AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

110TH CONGRESS
1ST SESSION

S. 1756

To provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 10, 2007

Mr. BINGAMAN (for himself, Mr. DOMENICI, Mr. AKAKA, and Ms. MURKOWSKI) (by request) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Republic of the Marshall Islands Supplemental Nuclear Compensation Act of 2007''.

SEC. 2. CONTINUED MONITORING ON RUNIT ISLAND.

Section 103(f)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(1)) is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(2) by adding at the end the following:

''(B) CONTINUED MONITORING ON RUNIT ISLAND.—

''(i) IN GENERAL.—Effective beginning January 1, 2008, the Secretary of Energy shall, as a part of the Marshall Islands program conducted under subparagraph (A), periodically (but not less frequently than every 4 years) survey radiological conditions on Runit Island.

''(ii) REPORT.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives, a report that describes the results of each survey conducted under clause (i), including any sig-

nificant changes in conditions on Runit Island.''.

SEC. 3. CLARIFICATION OF ELIGIBILITY UNDER ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000.

(a) DEFINITIONS FOR PROGRAM ADMINISTRATION.—Section 3621 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384*l*) is amended by adding at the end the following:

''(18) The terms 'covered employee', 'atomic weapons employee', and 'Department of Energy contractor employee' (as defined in paragraphs (1), (3), and (11), respectively) include a citizen of the Trust Territory of the Pacific Islands who is otherwise covered by that paragraph.''.

(b) DEFINITION OF COVERED DOE CONTRACTOR EMPLOYEE.—Section 3671(1) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s(1)) is amended by inserting before the period at the end the following: '', including a citizen of the Trust Territory of the Pacific Islands who is otherwise covered by this paragraph''.

(c) COORDINATION OF BENEFITS WITH RESPECT TO THE COMPACT OF FREE ASSOCIATION.—Subtitle E of the Energy Employees Occupational Illness Compensation

Program Act of 2000 (42 U.S.C. 7385s et seq.) is amended by inserting after section 3682 (42 U.S.C. 7385s–11) the following:

"SEC. 3682a. COORDINATION OF BENEFITS WITH RESPECT TO THE COMPACT OF FREE ASSOCIATION.

"(a) DEFINITION OF COMPACT OF FREE ASSOCIATION.—In this section, the term 'Compact of Free Association' means—

"(1) the Compact of Free Association between the Government of the United States of America and the Governments of the Marshall Islands and the Federated States of Micronesia (48 U.S.C. 1901 note); and

"(2) the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note).

"(b) COORDINATION.—Subject to subsection (c), an individual who has been awarded compensation under this subtitle, and who has also received compensation benefits under the Compact of Free Association by reason of the same covered illness, shall receive the compensation awarded under this subtitle reduced by the amount of any compensation benefits received under the Compact of Free Association, other than medical benefits and benefits for

vocational rehabilitation that the individual received by reason of the covered illness, after deducting the reasonable costs (as determined by the Secretary) of obtaining those benefits under the Compact of Free Association.

"(c) WAIVER.—The Secretary may waive the application of subsection (b) if the Secretary determines that the administrative costs and burdens of applying subsection (b) to a particular case or class of cases justifies the waiver.".

SEC. 4. FOUR ATOLL HEALTH CARE PROGRAM.

Section 103(h) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)) is amended by adding at the end the following:

"(4) SUPPLEMENTAL HEALTH CARE FUNDING.—

"(A) IN GENERAL.—In addition to amounts provided under section 211 of the U.S.–RMI Compact (48 U.S.C. 1921 note), the Secretary of the Interior shall annually use the amounts made available under subparagraph (B) to supplement health care in the communities affected by the nuclear testing program of the United States, including capital and operational support of outer island primary healthcare facilities of the Ministry of Health of

the Republic of the Marshall Islands in the communities of—

"(i) Enewetak Atoll,

"(ii) Kili (until the resettlement of Bikini);

"(iii) Majetto Island in Kwajalein Atoll (until the resettlement of Rongelap Atoll); and

"(iv) Utrik Atoll.

"(B) FUNDING.—As authorized by section 105(c), there is appropriated to the Secretary of the Interior, out of funds in the Treasury not otherwise appropriated, to carry out this paragraph $2,000,000 for each of fiscal years 2007 through 2023, as adjusted for inflation in accordance with section 218 of the U.S.–FSM Compact and the U.S.–RMI Compact, to remain available until expended.".

SEC. 5. ASSESSMENT OF HEALTH CARE NEEDS OF THE MARSHALL ISLANDS.

(a) IN GENERAL.—The Secretary of the Interior shall enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct an assessment of the health impacts of the United States nuclear testing program conducted in the

Republic of the Marshall Islands on the residents of the Republic of the Marshall Islands.

(b) REPORT.—On completion of the assessment under subsection (a), the National Academy of Sciences shall submit to Congress, the Secretary, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives, a report on the results of the assessment.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

○