7 (Public Law 101–426; 42 U.S.C. 2210 note) is amend-  
8 ed—

9           (1) in clause (i)—

10                 (A) in subclause (II)—

11                         (i) by striking “in the affected area”  
12                         and inserting “in an affected area”; and

13                         (ii) by striking “or” after the semi-  
14                         colon;

15                         (B) by redesignating subclause (III) as  
16                         subclause (V); and

17                         (C) by inserting after subclause (II) the  
18                         following:

19                                 “(III) was physically present in an af-  
20                                 fected area for a period of at least 1 year  
21                                 during the period beginning on June 30,  
22                                 1945, and ending on July 31, 1962;

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

1                   “(aa) for a period of at least 1  
2                   year during the period beginning on  
3                   June 30, 1946, and ending on August  
4                   19, 1958; or

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

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

14                  (b) AMOUNTS FOR CLAIMS RELATED TO LEU-  
15                  KEMIA.—Section 4(a)(1) of the Radiation Exposure Com-  
16                  pensation Act (Public Law 101–426; 42 U.S.C. 2210  
17                  note) is amended—

18                   (1) in subparagraph (A) by striking “an  
19                   amount” and inserting “the amount”; and

20                   (2) by striking subparagraph (B) and inserting  
21                   the following:

22                   “(B) AMOUNT.—If the conditions de-  
23                   scribed in subparagraph (C) are met, an indi-  
24                   vidual who is described in subparagraph (A)(i)  
25                   shall receive \$150,000.”.

1 (c) SPECIFIED DISEASES CLAIMS RELATING TO  
2 TRINITY TEST IN NEW MEXICO AND TESTS IN THE PA-  
3 CIFIC.—Section 4(a)(2) of the Radiation Exposure Com-  
4 pensation Act (Public Law 101–426; 42 U.S.C. 2210  
5 note) is amended—

6 (1) in subparagraph (A), by striking “in the af-  
7 fected area” and inserting “in an affected area”;

8 (2) in subparagraph (B)—

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

11 (B) by striking “or” at the end;

12 (3) by redesignating subparagraph (C) as sub-  
13 paragraph (E); and

14 (4) by inserting after subparagraph (B) the fol-  
15 lowing:

16 “(C) was physically present in an affected  
17 area for a period of at least 1 year during the  
18 period beginning on June 30, 1945, and ending  
19 on July 31, 1962;

20 “(D) was physically present in an affected  
21 area—

22 “(i) for a period of at least 2 years  
23 during the period beginning on June 30,  
24 1946, and ending on August 19, 1958; or

1                   “(ii) for the period beginning on April  
2                   25, 1962, and ending on November 5,  
3                   1962; or”.

4           (d) CLAIMS RELATED TO RADIATION EXPOSURE  
5 DURING CLEANUP OF ENEWETAK ATOLL.—Subpara-  
6 graph (E) of section 4(a)(2) of the Radiation Exposure  
7 Compensation Act (Public Law 101–426; 42 U.S.C. 2210  
8 note) (as redesignated by subsection (c) of this section)  
9 is amended by striking “a test involving the atmospheric  
10 detonation of a nuclear device,” and inserting the fol-  
11 lowing:

12                   “(i) a test involving the atmospheric  
13                   detonation of a nuclear device, or

14                   “(ii) the cleanup of Enewetak Atoll  
15                   during the period beginning on January 1,  
16                   1977, and ending on December 31,  
17                   1980,”.

18           (e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED  
19 DISEASES.—Section 4(a)(2) of the Radiation Exposure  
20 Compensation Act (Public Law 101–426; 42 U.S.C. 2210  
21 note) is amended in the matter following subparagraph  
22 (E) (as redesignated by subsection (c) of this section) by  
23 striking “\$50,000 (in the case of an individual described  
24 in subparagraph (A) or (B)) or \$75,000 (in the case of

1 an individual described in subparagraph (C)),” and insert-  
2 ing “\$150,000”.

3 (f) MEDICAL BENEFITS.—Section 4(a) of the Radi-  
4 ation Exposure Compensation Act (Public Law 101–426;  
5 42 U.S.C. 2210 note) is amended by adding at the end  
6 the following:

7 “(5) MEDICAL BENEFITS.—An individual re-  
8 ceiving a payment under this section shall be eligible  
9 to receive medical benefits in the same manner and  
10 to the same extent as an individual eligible to receive  
11 medical benefits under section 3629 of the Energy  
12 Employees Occupational Illness Compensation Pro-  
13 gram Act of 2000 (42 U.S.C. 7384t).”.

