

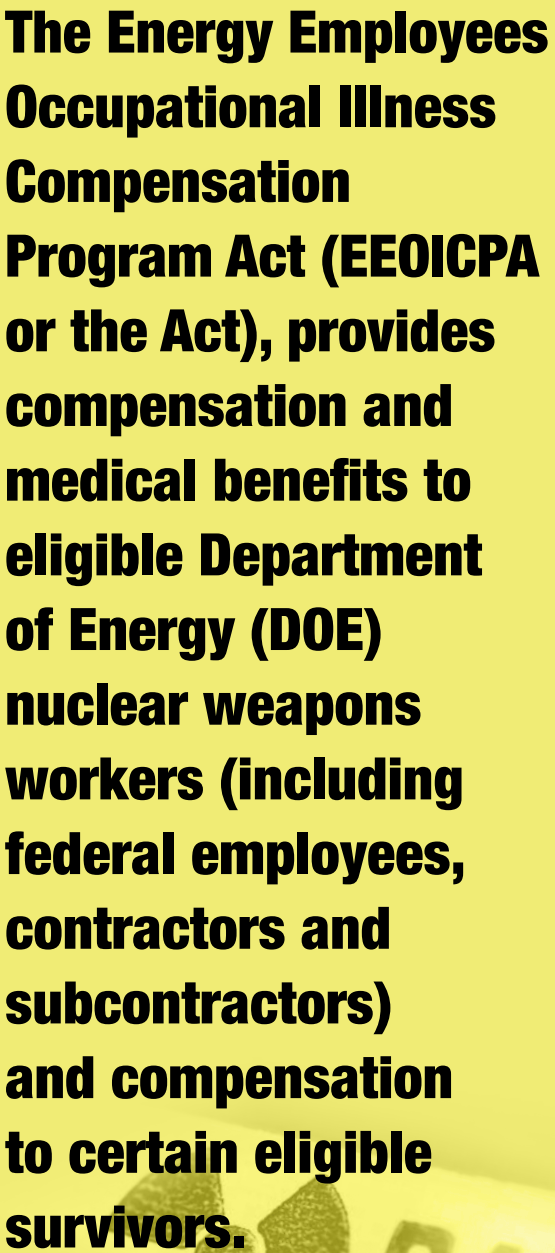
Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and the Radiation Exposure Compensation Act (RECA)

**OFFICE OF THE OMBUDSMAN
For EEOICPA**



United States Department of Labor

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA or the Act), provides compensation and medical benefits to eligible Department of Energy (DOE) nuclear weapons workers (including federal employees, contractors and subcontractors) and compensation to certain eligible survivors.



Part B of the EEOICPA potentially covers:

- DOE employees, its contractors and subcontractors, and atomic weapons employees with radiation induced-cancer.
- DOE employees, its contractors and subcontractors, and designated beryllium vendors employees who develop chronic beryllium disease or beryllium sensitivity due to exposure to beryllium while working at a covered DOE facility or for a covered beryllium vendor.
- DOE employees, its contractors and subcontractors who develop chronic silicosis and were present for at least 250 work days during the mining of tunnels at a DOE facility in Nevada or Alaska for tests or experiments related to atomic weapons testing.

Workers (and eligible survivors) who received \$100,000 under Section 5 of the Radiation Exposure Compensation Act (RECA) are also eligible for compensation of \$50,000 under Part B.

Part E of the EEOICPA potentially covers:

- DOE contractors and subcontractors, and RECA Section 5 uranium miners, millers, and ore transporters, for any diagnosed medical condition linked to toxic exposures at a covered RECA Section 5 facility or DOE facility.

Workers who received \$100,000 under Section 5 of RECA and compensation under Part B of the EEOICPA are presumed to meet the causation criteria under Part E for the same medical condition(s) accepted under Part B.



The Radiation Exposure Compensation Act (RECA)

The Radiation Exposure Compensation Act (RECA) provides payments to individuals who contracted certain cancers and other diseases as a result of exposures to radiation released during aboveground nuclear weapons tests and/or during employment in uranium mines. RECA was amended in July 2000 to add uranium mill workers and ore transporters.

The U.S. Department of Justice (DOJ) administers RECA and provides fixed payments for the following:

- Downwinders—individuals residing or working “downwind” of the Nevada Test Site
- Onsite Participants—onsite workers participating in aboveground nuclear weapons tests
- Uranium Miners, Millers, and Ore Transporters

RECA Section 5 uranium miners, millers, ore transporters, as well as eligible survivors may qualify for additional compensation under the EEOICPA.



What are Sections 4 and 5 of RECA?

RECA SECTION 4 Claims Related to Open Air Nuclear Testing

- Downwinders
- Onsite Participants

RECA SECTION 5 Claims Relating to Uranium Mining

- Uranium Miners
 - Uranium Millers
 - Ore Transporters
- Pursuant to 42 U.S.C. §7385j of EEOICPA, if you accept a RECA Section 4 award as a “downwinder” or “onsite participant,” you are **not** eligible to receive payments under EEOICPA for **cancer**.
 - However, if you accept a RECA Section 4 award, you may be eligible for compensation for a **non-cancerous** condition, provided you meet the criteria as a DOE contractor or subcontractor under Part E of EEOICPA.
 - If you reject payment offered under RECA Section 4 to pursue an EEOICPA claim for **cancer** and your EEOICPA claim for cancer is denied, you may re-file under the Radiation Exposure Compensation Program.



Benefits under Part B of the Act for RECA Section 5 Workers

In order to be eligible for Part B compensation/benefits, the RECA Section 5 worker or their survivors must have received a \$100,000 award under Section 5 of RECA. If eligibility under Part B of the Act is accepted, an additional payment of \$50,000 is provided to the worker or eligible survivor. In addition, workers are eligible for medical benefits associated with the EEOICPA accepted condition(s).

Benefits under Part E of the Act for RECA Section 5 Workers

RECA Section 5 miners, millers, and ore transporters are potentially eligible under Part E of the Act if their illness is determined to be related to exposure to a toxic substance while employed at a covered RECA Section 5 facility or a covered DOE facility. An award of \$100,000 under Section 5 of RECA is not required in order to be eligible for benefits under Part E of EEOICPA.

- When a worker's RECA Section 5 medical condition is approved under Part B, it is also automatically accepted under Part E of the Act. Following the acceptance of the Part E claim for the medical condition(s), the claimant may file a claim for impairment and/or wage loss compensation under Part E.
- Unlike a claim by a RECA Section 5 worker, a RECA Section 5 survivor claim is not automatically accepted under Part E. Survivors must submit the required documents to establish their eligibility under Part E of the Act.

To pursue compensation benefits under the EEOICPA, you must file a claim with the Department of Labor. This includes individuals who previously filed a claim under RECA.



CONTACT INFORMATION

U.S. Department of Justice Radiation Exposure Compensation Act (RECA)

DOJ, RECA: **1-800-729-7327**

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