

*John Hawley*

*Pending*

AMENDMENT NO. \_\_\_\_\_

Calendar No. \_\_\_\_\_

Purpose: 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—118th Cong., 1st Sess.

**S. 2226**

To authorize appropriations for fiscal year 2024 for military

**AMENDMENT N° 1058**

By *Hawley*

To: *Amdt. No. 935*

*S. 2226*

*29*

Page(s)

GPO: 2022 - 50-123 (mac)

se, for military of the Departmentary personnel other purposes.

and

printed

HAWLEY (for himself, Mr. LUJÁN, and Mr. CRAPO)

Viz:

*p. 543*

- 1 At the end of title X, insert the following:
- 2 **Subtitle H—Radiation Exposure**
- 3 **Compensation Act**
- 4 **PART I—MANHATTAN PROJECT WASTE**
- 5 **SEC. 10 \_\_\_\_ . CLAIMS RELATING TO MANHATTAN PROJECT**
- 6 **WASTE.**
- 7 (a) SHORT TITLE.—This section may be cited as the
- 8 “Radiation Exposure Compensation Expansion Act”.

1 (b) CLAIMS RELATING TO MANHATTAN PROJECT  
2 WASTE.—The Radiation Exposure Compensation Act  
3 (Public Law 101-426; 42 U.S.C. 2210 note) is amended  
4 by inserting after section 5 the following:

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

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

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

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

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

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

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

21 “(2) that individual, or if applicable, an author-  
22 ized agent of that individual, demonstrates that the  
23 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 “(e) 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, in the State of Missouri,  
13       the ZIP Codes of 63031, 63033, 63034, 63042, 63045,  
14       63074, 63114, 63135, 63138, 63044, 63140, 63145,  
15       63147, 63102, 63304, 63134, 63043, 63341, 63368, and  
16       63367.

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

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

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

4           “(A) Multiple myeloma.

5           “(B) Lymphoma, other than Hodgkin’s  
6           disease.

7           “(C) Type 1 or type 2 diabetes.

8           “(D) Systemic lupus erythematosus.

9           “(E) Multiple sclerosis.

10          “(F) Hashimoto’s disease.

11          “(G) Primary cancer of the—

12                 “(i) thyroid;

13                 “(ii) male or female breast;

14                 “(iii) esophagus;

15                 “(iv) stomach;

16                 “(v) pharynx;

17                 “(vi) small intestine;

18                 “(vii) pancreas;

19                 “(viii) bile ducts;

20                 “(ix) gall bladder;

21                 “(x) salivary gland;

22                 “(xi) urinary bladder;

23                 “(xii) brain;

24                 “(xiii) colon;

25                 “(xiv) ovary;

1                   “(xv) liver, except if cirrhosis or hepa-  
2                   titis B is indicated;

3                   “(xvi) lung;

4                   “(xvii) bone; or

5                   “(xviii) kidney.

6           “(f) PHYSICAL PRESENCE.—For purposes of this  
7 section, the Attorney General shall not determine that a  
8 claimant has satisfied the requirements of subsection (a)  
9 unless demonstrated by submission of contemporaneous  
10 written residential documentation and at least one addi-  
11 tional employer-issued or government-issued document or  
12 record that the claimant, for a period of at least 2 years  
13 after January 1, 1949, was physically present in an af-  
14 fected area.

15           “(g) DISEASE CONTRACTION IN AFFECTED  
16 AREAS.—For purposes of this section, the Attorney Gen-  
17 eral shall not determine that a claimant has satisfied the  
18 requirements of subsection (a) unless demonstrated by  
19 submission of contemporaneous written medical records or  
20 reports created by or at the direction of a licensed medical  
21 professional who provided contemporaneous medical care  
22 to the claimant, that the claimant, after such period of  
23 physical presence, contracted a specified disease.”.

1           **PART II— COMPENSATION FOR WORKERS**  
2                           **INVOLVED IN URANIUM MINING**

3 **SEC. 10\_\_\_\_\_ . SHORT TITLE.**

4           This part may be cited as the “Radiation Exposure  
5 Compensation Act Amendments of 2023”.

6 **SEC. 10\_\_\_\_\_ . REFERENCES.**

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

14 **SEC. 10\_\_\_\_\_ . EXTENSION OF FUND.**

15           Section 3(d) is amended—

16                   (1) by striking the first sentence and inserting  
17           “The Fund shall terminate 19 years after the date  
18           of the enactment of the Radiation Exposure Com-  
19           pensation Act Amendments of 2023.”; and

20                   (2) by striking “2-year” and inserting “19-  
21           year”.