14 (g) DOWNWIND STATES.—Section 4(b)(1) of the Ra-  
15 diation Exposure Compensation Act (Public Law 101–  
16 426; 42 U.S.C. 2210 note) is amended to read as follows:

17 “(1) ‘affected area’ means—

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

21 “(B) with respect to a claim by an indi-  
22 vidual under subsection (a)(1)(A)(i)(III) or  
23 (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  
3           (a)(2)(D), only Guam.”.

4 **SEC. 705. CLAIMS RELATING TO URANIUM MINING.**

5           (a) **EMPLOYEES OF MINES AND MILLS.**—Section  
6 5(a)(1)(A)(i) of the Radiation Exposure Compensation  
7 Act (Public Law 101–426; 42 U.S.C. 2210 note) is  
8 amended—

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

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

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

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

17           (b) **MINERS.**—Section 5(a)(1)(A)(ii)(I) of the Radi-  
18 ation Exposure Compensation Act (Public Law 101–426;  
19 42 U.S.C. 2210 note) is amended by inserting “or renal  
20 cancer, renal failure, or any other chronic renal disease,  
21 including nephritis and kidney tubal tissue injury” after  
22 “nonmalignant respiratory disease”.

23           (c) **MILLERS, CORE DRILLERS, ORE TRANSPORTERS,**  
24 **AND REMEDIATION WORKERS.**—Section 5(a)(1)(A)(ii)(II)

1 of the Radiation Exposure Compensation Act (Public Law  
2 101–426; 42 U.S.C. 2210 note) is amended—

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

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

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

9 (4) by striking all that follows “nonmalignant  
10 respiratory disease” and inserting “or renal cancer,  
11 renal failure, or any other chronic renal disease, in-  
12 cluding nephritis and kidney tubal tissue injury; or”.

13 (d) COMBINED WORK HISTORIES.—Section  
14 5(a)(1)(A)(ii) of the Radiation Exposure Compensation  
15 Act (Public Law 101–426; 42 U.S.C. 2210 note) is further  
16 amended—

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

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

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

22 “(bb) worked, during the period de-  
23 scribed in clause (i)(I), in two or more of  
24 the following positions: miner, miller, core  
25 driller, and ore transporter;



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

3                   “(dd) submits written medical docu-  
4                   mentation that the individual developed  
5                   lung cancer or a nonmalignant respiratory  
6                   disease or renal cancer, renal failure, or  
7                   any other chronic renal disease, including  
8                   nephritis and kidney tubal tissue injury,  
9                   after exposure to radiation through work  
10                  in one or more of the positions referred to  
11                  in item (bb);”.

12               (e) DATES OF OPERATION OF URANIUM MINE.—Sec-  
13               tion 5(a)(2)(A) of the Radiation Exposure Compensation  
14               Act (Public Law 101–426; 42 U.S.C. 2210 note) is  
15               amended by striking “December 31, 1971” and inserting  
16               “December 31, 1990”.

17               (f) SPECIAL RULES RELATING TO COMBINED WORK  
18               HISTORIES.—Section 5(a) of the Radiation Exposure  
19               Compensation Act (Public Law 101–426; 42 U.S.C. 2210  
20               note) is amended by adding at the end the following:

21                   “(4) SPECIAL RULE RELATING TO COMBINED  
22                   WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST  
23                   ONE YEAR OF EXPERIENCE.—An individual meets  
24                   the requirements of this paragraph if the individual  
25                   worked in one or more of the positions referred to

1 in paragraph (1)(A)(ii)(III)(bb) for a period of at  
2 least one year during the period described in para-  
3 graph (1)(A)(i)(I).

4 “(5) SPECIAL RULE RELATING TO COMBINED  
5 WORK HISTORIES FOR MINERS.—An individual  
6 meets the requirements of this paragraph if the indi-  
7 vidual, during the period described in paragraph  
8 (1)(A)(i)(I), worked as a miner and was exposed to  
9 such number of working level months of radiation  
10 that the Attorney General determines, when com-  
11 bined with the exposure of such individual to radi-  
12 ation through work as a miller, core driller, or ore  
13 transporter during the period described in paragraph  
14 (1)(A)(i)(I), results in such individual being exposed  
15 to a total level of radiation that is greater or equal  
16 to the level of exposure of an individual described in  
17 paragraph (4).”.

