

# ATOMIC VETERANS

## and RADIATION EXPOSURE

Service members are often asked to perform their duties in harm's way. Serving in a combat zone is the most obvious example, but the combat theater isn't the only hazardous environment. In fact, some serve, or have served, in what might appear to be relatively safe settings, like a dental clinic or a LORAN (Long Range Navigation) station. These and other occupational situations may pose a health risk due to exposure to ionizing radiation.

The Department of Veterans Affairs (VA) has identified a number of service circumstances in which military personnel may experience health problems as a result of service-related radiation exposure, for which they may be eligible for benefits. Surviving spouses, dependent children and dependent parents of veterans who die of radiation-related diseases may also be eligible to receive VA benefits.

"All VA claims are determined on a case-by-case basis," explains Brad Flohr, senior advisor for the Veterans Benefit Administration at the Department of Veterans Affairs, "but there are three criteria that must be met: The veteran must show evidence of a disability, evidence of an incident or injury in service and, in the case of a radiation claim, evidence of exposure. We have to have a medical nexus of evidence."

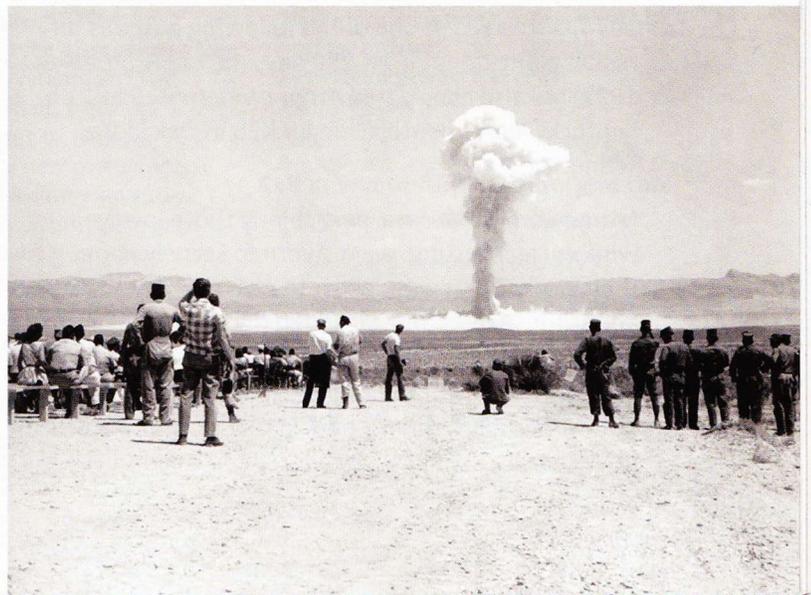
"Small Boy" nuclear test, July 14, 1962, part of Operation Sunbeam, at the Nevada Test Site. Yield was 1.65 kt.

Photo by the United States Department of Energy

### Atomic Veterans

There are some situations in which radiation exposure is presumed. For veterans who participate in so-called "radiation-risk activities" during their military service, the VA assumes certain cancers are related to their exposure. These are called "presumptive" diseases.

For example, veterans who participated in atmospheric nuclear weapons testing (primarily in Nevada and the Pacific Ocean between 1945 and 1962); served in the occupying forces of Hiroshima and Nagasaki, Japan (August 6, 1945 to July 1, 1946); or were prisoners of war in Japan during World War II are unofficially



## PRESUMPTIVE DISEASES RELATED TO IONIZING RADIATION

- Cancers of the bile ducts, bone, brain, breast, colon, esophagus, gall bladder, liver (primary site, but not if cirrhosis or hepatitis B is indicated), lung (including bronchiolo-alveolar cancer), pancreas, pharynx, ovary, salivary gland, small intestine, stomach, thyroid, urinary tract (kidney/renal, pelvis, urinary bladder, and urethra)
- Leukemia (except chronic lymphocytic leukemia)
- Lymphomas (except Hodgkin's disease)
- Multiple myeloma (cancer of plasma cells)

referred to as "Atomic Veterans." If an Atomic Veteran is diagnosed with one of the cancers listed above, he doesn't have to prove a connection between the disease and his military service to be eligible for VA disability compensation. The connection is presumed and their survivors may also be eligible for benefits if the vet dies from one of these diseases.