22 **SEC. 10\_\_\_\_\_ . CLAIMS RELATING TO ATMOSPHERIC TESTING.**

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

26                   (1) in clause (i)—



1 (A) in subclause (I), by striking “October  
2 31, 1958” and inserting “November 6, 1962”;

3 (B) in subclause (II)—

4 (i) by striking “in the affected area”  
5 and inserting “in an affected area”; and

6 (ii) by striking “or” after the semi-  
7 colon;

8 (C) by redesignating subclause (III) as  
9 subclause (V); and

10 (D) by inserting after subclause (II) the  
11 following:

12 “(III) was physically present in an af-  
13 fected area for a period of at least 1 year  
14 during the period beginning on September  
15 24, 1944, and ending on November 6,  
16 1962;

17 “(IV) was physically present in an af-  
18 fected area—

19 “(aa) for a period of at least 1  
20 year during the period beginning on  
21 July 1, 1946, and ending on Novem-  
22 ber 6, 1962; or

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

1           (2) in clause (ii)(I), by striking “physical pres-  
2           ence described in subclause (I) or (II) of clause (i)  
3           or onsite participation described in clause (i)(III)”  
4           and inserting “physical presence described in sub-  
5           clause (I), (II), (III), or (IV) of clause (i) or onsite  
6           participation described in clause (i)(V)”.

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

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

11           (2) by striking subparagraph (B) and inserting  
12           the following:

13                   “(B) AMOUNT.—If the conditions de-  
14                   scribed in subparagraph (C) are met, an indi-  
15                   vidual who is described in subparagraph (A)  
16                   shall receive \$150,000.”.

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

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

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

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

1 (1) in subparagraph (A)—

2 (A) by striking “in the affected area” and  
3 inserting “in an affected area”;

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

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

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 September 24, 1944, and  
19 ending on November 6, 1962;

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

22 “(i) for a period of at least 1 year  
23 during the period beginning on July 1,  
24 1946, and ending on November 6, 1962; or

1                   “(ii) for the period beginning on April  
2                   25, 1962, and ending on November 6,  
3                   1962; or”.

4           (e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED  
5 DISEASES.—Section 4(a)(2) is amended in the matter fol-  
6 lowing subparagraph (E) (as redesignated by subsection  
7 (d) of this section) by striking “\$50,000 (in the case of  
8 an individual described in subparagraph (A) or (B)) or  
9 \$75,000 (in the case of an individual described in subpara-  
10 graph (C)),” and inserting “\$150,000”.

11           (f) MEDICAL BENEFITS.—Section 4(a) is amended  
12 by adding at the end the following:

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

20           (g) DOWNWIND STATES.—Section 4(b)(1) is amend-  
21 ed to read as follows:

22                   “(1) ‘affected area’ means—

23                           “(A) except as provided under subpara-  
24                           graphs (B) and (C), Arizona, Colorado, Idaho,

1 Montana, Nevada, New Mexico, Utah, and  
2 Guam;

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

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

9 (h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECI-  
10 FIED DISEASE.—Section 4(b)(2) is amended by striking  
11 “other than chronic lymphocytic leukemia” and inserting  
12 “including chronic lymphocytic leukemia”.

13 **SEC. 10 . CLAIMS RELATING TO URANIUM MINING.**

14 (a) EMPLOYEES OF MINES AND MILLS.—Section  
15 5(a)(1)(A)(i) is amended—

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

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

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

20 “(II) was employed as a core driller in  
21 a State referred to in subclause (I) during  
22 the period described in such subclause;  
23 and”.

24 (b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended  
25 by inserting “or renal cancer or any other chronic renal

1 disease, including nephritis and kidney tubal tissue in-  
2 jury” after “nonmalignant respiratory disease”.

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

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

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

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

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

15 (d) COMBINED WORK HISTORIES.—Section  
16 5(a)(1)(A)(ii) is further 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 or any other chron-  
7                   ic renal disease, including nephritis and  
8                   kidney tubal tissue injury after exposure to  
9                   radiation through work in one or more of  
10                  the positions referred to in item (bb);”.

11                  (e) DATES OF OPERATION OF URANIUM MINE.—Sec-  
12                  tion 5(a)(2)(A) is amended by striking “December 31,  
13                  1971” and inserting “December 31, 1990”.

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

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

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

15          (g) DEFINITION OF CORE DRILLER.—Section 5(b) is  
16          amended—

17                 (1) by striking “and” at the end of paragraph  
18                 (7);

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

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

22                         “(9) the term ‘core driller’ means any indi-  
23                         vidual employed to engage in the act or process of  
24                         obtaining cylindrical rock samples of uranium or va-



1       nadium by means of a borehole drilling machine for  
2       the purpose of mining uranium or vanadium.”.

