



The Radiation Exposure Compensation Program: Operations and Sunset

February 28, and March 1, 2023

Lori Beg

Senior Trial Attorney, Torts Branch

Civil Division



Program Overview



The Radiation Exposure Compensation Act (“RECA”), 42 U.S.C. § 2210 note, provides an apology and monetary compensation to individuals and their families for diseases associated with radiation exposure resulting from efforts to protect the national security of the United States during the Cold War. The RECA Program, an administrative program administered by DOJ, adjudicates claims filed under RECA.



No requirement to prove a causal connection between exposure to radiation and subsequent illness. Exposure to radiation is presumed if statutory eligibility criteria are met.



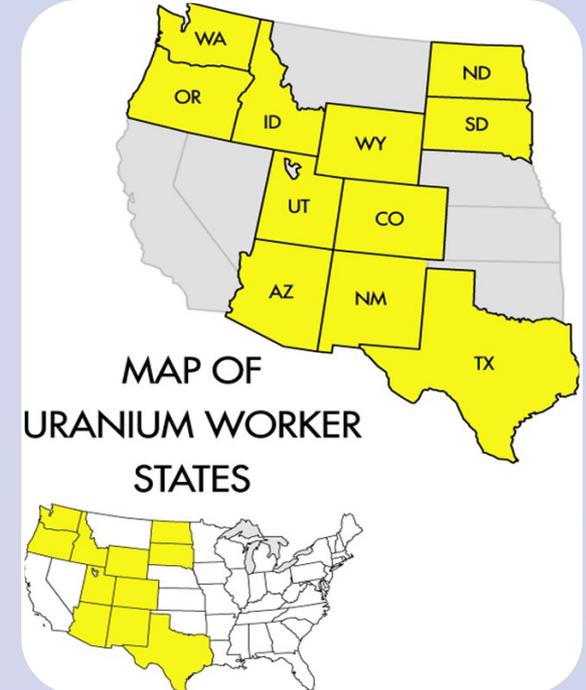
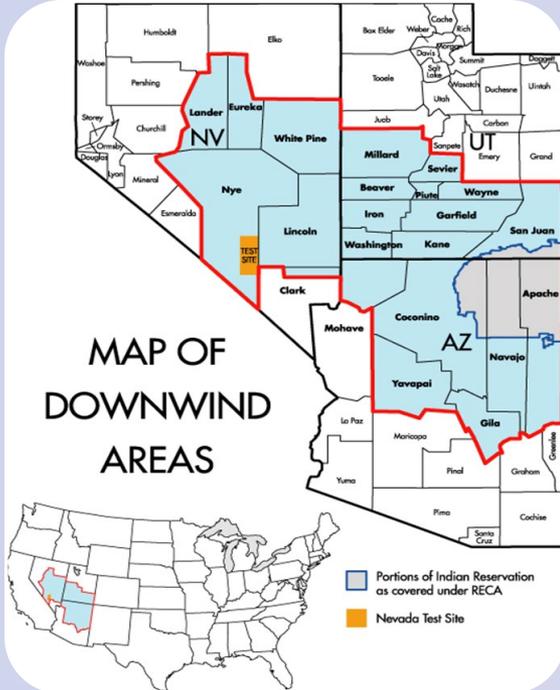
The Program uses existing records to decide claims quickly, reliably, and at a relatively low cost to the claimant. Reasonable doubt with respect to eligibility must be resolved in favor of the claimant.



Compensation is a one-time, lump sum payment of \$50,000 - \$100,000 depending on the context of presumed radiation exposure.