18 (g) DEFINITION OF CORE DRILLER.—Section 5(b) of  
19 the Radiation Exposure Compensation Act (Public Law  
20 101–426; 42 U.S.C. 2210 note) is amended—

21 (1) by striking “and” at the end of paragraph  
22 (7);

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

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

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

6   **SEC. 706. EXPANSION OF USE OF AFFIDAVITS IN DETER-**  
7                           **MINATION OF CLAIMS; REGULATIONS.**

8           (a) AFFIDAVITS.—Section 6(b) of the Radiation Ex-  
9           posure Compensation Act (Public Law 101–426; 42  
10           U.S.C. 2210 note) is amended by adding at the end the  
11           following:

12                   “(3) AFFIDAVITS.—

13                           “(A) EMPLOYMENT HISTORY.—For pur-  
14                           poses of this Act, the Attorney General shall ac-  
15                           cept a written affidavit or declaration as evi-  
16                           dence to substantiate the employment history of  
17                           an individual as a miner, miller, core driller, or  
18                           ore transporter if the affidavit—

19                                   “(i) is provided in addition to other  
20                                   material that may be used to substantiate  
21                                   the employment history of the individual;

22                                   “(ii) attests to the employment history  
23                                   of the individual;

24                                   “(iii) is made subject to penalty for  
25                                   perjury; and

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

3                   “(B) PHYSICAL PRESENCE IN AFFECTED  
4                   AREA.—For purposes of this Act, the Attorney  
5                   General shall accept a written affidavit or dec-  
6                   laration as evidence to substantiate an individ-  
7                   ual’s physical presence in an affected area dur-  
8                   ing a period described in section 4(a)(1)(A)(i)  
9                   or section 4(a)(2) if the affidavit—

10                   “(i) is provided in addition to other  
11                   material that may be used to substantiate  
12                   the individual’s presence in an affected  
13                   area during that time period;

14                   “(ii) attests to the individual’s pres-  
15                   ence in an affected area during that pe-  
16                   riod;

17                   “(iii) is made subject to penalty for  
18                   perjury; and

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

21                   “(C) PARTICIPATION AT TESTING SITE.—  
22                   For purposes of this Act, the Attorney General  
23                   shall accept a written affidavit or declaration as  
24                   evidence to substantiate an individual’s partici-

1           pation onsite in a test involving the atmospheric  
2           detonation of a nuclear device if the affidavit—

3                   “(i) is provided in addition to other  
4                   material that may be used to substantiate  
5                   the individual’s participation onsite in a  
6                   test involving the atmospheric detonation  
7                   of a nuclear device;

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

11                  “(iii) is made subject to penalty for  
12                  perjury; and

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

15                  “(D) PARTICIPATION IN CLEANUP.—For  
16                  purposes of this Act, the Attorney General shall  
17                  accept a written affidavit or declaration as evi-  
18                  dence to substantiate an individual’s participa-  
19                  tion onsite in the cleanup of Enewetak Atoll  
20                  during the period beginning on January 1,  
21                  1977, and ending on December 31, 1980, if the  
22                  affidavit—

23                   “(i) is provided in addition to other  
24                   material that may be used to substantiate  
25                   the individual’s participation onsite in the

1 cleanup of Enewetak Atoll during such pe-  
2 riod;

3 “(ii) attests to the individual’s partici-  
4 pation onsite in the cleanup of Enewetak  
5 Atoll during such period;

6 “(iii) is made subject to penalty for  
7 perjury; and

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

10 (b) GUIDELINES FOR ONSITE PARTICIPATION IN  
11 CLEANUP OF ENEWETAK ATOLL.—Subparagraph (C) of  
12 section 6(b)(2) of the Radiation Exposure Compensation  
13 Act (Public Law 101–426; 42 U.S.C. 2210 note) is  
14 amended by striking “under section 4(a)(2)(C)” and in-  
15 serting “, or in the cleanup of Enewetak Atoll, under sec-  
16 tion 4(a)(2)(E)”.

17 (c) TECHNICAL AND CONFORMING AMENDMENTS.—  
18 Section 6 of the Radiation Exposure Compensation Act  
19 (Public Law 101–426; 42 U.S.C. 2210 note) is amend-  
20 ed—

21 (1) in subsection (c)(2)—

22 (A) in subparagraph (A)—

23 (i) in the first sentence, by striking  
24 “subsection (a)(1), (a)(2)(A), or (a)(2)(B)  
25 of section 4” and inserting “subsection

1 (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or  
2 (a)(2)(D) of section 4”; and

3 (ii) in clause (i), by striking “sub-  
4 section (a)(1), (a)(2)(A), or (a)(2)(B) of  
5 section 4” and inserting “subsection  
6 (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or  
7 (a)(2)(D) of section 4”; and

8 (B) in subparagraph (B), by striking “sec-  
9 tion 4(a)(2)(C)” and inserting “section  
10 4(a)(2)(E)”;

11 (C) by adding “or in the cleanup of  
12 Enewetak Atoll” after “detonation of a nuclear  
13 device”; and

14 (2) in subsection (e)—

15 (A) by striking “subsection (a)(1),  
16 (a)(2)(A), or (a)(2)(B) of section 4” and insert-  
17 ing “subsection (a)(1), (a)(2)(A), (a)(2)(B),  
18 (a)(2)(C), or (a)(2)(D) of section 4”; and

19 (B) by inserting “or in the cleanup of  
20 Enewetak Atoll” after “detonation of a nuclear  
21 device”.

