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### **Congress Expands Eligibility for Compensation for Nuclear Workers** *Workers at Nevada nuclear energy facilities may be eligible*

Congress has enacted legislation that changes the eligibility requirements for children of workers who died after contracting certain work-related illnesses in work performed for the Department of Energy's nuclear weapons program.

“This amendment will help the department fairly compensate workers and their families for their sacrifice in protecting America during the Cold War,” Secretary of Labor Elaine L. Chao said. “The thousands of families that Congress had in mind when it created the program will now be eligible for help.”

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA) went into effect July 31, 2001, to compensate nuclear weapons workers who became ill as a result of on the job exposure to radiation, beryllium or silica.

The amendment that was passed changes the definition of “survivor” in EEOICPA to also include adult children of nuclear weapons workers. As the law was originally written, surviving children were eligible for compensation only if, when their parent died, they were under the age of 18, full-time students under age 23, or any age but incapable of self-support. Eligible survivors receive a lump sum payment not to exceed \$150,000 per family (\$50,000 for survivors of uranium workers).

Nuclear energy facilities in Nevada at which workers may have been affected include: Nevada Test Site, Mercury; Project Faultless Nuclear Explosion Site, Central Nevada Test Site; Project Shoal Nuclear Explosion Site, Fallon; North Las Vegas Complex, North Las Vegas; and Yucca Mountain Site Characterization Project, Yucca Mountain.

In addition to changing eligibility for EEOICPA compensation, the amendment also:

- adds a type of leukemia to the list of cancers for which certain workers can receive benefits and makes it easier for claimants who are suffering from silicosis to meet the eligibility

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- changes attorney fee provisions and clarifies what workers with pending lawsuits against certain employers must do to be eligible for benefits under this program
- requires the National Institute of Occupational Safety and Health (NIOSH) to study residual radiation and beryllium contamination in certain facilities where nuclear weapons are no longer produced. NIOSH is to determine whether the residual contamination is significant and could have caused or contributed to cancer in a covered employee.

For more information or to schedule an appointment to file a claim, call the Las Vegas Resource Center at (702) 697-0841 or toll-free at 1-866-697-0841. Information about the Energy Employee Occupational Illness Compensation Program Act is available on the Labor Department's Web site: <http://www.dol.gov>.