

ROCKY FLATS STEWARDSHIP COUNCIL

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Jefferson County -- Boulder County -- City and County of Broomfield -- City of Arvada -- City of Boulder
City of Golden -- City of Northglenn -- City of Westminster -- Town of Superior
League of Women Voters -- Rocky Flats Cold War Museum -- Rocky Flats Homesteaders -- Ken Foelske

May 8, 2007

Honorable Edward M. Kennedy, Chairman
Honorable Michael B. Enzi, Ranking Member
Committee on Health, Education, Labor and Pensions
428 Senate Dirksen Office Building
Washington, D.C. 20510

Re: S. 729, "The Rocky Flats Special Exposure Cohort Act"

Dear Chairman Kennedy and Ranking Member Enzi,

As the Board of Directors of the Rocky Flats Stewardship Council, we strongly support "The Rocky Flats Special Exposure Cohort Act" (S. 729). We ask that you schedule a hearing on this important and time-sensitive legislation and we urge its swift passage.

The Stewardship Council remains extremely concerned about ongoing delays former Rocky Flats workers have encountered in achieving just compensation under the Energy Employees Occupational Illness Compensation Program Act (EEOIPCA). The EEOIPCA is critical to ensuring that workers who have suffered as a result of exposures to radioactive and hazardous materials while working at Rocky Flats be compensated for their illnesses. The problems workers have faced throughout the DOE complex are particularly acute at Rocky Flats.

At Rocky Flats critical records are missing and data is unreliable. Yet, under the current rules governing implementation of the EEOIPCA, workers need to prove a causal connection between their cancers and exposures suffered while working at Rocky Flats – and to do so they are required to prove such a link using data that was beyond their control. The inability of the federal government and its contractors to maintain reliable data undermines the integrity of the process. The costs, however, continue to be borne by the Rocky Flats workers.


The Advisory Board on Radiation and Worker Health's recent recommendation to deny special exposure cohort status to all workers except those who worked at Rocky Flats between 1952 and 1958 reinforces the need for this legislation. This delineation is not based in science but rather

reflects policy decisions that on their face conflict with Congressional intent under the EEOIPCA.


As Congress is keenly aware, the EEOIPCA has been fraught with problems. Special exposure cohort status under S. 729 would rectify problems Rocky Flats workers face by simplifying the process and altering the causal links necessary to achieve compensation under the EEOIPCA. For workers who were on the front line of the Cold War and who were later instrumental in completing the \$6.9 billion cleanup below cost and ahead of schedule, it is due time they received compensation under the EEOIPCA.

We therefore respectfully request that the Committee provide a hearing on this legislation and we urge swift passage of S. 729.

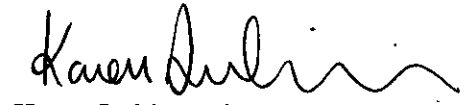
Sincerely,



Lori Cox
City and County of Broomfield
Chairman



Jeannette Hillery
League of Women Voters
Vice Chairman



Karen Imbierowicz
Town of Superior
Secretary/Treasurer

Jim Congrove
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Kim Grant
Rocky Flats Cold
War Museum

Roman Kohler
Rocky Flats Homesteaders

Ken Foelske
Citizen

Cc: Senator Ken Salazar
Senator Wayne Allard
Representative Mark Udall
Representative Ed Perlmutter
Samuel Bodman, Secretary of Energy
Elaine Chao, Secretary of Labor
Michael Levitt, Secretary of Health and Human Services
Paul L. Ziemer, Advisory Board on Radiation and Worker Health