

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0216-21\_

SPONSOR: Kee Allen Begay, Jr.

**TITLE: An Action Relating to Resources and Development Committee and Naabik'iyáti' Committee; Supporting Congressional Bills S. 2798 and H.R. 5338 "The Radiation Exposure Compensation Act Amendments of 2021"**

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0216-21

**DATE:** October 18, 2021

**TITLE OF RESOLUTION:** PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING CONGRESSIONAL BILLS S. 2798 AND H.R. 5338 "THE RADIATION EXPOSURE COMPENSATION ACT AMENDMENTS OF 2021"

**PURPOSE:** The purpose of this legislation to support Congressional Bills S. 2798 and H.R. 5338, "The Radiation Exposure Compensation Act Amendments Of 2021."

**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.**

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL—Third Year, 2021  
INTRODUCED BY

Kay  
Kae Allen Begay JR  
Primary Sponsor

TRACKING NO. 0216-21

AN ACTION  
RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE AND  
NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING CONGRESSIONAL BILLS S. 2798  
AND H.R. 5338 "THE RADIATION EXPOSURE COMPENSATION ACT  
AMENDMENTS OF 2021"

**BE IT RESOLVED:**

**SECTION ONE. AUTHORITY**

- A. Pursuant to 2 N.N.C. § 102 (A), the Navajo Nation Council is the governing body of the Navajo Nation.
- B. Pursuant to 2 N.N.C. §§ 164 (A)(9), 500 (C), and 501 (B)(4)(a), the Resources and Development Committee is established as a standing committee of the Navajo Nation Council with oversight of land, environmental protection and cultural resources and authority to review and recommend resolutions to the Naabik'iyáti' Committee and Navajo Nation Council to accomplish or impact the Committee purpose.
- C. Pursuant to 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(7), the Naabik'iyáti' Committee is established as a Navajo Nation Council standing committee with authority to review and continually monitor the programs and activities of federal and state departments and to assist development of such programs designed to serve the Navajo People and the

1 Navajo Nation through intergovernmental relationships between the Navajo Nation and  
2 such departments.  
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## 4 SECTION TWO. FINDINGS

- 5 A. The United States began using Navajo land for uranium mining in 1944 to support the  
6 U.S. Military's Manhattan Project. Following World War II, uranium mining on Navajo  
7 lands increased due to the Cold War, and the United States Atomic Energy Commission  
8 became the sole purchaser of all U.S. mined uranium ore until 1970. The subsequent  
9 mining boom led to the creation of hundreds of mines on the Navajo Nation with the  
10 Navajo people working in those mines. [*Brugee, Doug, Timothy Benally, and Esther*  
11 *Yazzie, the Navajo People and Uranium Mining, Albuquerque: University of New*  
12 *Mexico Press, 2006*] According to the U.S. Environmental Protection Agency (EPA)  
13 approximately thirty million (30,000,000) tons of uranium ore was extracted during  
14 mining operations within the Navajo Nation from 1944 to 1986. [See *Navajo Nation:*  
15 *Clean Up Abandoned Uranium Mines. (2019, April 12) Retrieved July 9, 2019, from*  
16 *<https://www.epa.gov/navajo-nation-uranium-cleanup> ]*
- 17 B. Once the Cold War ended and the United States no longer needed uranium ore for  
18 nuclear weapons, the uranium mines were abandoned. According to EPA there are  
19 approximately five hundred and twenty-four (524) abandoned uranium mine sites within  
20 the Navajo Nation. [See *Abandoned Uranium Mine Settlements on the Navajo Nation.*  
21 *(2018, April). Retrieved July 9, 2019, from*  
22 *[https://www.epa.gov/sites/production/files/2018-](https://www.epa.gov/sites/production/files/2018-05/documents/navajo_nation_settlement_fact_sheet-2018-01-19.pdf)*  
23 *[05/documents/navajo\\_nation\\_settlement\\_fact\\_sheet-2018-01-19.pdf](https://www.epa.gov/sites/production/files/2018-05/documents/navajo_nation_settlement_fact_sheet-2018-01-19.pdf) ]*
- 24 C. The EPA has identified two hundred and nineteen (219) former uranium sites for clean-  
25 up and remediation efforts totaling approximately \$1.7 billion. Although these sites are  
26 being address, there are another three hundred and five (305) uranium sites that have not  
27 been address. The Navajo Nation estimates that it will cost an additional \$3 to \$4 billion  
28 to address the remaining three hundred and five (305) sites, which does not include the  
29 cost of long-term monitoring and maintenance of areas. *Id.*  
30

