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## FISCAL IMPACT REPORT

ORIGINAL DATE 01/24/07

SPONSOR Pinto LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Radiation Exposure Victim Case Management SB 306

ANALYST Weber

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$150.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to an appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Indian Affairs Department (IAD)

Department of Health (DOH)

### SUMMARY

#### Synopsis of Bill

Senate Bill 306 appropriates \$150 thousand from the general fund to the Indian Affairs Department to provide case management services to victims of radiation exposure so that such victims may apply for benefits available under the federal Radiation Exposure Compensation Act.

### FISCAL IMPLICATIONS

The appropriation of \$150 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of Fiscal Year 2008 shall revert to the general fund.

**SIGNIFICANT ISSUES**

Indian Affairs Department contributes the following research.

This bill provides an appropriation that will assist New Mexicans in applying for benefits pursuant to the federal Radiation Exposure Compensation Act (hereinafter “the Act”). The Act was passed by Congress in 1990 to provide compensation to workers (or specified survivors) who have contracted cancer or other maladies as a result of exposure to atmospheric nuclear testing or high levels of radon while mining, milling, or transporting uranium. New Mexicans are eligible to apply under the uranium criteria of the Act.

Uranium mining took place in New Mexico both before and after World War II to support the countries’ Cold War defense efforts. Little effort was made to shield workers from the severe danger inherent in radiation exposure. Mining activities took place throughout Indian country, with more than 1,300 abandoned uranium mines on the Navajo Nation alone. The Office of Navajo Uranium Workers has identified as many as 1,500 eligible tribal members in New Mexico who have yet to apply for benefits. Many other New Mexico tribes are similarly impacted. For example, the Jackpile Mine, one of the largest open pit uranium mines in the world, operated in Laguna Pueblo.

Native Americans have experienced unique barriers in attempting to gain the benefits they are due. The far-flung geographic nature and poor communication infrastructures characteristic of tribal lands, combined with bureaucratic complexities, have created potential barriers for applicants. Potential beneficiaries must complete forms and document their condition through medical examinations. For survivors attempting to claim benefits, the lack of documentation to establish a connection to the deceased, such as a marriage license, has also proven problematic.

Funding would be appropriated to the Indian Affairs Department to administer the program. For FY 2007, the Office of Navajo Uranium Workers received \$40,000 through a recurring special project appropriation from the IAD budget for a similar project.

As of January 22, 2007, 16,974 claims have been approved under the Act nationwide and \$1.14 billion has been awarded to claimants. 7,122 claims have been denied, about 30% of those received.

**MW/sb**