

Congresswoman Teresa Leger Fernández (NM-03)
Statement for the Record
House Armed Services Committee Member Day

Chairman Rogers and Ranking Member Smith, thank you for the opportunity to submit testimony. As you consider the National Defense Authorization Act (NDAA) for FY26, I would like to share a few of my priorities and urge their inclusion in the bill.

Radiation Exposure Compensation Reauthorization Act

First, I strongly urge you to include the Radiation Exposure Compensation Reauthorization Act (RECRA). This bipartisan legislation would provide appropriate compensation to Americans who were exposed to high levels of radiation and later developed cancer and other diseases due to the government's nuclear testing program.

Between 1945 and 1992, in furtherance of our national security, the U.S. government conducted more than 200 above-ground nuclear tests. These tests exposed those working in the uranium industry as well as many in nearby communities to radiation. As a result of the exposure, tens of thousands of Americans contracted cancers and other diseases.

In 1990, Congress passed and President George H.W. Bush signed into law the Radiation Exposure Compensation Act (RECA) on a bipartisan basis to provide a one-time payment to many of those harmed. The benefits under the program are available to qualified persons who participated in onsite tests of an atomic weapon; downwinders in specified areas near the Nevada Test Site; and uranium miners, millers, and ore transporters who worked in the industry between 1942 and 1971. The program is currently set to sunset in June 2024.

RECA inexplicably excludes many Americans who were exposed to radiation from the government's nuclear testing program and developed cancers or other specified diseases. For example, everyone knows that New Mexico is where the government first detonated an atomic bomb. But New Mexico and other affected downwinder communities were left out of the law. In addition, uranium workers employed after 1971 contracted cancers because of mining exposure yet they remain ineligible. Notably, those miners worked without the necessary health and safety protections.

RECRA includes a narrowed version of the RECA Amendments and provisions to compensate those who were poisoned by waste from Manhattan Project sites. The RECA Amendments would extend the existing RECA program for five years. Second, they would expand eligibility for compensation payments to cover additional diseases and downwinder communities in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Guam as well as uranium core drillers and DOE remediation workers. It would also extend eligibility to the Post-71 uranium workers. Finally, the legislation would increase compensation payments. The Manhattan

Project waste provisions provide one-time compensation payments to certain individuals in Missouri, Kentucky, and Tennessee.

In recent years, Congress has taken numerous steps to make sure that all those who suffer because of the government's nuclear testing program receive justice:

- In December 2022, the House Judiciary Committee marked up and reported favorably H.R. 5338, the RECA Amendments of 2021 with strong bipartisan support.
- In July 2023, the U.S. Senate passed S.Amdt. 1058 to the NDAA for FY24 that included the text of the RECA Amendments Act and additional provisions to provide justice for Missourians who were poisoned by Manhattan Project waste. It passed by a bipartisan vote of 61 to 37.
- In March 2024, the U.S. Senate passed S. 3853, the Radiation Exposure Compensation Reauthorization Act. S. 3853 passed by a larger bipartisan vote of 69 to 30.

There is clear bipartisan support for expanding RECA to cover all those who were sacrificed in pursuit of the government's nuclear testing program. Further, the inclusion of the RECA Amendments in the Senate NDAA for FY24 as well as RECA's connection to the nuclear testing program demonstrate that this effort is relevant to NDAA consideration. It is long past time that these communities receive justice.

I request that you include RECRA in the NDAA for FY26. The benefits of this legislation extend to congressional districts represented by Republicans and Democrats. Their residents were each sacrificed for our national security and nuclear testing program, and they all deserve justice.

Readiness and Environmental Protection Integration Program

To best support the missions of our military installations, we must avoid land use conflicts near military installations and increase military installation resilience.

The Readiness and Environmental Protection Integration Program (REPI) helps prevent and address the threats that result from drought, flooding, and wildfires that threaten military readiness and operations, military personnel, warfighting equipment, and infrastructure. REPI funding, combined with funding from state and local government and NGO partners, helps prevent this encroachment and reduces the threats to military installation resilience through the acquisition of interests in real property from willing landowners and through management activities on those lands, thereby ensuring the continued viability of key installations while also conserving both important natural areas and working farms and forests. REPI is a highly effective component of DoD's efforts to address encroachment pressures that threaten both military readiness and military installation resilience.

For Cannon Air Force Base in my congressional district, REPI has been instrumental in solving water scarcity challenges posed to the base's operations and mission by the Ogallala Aquifer. With local partners surrounding Cannon Air Force Base, REPI has helped save approximately 12 billion gallons of water in three years. This is just one example of REPI's success across the nation.

I urge the Committee to support the inclusion of the following two report language requests.

Language: REPI FY26 Funding

The committee notes that Readiness and Environmental Protection Integration (REPI) funding, combined with funding from state and local government and other non-government organization partners, helps the Department of Defense (DOD) prevent encroachment and reduces threats to military installation resilience. However, in prior budget requests, DOD has only requested enough funding for less than half of the amount of executable projects, with few projects receiving the full amount of required funds. The committee anticipates that the military services will identify validated requirements for fiscal year 2026 in excess of the \$297.0 million in requirements identified during fiscal year 2025. Accordingly, the committee recommends at least \$187,348,000 in OMDW SAG 4GTN for the REPI program, and strongly encourages further increases in the budget request for the REPI program in fiscal year 2027 and beyond.

Language: Report on REPI Implementation for Fiscal Years 2022 through 2025

The Committee is concerned that the failure of the military services to program sufficient operation and maintenance funding for staff to implement the REPI funding despite growing requirements poses a risk to maintaining the effective and efficient execution of the REPI program. Therefore, the Committee directs the Secretary of Defense, in coordination with the Service Secretaries, to provide a report to the Committees on Appropriations of the House of Representatives and the Senate and to the Committees on Armed Services of the House of Representatives and the Senate not later than 180 days after enactment of this act that includes programmatic funding and full-time employee data dedicated to the implementation of the REPI program for fiscal years 2022 through 2025. This report shall also identify unfunded requirements related to funding and staffing for future fiscal years.

Circuit Riders

Although there are health care shortages across the country, rural U.S. military installations face added challenges when it comes to lack of specialty medical care. This leads to costly travel for service members and their families and high Exceptional Family Member Program (EFMP)

Dependent Travel Not Approved (DTNA) rates. Elevated EFMP rates lead to shortages of fully qualified service members for deployment and create manning shortages.

To improve access to care, Cannon Air Force Base's 27th Special Operations Medical Group paired with Military Treatment Facilities across the Defense Health Network Continental and the Developmental Behavioral Family Readiness Center to provide quarterly circuit riders for specialty care. As a result, patient travel expenditures, EFMP DTNA rates, and duty hours lost to medical travel all decreased. There was also increased optimization of specialty providers. However, access to specialty care is still lacking. To help improve access to needed health care at remote U.S. military installations, like Cannon Air Force Base, I request the following report language.

Language: Supporting Circuit Rider Health Care Programs

The committee recognizes the importance of bolstering access to specialty care at rural military installations. The committee encourages the Defense Health Agency to increase support for circuit rider health programs at U.S. military bases to address the needs of service members and their families and to improve mission readiness.

Again, thank you for the opportunity to testify in favor of the inclusion of these important provisions in the Fiscal Year 2026 NDAA. I look forward to working with the committee on these issues.