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SENATE MEMORIAL 5

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

JOHN PINTO

A MEMORIAL

REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO REFORM THE RADIATION EXPOSURE COMPENSATION ACT IN ORDER TO ENSURE FAIR AND JUST COMPENSATION TO ALL URANIUM WORKERS HARMED FROM WORK FOR THE UNITED STATES.

WHEREAS, uranium mining and milling activities undertaken from the 1940s through the early 1980s for the benefit of the United States government exposed uranium miners and millers in New Mexico to large doses of radiation and other environmental hazards that have since resulted in an unusually high incidence of lung cancers and other health problems among these uranium workers; and

WHEREAS, in 1990, the United States congress passed the Radiation Exposure Compensation Act in order to ensure, among other things, partial restitution to uranium miners suffering

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1 from radiation-related diseases presumed to have been caused  
2 by their work in uranium mines that provided uranium for the  
3 benefit of the United States government; and

4 WHEREAS, since the passage of the Radiation Exposure  
5 Compensation Act in 1990, new and additional scientific  
6 information has become available to support the view that the  
7 criteria imposed upon qualifications for compensation for  
8 uranium miners under that act are too restrictive and  
9 burdensome, resulting in the unjust denial of compensation to  
10 individuals who have suffered injury as a result of their work  
11 in the mines; and

12 WHEREAS, further additional evidence supports the view  
13 that miners working in above-ground uranium mines, and uranium  
14 millers, should be provided compensation similar to that for  
15 underground uranium miners where such individuals have  
16 suffered injury and death as a result of their work in such  
17 mines and uranium mills; and

18 WHEREAS, in 1995, the president's advisory committee on  
19 human radiation experiments concluded that the federal  
20 government wronged the uranium miners by allowing them to be  
21 exposed to radiation hazards without having provided the men  
22 with then-available safety protections, and then by  
23 subsequently studying the effects of their exposure under  
24 false pretenses, without obtaining the informed consent of the  
25 miners and without disclosure of the true nature of the

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1 studies; and

2 WHEREAS, the compensation program under the Radiation  
3 Exposure Compensation Act has proven inadequate, unfair and  
4 unjust and is therefore in need of major reform in order to  
5 afford fair and just compensation for all uranium workers; and

6 WHEREAS, the Navajo nation council, the New Mexico  
7 uranium workers council and others have called for major  
8 reform of the Radiation Exposure Compensation Act in order to  
9 ensure fair and just compensation for all uranium workers;

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
11 OF NEW MEXICO that the United States congress be requested to  
12 recognize that the individuals who worked in the uranium mines  
13 and mills of New Mexico and the southwest served the national  
14 security interests of our nation during a most critical time  
15 and that, as a result of their patriotic service, their lives  
16 and their health were sacrificed; and

17 BE IT FURTHER RESOLVED that the United States government  
18 recognize and assume responsibility for the harm done to the  
19 uranium workers; and

20 BE IT FURTHER RESOLVED that congress pass needed  
21 legislative reform of the Radiation Exposure Compensation Act  
22 in order to ensure fair and just compensation to all uranium  
23 workers who have been harmed as a result of working in uranium  
24 mines and uranium mills for the purpose and benefit of the  
25 United States government; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico congressional delegation.

- 4 -

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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4  
5 February 10, 1998

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7 Mr. President:

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9 Your RULES COMMITTEE, to whom has been referred

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11 SENATE MEMORIAL 5

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13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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23 Gloria Howes, Chairman

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Adopted \_\_\_\_\_ Not

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(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against

Yes: 5

No: Adair

Excused: Aragon, Gorham

Absent: None

SMD05RU1

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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
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6 February 16, 1998  
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8 Mr. President:  
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10 Your JUDICIARY COMMITTEE, to whom has been referred  
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12 SENATE MEMORIAL 5  
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14 has had it under consideration and reports that same has been duly  
15 enrolled and engrossed preparatory to signing by the officers of  
16 the Senate.  
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18 Respectfully submitted,  
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23 Senator Dede Feldman, Co-Chairman  
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Senator Cisco McSorley, Co-Chairman

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Senator William H. Payne, Co-Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

SMD05JU1