22 (d) REGULATIONS.—

23 (1) IN GENERAL.—Section 6(k) of the Radi-  
24 ation Exposure Compensation Act (Public Law 101–  
25 426; 42 U.S.C. 2210 note) is amended by adding at

1 the end the following: “Not later than 180 days  
2 after the date of enactment of the Radiation Expo-  
3 sure Compensation Act Amendments of 2019, the  
4 Attorney General shall issue revised regulations to  
5 carry out this Act.”.

6 (2) CONSIDERATIONS IN REVISIONS.—In  
7 issuing revised regulations under section 6(k) of the  
8 Radiation Exposure Compensation Act (Public Law  
9 101–426; 42 U.S.C. 2210 note), as amended under  
10 paragraph (1), the Attorney General shall ensure  
11 that procedures with respect to the submission and  
12 processing of claims under such Act take into ac-  
13 count and make allowances for the law, tradition,  
14 and customs of Indian tribes, including by accepting  
15 as a record of proof of physical presence for a claim-  
16 ant a grazing permit, a homesite lease, a record of  
17 being a holder of a post office box, a letter from an  
18 elected leader of an Indian tribe, or a record of any  
19 recognized tribal association or organization.

20 **SEC. 707. LIMITATION ON CLAIMS.**

21 (a) EXTENSION OF FILING TIME.—Section 8(a) of  
22 the Radiation Exposure Compensation Act (Public Law  
23 101–426; 42 U.S.C. 2210 note) is amended by striking  
24 “22 years” and inserting “45 years”.



1 (b) RESUBMITTAL OF CLAIMS.—Section 8(b) of the  
2 Radiation Exposure Compensation Act (Public Law 101–  
3 426; 42 U.S.C. 2210 note) is amended to read as follows:

4 “(b) RESUBMITTAL OF CLAIMS.—

5 “(1) DENIED CLAIMS.—After the date of enact-  
6 ment of the Radiation Exposure Compensation Act  
7 Amendments of 2019, any claimant who has been  
8 denied compensation under this Act may resubmit a  
9 claim for consideration by the Attorney General in  
10 accordance with this Act not more than three times.  
11 Any resubmittal made before the date of the enact-  
12 ment of the Radiation Exposure Compensation Act  
13 Amendments of 2019 shall not be applied to the lim-  
14 itation under the preceding sentence.

15 “(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

16 “(A) IN GENERAL.—After the date of en-  
17 actment of the Radiation Exposure Compensa-  
18 tion Act Amendments of 2019, any claimant  
19 who received compensation under this Act may  
20 submit a request to the Attorney General for  
21 additional compensation and benefits. Such re-  
22 quest shall contain—

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

1           “(ii) the amount of award received  
2           under this Act before the date of enact-  
3           ment of the Radiation Exposure Com-  
4           pensation Act Amendments of 2019;

5           “(iii) any additional benefits and com-  
6           pensation sought through such request;  
7           and

8           “(iv) any additional information re-  
9           quired by the Attorney General.

10          “(B) ADDITIONAL COMPENSATION.—If the  
11          claimant received compensation under this Act  
12          before the date of enactment of the Radiation  
13          Exposure Compensation Act Amendments of  
14          2019 and submits a request under subpara-  
15          graph (A), the Attorney General shall—

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

18                         “(I) the amount the claimant is  
19                         eligible to receive under this Act (as  
20                         amended by the Radiation Exposure  
21                         Compensation Act Amendments of  
22                         2019); minus

23                         “(II) the aggregate amount paid  
24                         to the claimant under this Act before  
25                         the date of enactment of the Radi-

1                   ation Exposure Compensation Act  
2                   Amendments of 2019; and  
3                   “(ii) in any case in which the claimant  
4                   was compensated under section 4, provide  
5                   the claimant with medical benefits under  
6                   section 4(a)(5).”.

7 **SEC. 708. ATTORNEYS FEES.**

8           Section 9(b)(1) of the Radiation Exposure Com-  
9           pensation Act (Public Law 101–426; 42 U.S.C. 2210  
10          note) is amended by striking “2 percent” and inserting  
11          “10 percent”.

12 **SEC. 709. 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 2020 through 2024.

17 **SEC. 710. 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; or

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          regon, 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.”.