Claimants under RECA



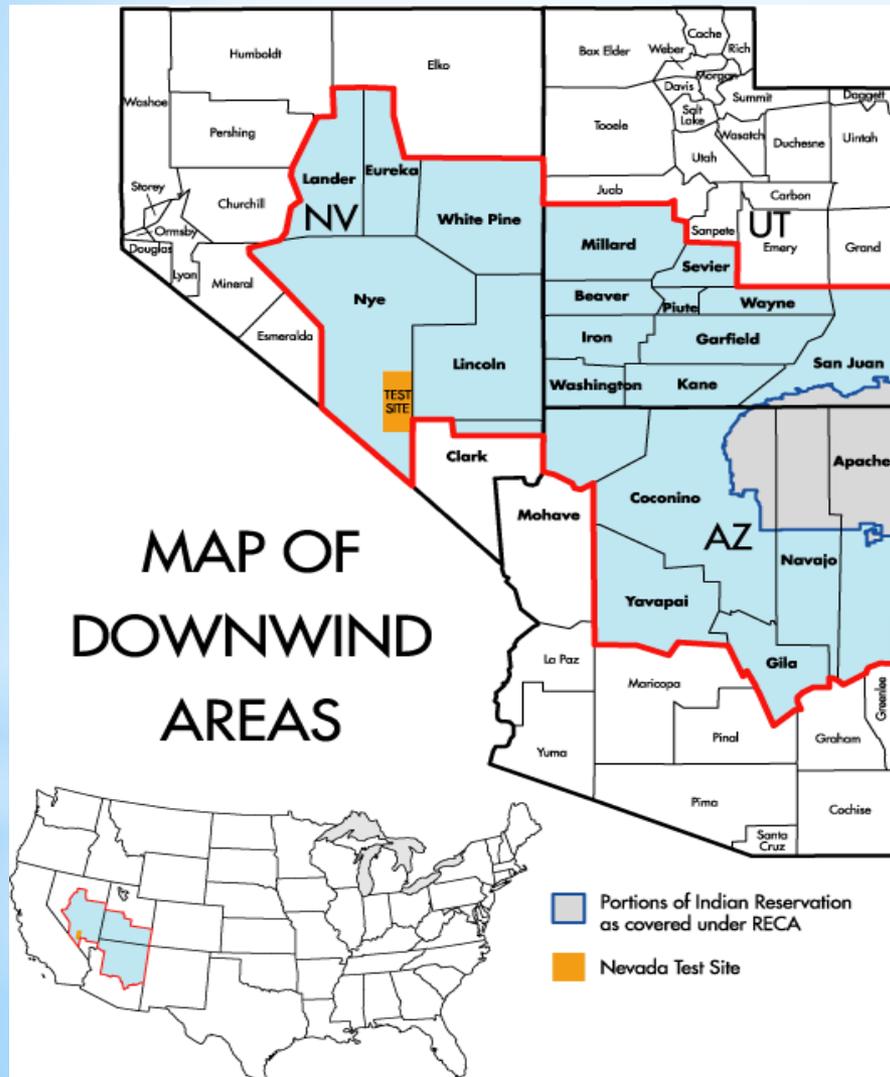
Downwinders
\$50,000 if develop a covered cancer after presence in covered areas downwind from the Nevada Test Site.

Onsite Participants
\$75,000 if develop a covered cancer after participation in an above-ground nuclear test at designated sites.

Uranium Workers
\$100,000 if develop a covered illness after working in a covered uranium mine, mill, or ore transport operation.



Downwinders



Individuals who:

- Were physically present at any place within specified counties for at least two years (24 consecutive or cumulative months) during the period from January 21, 1951, to October 31, 1958; or
- Were physically present at any place within specified counties for the entire, continuous period from June 30, 1962, to July 31, 1962;

AND

subsequently contract a covered disease.



Onsite Participants



- Government personnel and contractors who participated onsite in an above-ground nuclear test conducted by the United States

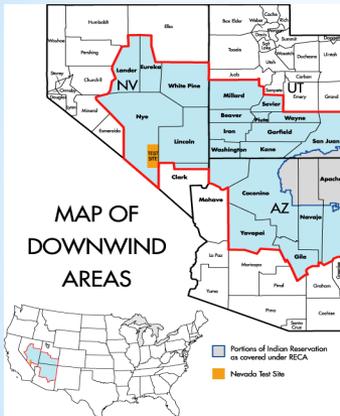
AND

subsequently contract a covered disease.

- “Onsite” means physical presence above or within
 - The Nevada Test Site;
 - The Pacific Test Sites;
 - The Trinity Test Site;
 - The South Atlantic Test Site;
 - Designated locations within a government installation where equipment used in an atmospheric nuclear detonation was decontaminated;
 - Designated locations used for the purpose of monitoring fallout from an atmospheric nuclear test conducted at the Nevada Test Site.



Covered Diseases for Downwinders and Onsite Participants



Leukemia (other than chronic lymphocytic leukemia)

Multiple myeloma

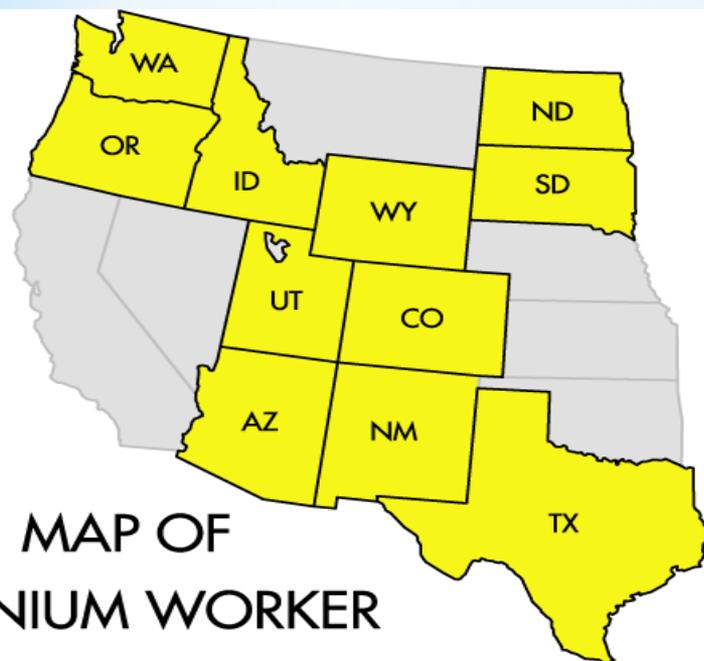
Non-Hodgkin's lymphoma

Primary cancers of the:

- thyroid
- male or female breast
- esophagus
- stomach
- pharynx
- small intestine
- pancreas
- bile ducts
- gall bladder
- salivary gland
- urinary bladder
- brain
- colon
- ovary
- liver (except if cirrhosis or hepatitis B is indicated)
- lung.



Uranium Workers



MAP OF
URANIUM WORKER
STATES



Any individual who:

- Was employed in a uranium mine, uranium mill, or uranium ore transporting operation located in a covered state between **January 1, 1942, and December 31, 1971;**

AND

- Was employed as a miner, miller, or ore transporter for at least one year during the statutory period; or if employed as a uranium miner, was exposed to 40 or more working level months (WLMs) of radiation during covered employment;

AND

subsequently contracts a covered disease.



Covered Diseases for Uranium Workers



- **Uranium Miners**
 - Primary cancer of the lung
 - Fibrosis of the lung, pulmonary fibrosis, cor pulmonale related to fibrosis of the lung, silicosis, or pneumoconiosis



- **Uranium Millers and Ore Transporters**
 - Primary cancer of the lung
 - Fibrosis of the lung, pulmonary fibrosis, cor pulmonale related to fibrosis of the lung, silicosis, or pneumoconiosis
 - Renal cancer
 - Chronic renal disease



Eligible Beneficiaries



1. The **surviving spouse**, provided that the marriage occurred at least one year prior to the individual's death;
2. If there is no surviving spouse; the natural, adopted, or step-children;
3. If there are no surviving children; the **parents**;
4. If there are no surviving parents; the natural, adopted, or step-grandchildren;
5. If there are no surviving grandchildren, the **grandparents**.



How to File a RECA Claim



1) Obtain a RECA claim form

- Print at www.justice.gov/civil/common/reca
- Call to request at 1-800-729-7327

2) Complete the RECA claim form

- Claim form must be substantially completed and signed under penalty of perjury.
- Claim must be accompanied by supporting documentation. See the claim form check list, or call us at 1-800-729-7327.

3) Mail the RECA claim form to the Department of Justice

- Claim forms and supporting documentation must be mailed to the Radiation Exposure Compensation Program, U.S. Department of Justice, P.O. Box 146, Ben Franklin Station, Washington, D.C. 20044-0146.



RECA & EEOICPA



If your RECA Mining, Milling, or Ore Transporting claim is approved:

- You may be eligible for **\$50,000** under Part B of EEOICPA.
- You may be eligible for **medical benefits** under Part B of EEOICPA.
- You may be eligible for an **impairment/wage loss** award under Part E of EEOICPA.

If your RECA Mining, Milling, or Ore Transporting claim is denied:

- You may still be eligible for an **impairment/ wage loss** award under Part E of EEOICPA.

If your RECA Downwind or Onsite claim is approved:

- You are **NOT** eligible for an award under EEOICPA for **cancer**.



Deadline For RECA Claims: June 10, 2024



Law extends the filing deadline for all claims

- The RECA Extension Act of 2022 extended the filing deadline for all RECA claims until June 10, 2024. Please visit our website for more information.

Claims submitted to the Department of Justice must be postmarked or stamped by another commercial carrier by June 10, 2024, to be deemed timely filed. Claims bearing a postmark or commercial carrier stamp dated on or after June 11, 2024, shall be barred.

- Claims postmarked or stamped by June 10, 2024 (as described above), will be deemed timely filed, even if the claim is received after that date.
- DOJ cannot accept electronically submitted claims. 28 C.F.R. 79.71(a).
- The filing deadline applies to all claims - including refiles of a previously denied claim.
- To avoid concerns of timely postmarks or stamps, please file early.



Questions?



U.S. Department of Justice
Radiation Exposure Compensation Program
P.O. Box 146
Ben Franklin Station
Washington, D.C. 20044-0146

Telephone: 1-800-729-RECP (1-800-729-7327)
Email: civil.reca@usdoj.gov

FOR INFORMATION AND UPDATES REGARDING SUNSET,
PLEASE VISIT:
www.justice.gov/civil/common/reca