1 D. In 1990, the Radiation Exposure Compensation Act (RECA) was enacted by Congress  
2 and provides one-time cash benefits to certain persons who participated in atomic  
3 weapons testing or lived near the Nevada Test Site during periods of atmospheric  
4 (above-ground) atomic weapons testing. Benefits under RECA are also available to  
5 certain uranium miners, mill workers, and ore transporters who worked in the uranium  
6 industry between 1942 and 1971, when the federal government stopped its procurement  
7 of uranium for the atomic weapons program. All RECA claimants must have contracted  
8 one of the medical conditions specified in the statute after possible exposure to ionizing  
9 radiation from the detonation of an atomic weapon or after working in the uranium  
10 industry. It is in the best interest of the Navajo Nation, Navajo people, Church Rock  
11 Chapter, Crownpoint Chapter, and surrounding communities and Chapters that the  
12 Navajo Nation requests a United States Congressional Hearing to be conducted within  
13 the Navajo Nation regarding the United States' approval of uranium mining within the  
14 Navajo Nation, long-term effects of uranium mining within the Navajo Nation, and the  
15 remediate and reclamation effects of the uranium mining within the Navajo Nation. [See  
16 *The Radiation Exposure Compensation Act (RECA): Compensation Related to*  
17 *Exposure to Radiation from Atomic Weapons Testing and Uranium Mining* (January 13,  
18 2021), Congressional Research Service <https://crsreports.congress.gov> R43956]. The  
19 RECA program is scheduled to sunset in 2022.

20 E. On September 22, 2022, U.S. Senators Ben Ray Luján (D-N.M.) and Mike Crapo (R-  
21 Idaho) introduced bipartisan legislation, S. 2798, designed to strengthen the Radiation  
22 Exposure Compensation Act (RECA) to compensate individuals exposed to radiation  
23 while working in uranium mines or living downwind from atomic weapons tests. U.S.  
24 Representative Teresa Leger Fernández introduced similar legislation, H.R. 5338, in the  
25 U.S. House of Representatives. [See Press Release, Luján, Crapo Introduce Bipartisan  
26 Legislation to Strengthen RECA (September 22, 2021)  
27 [https://www.lujan.senate.gov/press-releases/lujan-crapo-introduce-bipartisan-  
29 legislation-to-strengthen-reca/](https://www.lujan.senate.gov/press-releases/lujan-crapo-introduce-bipartisan-<br/>28 legislation-to-strengthen-reca/) ] [See also Press Release, *Heinrich, Luján, Leger*  
30 *Fernández Introduce Bipartisan Legislation to Strengthen RECA* (September 23, 2021)]

1 [https://www.lujan.senate.gov/press-releases/heinrich-lujan-leger-fernandez-introduce-](https://www.lujan.senate.gov/press-releases/heinrich-lujan-leger-fernandez-introduce-bipartisan-legislation-to-strengthen-reca/)  
2 [bipartisan-legislation-to-strengthen-reca/](https://www.lujan.senate.gov/press-releases/heinrich-lujan-leger-fernandez-introduce-bipartisan-legislation-to-strengthen-reca/) ]

3 F. Senate Bill Number 2798 Radiation Exposure Compensation Act Amendments of 2021  
4 is attached as **Exhibit A** and House of Representatives Bill Number 5338 Radiation  
5 Exposure Compensation Act Amendments of 2021 is attached as **Exhibit B**.

