What happens after the legislation sunsets?

Our understanding is that the DOJ will continue to evaluate applications that are postmarked on or before June 10 and continue to process approved claims.

Applications submitted after June 10 will not be processed. If RECA is ultimately renewed and extended, people will again be able to submit claims.

As far as we can tell, RESEP clinics will not be offering cancer/illness screenings related to RECA compensable illnesses after June 10. However, it's possible that some clinics may continue offering screenings at their discretion. We are waiting for more information from DOJ and the Dept of Health and Human Services.

Are you sure it expires June 7? Why is DOJ saying June 10?

The RECA Extension Act of 2022 became a public law on June 7, 2022. The Department of Justice is continuing to evaluate claims that are postmarked by June 10.

If the program is expired, will approved applicants still receive compensation?

Our understanding, based on information from the DOJ, is that once a claim is filed with the Department, RECA imposes statutory obligations for the Department to adjudicate the claim within 12 months, and issue payment on any approved claims within 6 weeks of approval. [RECA Sec. 6(d).] These statutory obligations will require the RECA Trust Fund to remain available until the Department has assessed all timely filed claims, including claims filed on the deadline.

Does anything need to change about the legislation or legislative strategy now that the program has sunset?

As long as Congress is in session, the House can still vote on S3853 or similar legislation (like Rep Moylan’s NDAA amendment) to renew and improve the Radiation Exposure Compensation Act programs. Our coalition is also open to a short-term extension of RECA for a number of weeks or months, so that currently eligible claimants can continue to apply while we work to improve the program. However, we continue to staunchly oppose a 2-year extension, which would simply allow Congress to ignore the issue again for two years.

Why wouldn't speaker Johnson let this come for a floor vote?

Speaker Johnson has repeatedly put dollars and cents over people.
We find this incredibly callous: thousands of people’s lives are at stake due to reckless government actions. Dragging out this process is cruel to impacted communities who are waiting to see if they will be able to access life-saving support. This issue has bipartisan support, which is remarkable in this Congress. It is disingenuous to ignore this overwhelming support.

Speaker Johnson should let members vote on this.

**What would discharge petition for S3853 require?**

First, a House member must introduce a companion bill to S. 3853. The bill will then be referred to the Judiciary Committee. After 30 days, a discharge petition can be initiated to pull the bill back from the committee to the floor. Once the petition receives 218 signatures the bill will get an up or down vote on the floor.

**Are you working to find the pay-for that Speaker Johnson wants?**

This shouldn’t be about dollars and cents – it's about doing right by the people that got sick because the U.S. government exposed them to dangerous radiation. The cost of radiation exposure is already being borne by families in Missouri, New Mexico, Nevada and other states, who have been dealing with tens to hundreds of thousands of dollars in medical bills because the government put them at risk/made them sick. When the US government decides that something is a priority, it finds the money. The government harmed these communities – it is incredibly unjust to now be asking *them* to find the money to pay for those harms.

**Are you considering cuts to the proposal to reduce the cost?**

Cuts have already been made to the proposal that reduced the cost by two-thirds. Those cuts represent significant sacrifices to communities that are already suffering from these devastating illnesses. How much will Congress continue to force communities to sacrifice. We’re invested in ensuring all communities in the original proposal are protected.

**Are there other legislative paths forward besides S3853?**

Representative Moylan of Guam has proposed an amendment to the National Defense Authorization Act which is based on the Senate bill, with the addition communities in Ohio, Pennsylvania, Washington state, and one additional zip code in Kentucky.

**How will going through the NDAA impact expiration/a lapse in programs and compensation?**

The NDAA process will likely take several months, during which time the DOJ will unable to assess or process claims. The most efficient way to reinstate the program so
DOJ can start processing applications again is for Speaker Johnson to allow the Senate bill to come to the floor for a vote.

I thought this didn’t work in NDAA last time.

- Things are different this time. In many ways we have grown our coalition and power since then.
- Originally, the RECA amendment approved in the Senate was taken out in conference, including by Leader Mitch McConnell. After hearing his concerns, we addressed them in S 3853, which McConnell then voted in favor for.
- Also, in the last NDAA RECA amendments were only included in the Senate bill, not in the House. If Congressman Moylan’s NDAA amendment is successful, we can be sure the Senate will also include a version in their NDAA bill, and then it is far less likely that it would be taken out in conference.
- We have a stronger, larger bipartisan coalition that we’ve continued to build over the last year.

How do you answer concerns that the expansion would compensate areas not impacted by radiation exposure?

There are many studies, reports, and testimonies supporting that the communities included in S 3853 were exposed to radiation. We are happy to provide those if requested. It is nearly impossible to link a specific cancer of any kind to a specific cause. However, there is more than enough information to show that many communities across the country were exposed to harmful levels of radiation. Those who are saying that some communities are “not related to radiation exposure” or “have not suffered” are misinformed.

Furthermore, finally including additional communities will not change the fact that RECA requires a rigorous application process – claimants have to prove they have an illness already recognized as linked to radiation exposure and that they lived in an area impacted by radiation exposure or worked with uranium during specific years.

RECA has always, rightly, been a presumptive program – if you lived in a downwind area or worked with uranium and had a radiation-linked illness, it was presumed to be caused by your exposure and you were compensated. This structure is crucial to ensuring that the government is not putting an undue burden of proof on communities that were unknowingly exposed. That standard should not be changed for us now.

What about the 2-year extension proposed by Utah Rep. Maloy and Owens?

Congress tried a 2-year extension in 2022, promising that they would use the time to find a solution. In that time, victims continued to get sick and die, while nothing was done to improve the program. We need to make the necessary improvements and updates to RECA and a two-year extension wouldn’t do that; it would be an extension of
injustice. In addition, a two-year extension of the program would continue to abandon harmed communities in Missouri, New Mexico, and other communities across the country.

**What about the Rep Hageman bill that Rep Maloy referenced, the Uranium Miners and Workers Act?**

We are glad that Rep Hageman’s bill recognizes that we should expand support for uranium workers, though their bill still does not cover the full scope of harm. However, it is not a RECA bill, since it completely ignores one of the main pieces of RECA, which is downwind exposure. This bill would continue to leave out exposed downwind communities in southern Arizona, Northern Utah, parts of Nevada, as well as the communities exposed to the very first atomic bomb in New Mexico and those exposed to nuclear waste in Missouri, among others. Our coalition will not entertain a bill that doesn’t address downwinders.