

**Congress of the United States**  
**Washington, DC 20515**

September 30, 2004

The Honorable Duncan Hunter  
Chairman  
Committee on Armed Services  
United States House of Representatives  
2120 Rayburn House Office Building  
Washington, DC 20515

The Honorable Ike Skelton  
Committee on Armed Services  
United States House of Representatives  
2120 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Hunter and Representative Skelton:

We are writing to urge you to accept an important provision in the Senate's version of the Fiscal Year 2005 Department of Defense Authorization bill pertaining to the Energy Employees Occupational Illness Compensation Act of 2000 (EEOICPA).

Section 3151 remedies a gap with the EEOICPA that denies eligibility to workers who became sick from working in contaminated atomic weapons plants after weapons production ceased. At the direction of Congress, this problem has been extensively studied by the National Institutes of Occupational Safety and Health (NIOSH) since the original Act passed in 2000.

In NIOSH's 2003 report to Congress, NIOSH found that the potential for significant residual radioactive contamination existed in many of these plants for years after weapons production ceased, posing a risk of radiation-related cancers to unknowing workers. In our state of New York, 16 of 31 weapons facilities were found to have this potential and, as a result, workers were exposed to radiation.

This is not just a New York issue. The 96 facilities where NIOSH found the potential for significant residual radioactive contamination are spread across 16 states: California, Connecticut, Florida, Illinois, Indiana, Kansas, Massachusetts, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee and Texas.

We strongly believe that workers who developed cancers and other covered diseases because of their exposure to residual radioactive contamination should be allowed to apply for EEOICPA benefits. This is a fairness issue. Section 3151 would enable sick workers-- who were employed at these plants while they remained contaminated after DOE-related weapons production ceased-- to apply for EEOICPA benefits.

This is a modest, but important improvement to EEOICPA. According to the CBO, the 10-year cost of this provision is \$29 million. Workers in New York and throughout the country deserve the help that these Senate provisions would provide.

Thank you in advance for your thoughtful consideration of this important issue.

Sincerely,

  
Louise M. Slaughter  
Member of Congress

  
Jack Quinn  
Member of Congress

  
Thomas M. Reynolds  
Member of Congress