6 G. On September 23, 2021, Navajo Nation President Jonathan Nez and Vice President  
7 Myron Lizer offered their support for the introduction of the Radiation Exposure  
8 Compensation Act Amendments of 2021. “The RECA Amendments of 2021 presents  
9 an opportunity for Congress to work with the Navajo Nation, the Navajo Uranium  
10 Radiation Victims Committee, and other impacted groups to appropriately extend  
11 RECA's coverage. Now is the time to ensure that this program reaches its full potential  
12 in remediating effects of radiation exposure on the Navajo people. The extension of the  
13 Radiation and Exposure Compensation Program beyond 2022 and the inclusion of post-  
14 1971 uranium workers are two changes that we strongly support. We strongly support  
15 this bill, but also urge Congress to go further to include all downwinders, to expand  
16 eligibility for coverage under the program to include additional categories of uranium  
17 workers and types of cancers and other radiation-related illnesses, and to increase the  
18 compensation cap to a minimum of \$200,000 per individual regardless of worker  
19 classification or category of disease,” said President Nez. [See Press Release, *President*  
20 *Nez offers support for the introduction of the Radiation Exposure Compensation Act*  
21 *Amendments of 2021 (September 23, 2021)* [https://www.navajo-](https://www.navajonnsn.gov/News%20Releases/OPVP/2021/Sep/FOR%20IMMEDIATE%20RELEASE%20%20President%20Nez%20offers%20support%20for%20the%20introduction%20of%20the%20Radiation%20Exposure%20Compensation%20Act%20Amendments%20of%202021.pdf)  
22 [nsn.gov/News%20Releases/OPVP/2021/Sep/FOR%20IMMEDIATE%20RELEASE%2](https://www.navajonnsn.gov/News%20Releases/OPVP/2021/Sep/FOR%20IMMEDIATE%20RELEASE%20%20President%20Nez%20offers%20support%20for%20the%20introduction%20of%20the%20Radiation%20Exposure%20Compensation%20Act%20Amendments%20of%202021.pdf)  
23 [0](https://www.navajonnsn.gov/News%20Releases/OPVP/2021/Sep/FOR%20IMMEDIATE%20RELEASE%20%20President%20Nez%20offers%20support%20for%20the%20introduction%20of%20the%20Radiation%20Exposure%20Compensation%20Act%20Amendments%20of%202021.pdf)  
24 [%20President%20Nez%20offers%20support%20for%20the%20introduction%20of%2](https://www.navajonnsn.gov/News%20Releases/OPVP/2021/Sep/FOR%20IMMEDIATE%20RELEASE%20%20President%20Nez%20offers%20support%20for%20the%20introduction%20of%20the%20Radiation%20Exposure%20Compensation%20Act%20Amendments%20of%202021.pdf)  
25 [0the%20Radiation%20Exposure%20Compensation%20Act%20Amendments%20of%2](https://www.navajonnsn.gov/News%20Releases/OPVP/2021/Sep/FOR%20IMMEDIATE%20RELEASE%20%20President%20Nez%20offers%20support%20for%20the%20introduction%20of%20the%20Radiation%20Exposure%20Compensation%20Act%20Amendments%20of%202021.pdf)  
26 [02021.pdf](https://www.navajonnsn.gov/News%20Releases/OPVP/2021/Sep/FOR%20IMMEDIATE%20RELEASE%20%20President%20Nez%20offers%20support%20for%20the%20introduction%20of%20the%20Radiation%20Exposure%20Compensation%20Act%20Amendments%20of%202021.pdf) ]

27 H. It is in the best interest of the Navajo people, Navajo communities, and the Navajo  
28 Nation to support amendments to the Radiation Exposure Compensation Act to benefit  
29 Navajo workers and Navajo families exposed to radiation.

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1           **SECTION THREE. SUPPORTING THE RADIATION EXPOSURE**  
2           **COMPENSATION ACT AMENDMENTS OF 2021**

3           The Navajo Nation hereby supports Congressional Bills S. 2798 and H.R. 5338, “The  
4           Radiation Exposure Compensation Act Amendments Of 2021.”

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