protections from internal or external occupational radiation exposure.

(4) The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7381 et seq.) (in this section referred to as “EEOICPA”) was enacted to ensure fairness and equity for the men and women who, during the past 60 years, performed duties uniquely related to the nuclear weapons production and testing programs of the Department of Energy, its predecessor agencies, and contractors by establishing a program to provide timely, uniform, and adequate compensation for beryllium- and radiation-related health conditions.

(5) Research by the Department of Energy, the National Institute for Occupational Safety and Health (NIOSH), NIOSH contractors, the President’s Advisory Board on Radiation and Worker Health, and congressional committees indicates that at certain nuclear weapons facilities—

(A) workers were not adequately monitored for internal or external exposure to ionizing radiation; and

(B) records were not maintained, are not reliable, are incomplete, or fail to indicate the radioactive isotopes to which workers were exposed.

(6) Due to the inequities posed by the factors described above and the resulting harm to the workers, Congress designated classes of workers for Occupational Radiation Exposure Cohort under EEOICPA.

(7) The contribution of the State of Nevada to the security of the United States throughout the Cold War and since has been unparalleled.

(8) In 1950, President Harry S Truman designated what would later be called the Nevada Test Site as the country’s nuclear proving ground and, a month later, the first atmospheric test at the Nevada Test Site was detonated.

(9) The United States conducted 100 aboveground and 428 underground nuclear tests at the Nevada Test Site from 1951 to 1992.

(10) Out of the 1,054 nuclear tests conducted in the United States, 928, or 88 percent, were conducted at the Nevada Test Site.

(11) The Nevada Test Site has served, and continues to serve, as the premier research, testing, and development site for our national defense capabilities.

(12) The Nevada Test Site and its workers are an essential and irreplaceable part of our nation’s nuclear defense.

(13) It has become evident that it is not feasible to estimate with sufficient accuracy in a timely manner the radiation dose received by employees at the Department of Energy facility at the Nevada Test Site for many reasons, including the following:

(A) The NIOSH Technical Basis Document, the text used for radiation dose reconstruction under EEOICPA, has incomplete radionuclide lists.

(B) NIOSH has not demonstrated that it can estimate accurately exposures from large, nonreproducible hot particles.

(C) There are significant gaps in environmental measurement and exposure data.

(D) Neutron dose rates are seriously underdetermined.

(E) NIOSH has not been able to estimate accurately exposures to ionizing assembly workers.

(F) NIOSH has not demonstrated that it can accurately sample tritiated water vapor.

(G) External dose records lack integrity.

(H) Bremsstrahlung dose data through 1966 are not available.

(I) There are no neutron dose data until 1966 and only partial data after such date.

(J) There are no internal dose data until late 1955 or 1956, and limited data until well into the 1960s.

(K) NIOSH has ignored exposure from more than a dozen tests that vented, including Blanco, Des Moines, Baneneber, Camphor, Diagonal Line, Roila, Agrini, Midsa Myth, Misty Rain, and Mighty Oak.

(L) Individual dosimetry monitoring, individual groups were monitored, resulting in unreliable personnel monitoring.

(14) Amchitka Island, where only 3 underground nuclear tests were conducted, has not been designated a Special Exposure Cohort under EEOICPA.

(15) Some Nevada Test Site workers, despite the lack of sufficient amounts of radioactive materials and having known exposures leading to serious health effects, have been denied compensation which, without regard to the duration of employment:

(i) was present during an atmospheric or underground nuclear test or performed drillbacks, re-entry, or clean-up work following such tests;

(ii) was present during an episodic event involving radiation releases (without regard to the duration of employment); or

(iii) was employed at the Nevada Test Site for a number of work days aggregating at least 250 work days and was in a job activity that is or was, comparable to a job that is, was, or should have been monitored for exposure to ionizing radiation through the use of dosimetry badges or bioassays.

SEC. 63. CREATION OF CERTAIN NUCLEAR WEAPONS PROGRAM WORKERS IN SPECIAL EXPOSURE COHORT UNDER EEOICPA.

(a) In General.—Section 3621(14)(C) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7381(14)(C)) is amended—

(1) by redesigning subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) The employee was so employed at the Nevada Test Site or other similar sites located in Nevada during the period beginning on January 1, 1950, and ending on December 31, 1958, and, during such employment:"

(i) was present during an atmospheric or underground nuclear test or performed drillbacks, re-entry, or clean-up work following such tests;

(ii) was present during an episodic event involving radiation releases (without regard to the duration of employment); or

(iii) was employed at the Nevada Test Site for a number of work days aggregating at least 250 work days and was in a job activity that is or was, comparable to a job that is, was, or should have been monitored for exposure to ionizing radiation through the use of dosimetry badges or bioassays."