"If an Atomic Veteran has one of the designated cancers, it is presumed that the disease is a result of his military service," explains Flohr. "The Defense Threat Reduction Agency (DTRA) can confirm the veteran's participation through its Nuclear Test Personnel Review and no medical opinion is required."

Veterans who participated in underground weapons testing at Amchitka Island, Alaska (before January 1, 1974) or worked at one of the following gaseous diffusion plants for at least 250 days (before February 1, 1992) are also considered Atomic Veterans: Paducah, Kentucky; Portsmouth, Ohio; or K25 in Oak Ridge, Tennessee.

Many Atomic Veterans, particularly those involved with nuclear testing, were sworn to secrecy about their work. They swore never to reveal what they knew about these tests and, although documents relating to the tests were made public in 1996, many continue to keep this part of their military career a secret from family members, friends and, in many cases, their physicians.

Nuclear weapons tests ceased more than 50 years ago, but there are still many Atomic Veterans who may be eligible for benefits. "The last above-ground nuclear testing ended in 1962," said Flohr. "The veterans who participated in those tests would now be in their seventies and there are a good number of them still alive."

## Ionizing Radiation Registry Health Exam

VA offers a free Ionizing Radiation Registry health exam for eligible veterans to alert them to the possible long-term health problems that may be related to radiation exposure. This comprehensive health exam includes an exposure and medical history, laboratory tests, and a physical exam. A VA health professional will discuss the results face-to-face with the veteran and in a follow-up letter. The data collected also helps VA understand and respond to these health problems more effectively.

Atomic Veterans are eligible for this free exam, as are veterans who received nasopharyngeal (nose and throat) radium irradiation treatments during their military service. Certain pilots, submariners, divers, and others were given this treatment during service in 1940 to the mid-1960s to prevent ear damage from pressure changes.

It is important for veterans to understand that registry health exams are *not* disability compensation examinations. The information gathered is based on the veteran's recollection, not their military records, and will not confirm exposure. And although enrollment in the VA's health care system is not required for a registry exam, enrollment is highly encouraged for all veterans, regardless of medical history or problems.

## Radiation Exposure Compensation Act

Veterans and others who develop certain diseases following their exposure to radiation released during atmospheric nuclear weapons tests may also be eligible for compensation through the Department of Justice (DoJ) Radiation Exposure Compensation Act (RECA).

According to the DoJ website, "the United States conducted nearly 200 atmospheric nuclear weapons development tests from 1945 to 1962. Essential to the nation's nuclear weapons development was uranium mining and processing, which was carried out by tens