3       **SEC. 10 \_\_\_\_ . EXPANSION OF USE OF AFFIDAVITS IN DETER-**  
4                                   **MINATION OF CLAIMS; REGULATIONS.**

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

7                   “(3) AFFIDAVITS.—

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

14                                   “(i) is provided in addition to other  
15                                   material that may be used to substantiate  
16                                   the employment history of the individual;

17                                   “(ii) attests to the employment history  
18                                   of the individual;

19                                   “(iii) is made subject to penalty for  
20                                   perjury; and

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

23                                   “(B) PHYSICAL PRESENCE IN AFFECTED  
24                                   AREA.—For purposes of this Act, the Attorney  
25                                   General shall accept a written affidavit or dec-

1 laration as evidence to substantiate an individ-  
2 ual's physical presence in an affected area dur-  
3 ing a period described in section 4(a)(1)(A)(i)  
4 or section 4(a)(2) if the affidavit—

5 “(i) is provided in addition to other  
6 material that may be used to substantiate  
7 the individual's presence in an affected  
8 area during that time period;

9 “(ii) attests to the individual's pres-  
10 ence in an affected area during that pe-  
11 riod;

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

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

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

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

1 test involving the atmospheric detonation  
2 of a nuclear device;

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

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) TECHNICAL AND CONFORMING AMENDMENTS.—

11 Section 6 is amended—

12 (1) in subsection (b)(2)(C), by striking “section  
13 4(a)(2)(C)” and inserting “section 4(a)(2)(E)”;

14 (2) in subsection (c)(2)—

15 (A) in subparagraph (A)—

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

21 (ii) in clause (i), by striking “sub-  
22 section (a)(1), (a)(2)(A), or (a)(2)(B) of  
23 section 4” and inserting “subsection  
24 (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or  
25 (a)(2)(D) of section 4”; and

1 (B) in subparagraph (B), by striking “sec-  
2 tion 4(a)(2)(C)” and inserting “section  
3 4(a)(2)(E)”; and

4 (3) in subsection (e), by striking “subsection  
5 (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and in-  
6 serting “subsection (a)(1), (a)(2)(A), (a)(2)(B),  
7 (a)(2)(C), or (a)(2)(D) of section 4”.

8 (c) REGULATIONS.—

9 (1) IN GENERAL.—Section 6(k) is amended by  
10 adding at the end the following: “Not later than 180  
11 days after the date of enactment of the Radiation  
12 Exposure Compensation Act Amendments of 2023,  
13 the Attorney General shall issue revised regulations  
14 to carry out this Act.”.

15 (2) CONSIDERATIONS IN REVISIONS.—In  
16 issuing revised regulations under section 6(k) of the  
17 Radiation Exposure Compensation Act (Public Law  
18 101-426; 42 U.S.C. 2210 note), as amended under  
19 paragraph (1), the Attorney General shall ensure  
20 that procedures with respect to the submission and  
21 processing of claims under such Act take into ac-  
22 count and make allowances for the law, tradition,  
23 and customs of Indian tribes, including by accepting  
24 as a record of proof of physical presence for a claim-  
25 ant a grazing permit, a homesite lease, a record of

1 being a holder of a post office box, a letter from an  
2 elected leader of an Indian tribe, or a record of any  
3 recognized tribal association or organization.

4 **SEC. 10 . LIMITATION ON CLAIMS.**

5 (a) **EXTENSION OF FILING TIME.**—Section 8(a) is  
6 amended—

7 (1) by striking “2 years” and inserting “19  
8 years”; and

9 (2) by striking “2022” and inserting “2023”.

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

12 “(b) **RESUBMITTAL OF CLAIMS.**—

13 “(1) **DENIED CLAIMS.**—After the date of enact-  
14 ment of the Radiation Exposure Compensation Act  
15 Amendments of 2023, any claimant who has been  
16 denied compensation under this Act may resubmit a  
17 claim for consideration by the Attorney General in  
18 accordance with this Act not more than three times.  
19 Any resubmittal made before the date of the enact-  
20 ment of the Radiation Exposure Compensation Act  
21 Amendments of 2023 shall not be applied to the lim-  
22 itation under the preceding sentence.

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

24 “(A) **IN GENERAL.**—After the date of en-  
25 actment of the Radiation Exposure Compensa-

1           tion Act Amendments of 2023, any claimant  
2           who received compensation under this Act may  
3           submit a request to the Attorney General for  
4           additional compensation and benefits. Such re-  
5           quest shall contain—

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

8                     “(ii) the amount of award received  
9                     under this Act before the date of enact-  
10                    ment of the Radiation Exposure Com-  
11                    pensation Act Amendments of 2023;

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

15                    “(iv) any additional information re-  
16                    quired by the Attorney General.

