

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
October 12-13, 2022
Indianapolis, Indiana**

**Resolution No. 21: Amend the Radiation Exposure Compensation Act
Origin: Veterans Affairs & Rehabilitation Commission
Submitted by: Veterans Affairs & Rehabilitation Commission**

WHEREAS, The United States conducted nearly 200 atmospheric nuclear weapons development tests from 1945 to 1962; and

WHEREAS, The United States conducted 43 nuclear tests at Enewetak Atoll on the Marshall Islands from 1948–1958, with approximately 6,000 servicemembers involved in the massive cleanup projects from 1977–1980; and

WHEREAS, United States military personnel were assigned to monitor and collect test data from above-ground nuclear tests conducted by the French government in French Polynesia in the 1960s and 1970s; and

WHEREAS, Congress enacted the Radiation Exposure Compensation Act (RECA) in 1990, as partial restitution to stateside individuals deemed "Down Winders" from nuclear test sites and who developed serious illnesses after presumed exposure to radiation released during the atmospheric nuclear tests or after employment in the uranium industry in the states of Washington, Oregon, Idaho, Nevada, Utah, Wyoming, North Dakota, South Dakota, Colorado, New Mexico, Texas, or Arizona; and

WHEREAS, In 1996, Congress repealed the Nuclear Radiation and Secrecy Act, thus allowing "Atomic Veterans" to tell their stories and file for benefits; and

WHEREAS, The United States Department of Veterans Affairs currently defines an "Atomic Veteran" as an individual who participated in above-ground nuclear tests from 1945 to 1962, or was part of the United States occupation forces in or around Hiroshima or Nagasaki in 1946, or was held as a POW in or near Hiroshima or Nagasaki; and

WHEREAS, RECA does not recognize military personnel exposed to above-ground nuclear testing as "Atomic Veterans" after November 6, 1962; and

WHEREAS, All subsequent amendments to RECA, such as the "Radiation Exposure Compensation Act, (RECA) Amendments of 2021," continually fail to recognize servicemembers involved with the French government's above-ground nuclear testing; and

WHEREAS, Similarly classified military operations in response to 9/11 attacks on the United States, which led to leasing a military base in Uzbekistan, were not disclosed until December 2020 because of the classified mission; and

WHEREAS, These uranium-exposed veterans have also developed illnesses related to toxic exposure, including cancer, neurological disease, dermatological disease, and diseases that affect the gastrointestinal, reproductive, endocrine, and respiratory systems; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 12-13, 2022, That The American Legion urge Congress to amend the Radiation Exposure Compensation Act (RECA) to include any United States servicemembers who participated in any above ground nuclear

testing activities after November 6, 1962, and on any soil, foreign or domestic, such as those in Polynesia or the Enewetak Atoll, be recognized as radiation-exposed servicemembers and classified by statute as "Atomic Veterans"; and, be it further

RESOLVED, That these radiation-exposed servicemembers ("Atomic Veterans") become eligible for all VA health-care and disability benefits applicable to such presumptive conditions; and, be it finally

RESOLVED, That discovery of any new radiation-exposed servicemembers identified in future disclosure of locations, such as nuclear testing sites and clean-up operations, be automatically categorized as "Atomic Veterans" and automatically deemed eligible for all VA health-care and disability benefits.