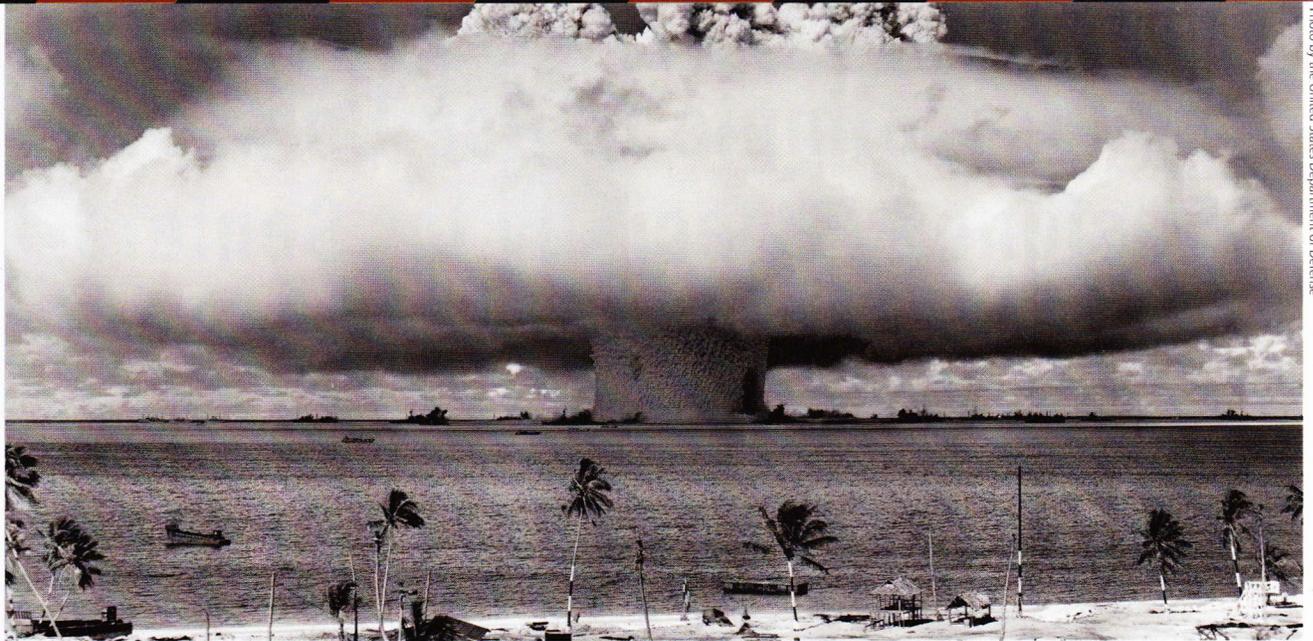


Photo by the United States Department of Defense

The “Baker” explosion was part of Operation Crossroads, a nuclear weapon test at Bikini Atoll, Micronesia, on 25 July 1946. The water released by the explosion was highly radioactive and contaminated many of the ships that were set up near it. Some were otherwise undamaged and sent to Hunter’s Point in San Francisco, California, United States, for decontamination. Those which could not be decontaminated were sunk a number of miles off the coast of San Francisco.

of thousands of workers. Following the tests’ cessation in 1962, many of these workers filed class action lawsuits alleging exposure to known radiation hazards, [but these] suits were dismissed by the appellate courts. Congress responded by devising a program allowing partial restitution to individuals who developed serious illnesses after exposure to radiation released during the atmospheric nuclear tests or after employment in the uranium industry.”

In addition to an official apology, the RECA legislation provides a lump-sum financial award to individuals who contracted one of 27 medical conditions following their exposure to radiation released during these nuclear weapons tests, or following their occupational exposure to radiation while employed in the uranium industry during the Cold War arsenal buildup. These payments vary, depending on the way in which a claimant was exposed.

RECA claimants qualify for compensation by establishing the diagnosis of a listed compensable disease after working or residing in a designated location for a specific period of time. They do not need to establish causation.

Those who mined, milled or transported uranium are eligible to receive a single \$100,000 payment; “onsite participants” at atmospheric nuclear weapons tests may receive \$75,000; and “downwinders” — those who

lived downwind of the Nevada Test Site — may receive \$50,000.

“The RECA program is administered by the Department of Justice, not the VA. If a veteran accepts the RECA payment, he or she cannot receive VA disability benefits at the same time, even though he or she might be eligible for both benefits,” clarifies Flohr. “The benefits cannot be paid concurrently. If a vet receives a one-time RECA payment of \$75,000, his VA benefits will be withheld until the equivalent of the VA award has been covered by the RECA payment.”

For example, if the VA determines a veteran is eligible to receive \$3,000/month in disability benefits for his participation in an onsite nuclear test and he accepts a \$75,000 RECA award, his VA benefits will be suspended for 25 months ( $\$3,000/\text{month} \times 25 \text{ months} = \$75,000$ ). After that, the veteran would be authorized to begin receiving his monthly VA disability payments.

Potential claimants and/or surviving family members may call the U.S. Department of Justice Nuclear Veterans Radiation Exposure Compensation Program at 1-800-729-7327 or leave an e-mail message at [civil.reca@usdoj.gov](mailto:civil.reca@usdoj.gov) to receive further information and claim forms. Additional information and RECA claim forms are also available at [www.justice.gov/civil/common/reca.html](http://www.justice.gov/civil/common/reca.html).