17                    “(B) ADDITIONAL COMPENSATION.—If the  
18                    claimant received compensation under this Act  
19                    before the date of enactment of the Radiation  
20                    Exposure Compensation Act Amendments of  
21                    2023 and submits a request under subpara-  
22                    graph (A), the Attorney General shall—

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

1 “(I) the amount the claimant is  
2 eligible to receive under this Act (as  
3 amended by the Radiation Exposure  
4 Compensation Act Amendments of  
5 2023); minus

6 “(II) the aggregate amount paid  
7 to the claimant under this Act before  
8 the date of enactment of the Radi-  
9 ation Exposure Compensation Act  
10 Amendments of 2023; and

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

15 **SEC. 10 \_\_\_\_ . GRANT PROGRAM ON EPIDEMIOLOGICAL IM-**  
16  **. PACTS OF URANIUM MINING AND MILLING.**

17 (a) DEFINITIONS.—In this section—

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

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

23 (3) the term “Secretary” means the Secretary  
24 of Health and Human Services.

1 (b) ESTABLISHMENT.—The Secretary shall establish  
2 a grant program relating to the epidemiological impacts  
3 of uranium mining and milling. Grants awarded under the  
4 program shall be used for the study of the epidemiological  
5 impacts of uranium mining and milling among non-occu-  
6 pationally exposed individuals, including family members  
7 of uranium miners and millers.

8 (c) ADMINISTRATION.—The Secretary shall admin-  
9 ister the program through the National Institute of Envi-  
10 ronmental Health Sciences.

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

18 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated to carry out this section  
20 \$3,000,000 for each of fiscal years 2024 through 2026.

21 **SEC. 10 . ENERGY EMPLOYEES OCCUPATIONAL ILLNESS**  
22 **COMPENSATION PROGRAM.**

23 (a) COVERED EMPLOYEES WITH CANCER.—Section  
24 3621(9) of the Energy Employees Occupational Illness  
25 Compensation Program Act of 2000 (42 U.S.C. 73841(9))





1                   ming, South Dakota, Washington,  
2                   Utah, Idaho, North Dakota, Oregon,  
3                   Texas, or any State the Attorney Gen-  
4                   eral makes a determination under sec-  
5                   tion 5(a)(2) of that Act for inclusion  
6                   of eligibility under section 5(a)(1) of  
7                   that Act; and

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

17           (b) MEMBERS OF SPECIAL EXPOSURE COHORT.—  
18 Section 3626 of the Energy Employees Occupational Ill-  
19 ness Compensation Program Act of 2000 (42 U.S.C.  
20 7384q) is amended—

21           (1) in subsection (a), by striking paragraph (1)  
22           and inserting the following:

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

1           “(A) at any Department of Energy facility  
2           who likely were exposed to radiation at that fa-  
3           cility but for whom it is not feasible to estimate  
4           with sufficient accuracy the radiation dose they  
5           received; and

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

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

3           “(b) DESIGNATION OF ADDITIONAL MEMBERS.—

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

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

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

18           “(2) Subject to the provisions of section  
19 3621(14)(C), the members of a class of employees  
20 employed in a uranium mine or uranium mill de-  
21 scribed under section 5(a)(1)(A)(i) of the Radiation  
22 Exposure Compensation Act (42 U.S.C. 2210 note)  
23 (including any individual who was employed in core  
24 drilling or the transport of uranium ore or vana-  
25 dium-uranium ore from such mine or mill) located in

1 Colorado, New Mexico, Arizona, Wyoming, South  
2 Dakota, Washington, Utah, Idaho, North Dakota,  
3 Oregon, Texas, and any State the Attorney General  
4 makes a determination under section 5(a)(2) of that  
5 Act for inclusion of eligibility under section 5(a)(1)  
6 of that Act, at any time during the period beginning  
7 on January 1, 1942, and ending on December 31,  
8 1990, may be treated as members of the Special Ex-  
9 posure Cohort for purposes of the compensation pro-  
10 gram if the President, upon recommendation of the  
11 Advisory Board on Radiation and Worker Health,  
12 determines that—

13 “(A) it is not feasible to estimate with suf-  
14 ficient accuracy the radiation dose that the  
15 class received; and

16 “(B) there is a reasonable likelihood that  
17 such radiation dose may have endangered the  
18 health of members of the class.”.