

The Radiation Exposure Compensation Act (RECA): Compensation Related to Exposure to Radiation from Atomic Weapons Testing, Radioactive Waste, and Uranium Mining

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Summary

The Radiation Exposure Compensation Act (RECA) provides one-time benefit payments to persons who may have developed cancer or other specified diseases after being exposed to radiation from atomic weapons testing or radioactive waste, or from their work in uranium mining, milling, or transportation. Administered by the Department of Justice (DOJ), RECA has awarded over \$3.3 billion in benefits to just under 52,000 claimants since its inception in 1990.

RECA benefits are available to the following groups:

- **Onsite participants:** \$100,000 to persons who participated onsite in the atmospheric test of an atomic weapon and developed one of the types of cancer specified in the statute, or to their eligible survivors.
- **Downwinders:** \$100,000 to persons who were present in one of the specified areas near the Trinity Test Site in New Mexico or the Nevada Test Site (NTS) during a period of atmospheric atomic weapons testing and who developed one of the types of cancer specified in the statute, or to their eligible survivors.
- **Uranium miners, millers, ore transporters, and core drillers (uranium workers):** \$100,000 to persons who worked in mining, milling, or transportation of uranium, or as a core driller, between 1942 and 1990, and developed one of the types of diseases specified in the statute, or to their eligible survivors.
- **Manhattan Project waste claimants:** variable compensation of at least \$50,000 based on unreimbursed medical expenses for persons who lived in certain zip codes in Alaska, Kentucky, Missouri, or Tennessee and developed one of the types of cancer specified in the statute, or \$25,000 to the survivors of Manhattan Project waste claimants.

Subtitle C of Title X of the FY2025 reconciliation law (commonly referred to as the One Big Beautiful Bill Act; P.L. 119-21) significantly amended RECA to increase benefit levels for onsite participants and downwinders, expand eligibility to new geographic areas for downwinders, and expand eligibility for uranium workers for work through 1990; it also created the Manhattan Project waste eligibility category. Additionally, these amendments extended the RECA sunset date, which had previously expired in 2024, to December 31, 2027.

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Introduction

The Radiation Exposure Compensation Act (RECA) was enacted in 1990 and provides one-time cash benefits to certain persons who participated in atomic weapons testing or lived near the Trinity Test Site in New Mexico or the Nevada Test Site (NTS) during periods of atmospheric (above-ground) atomic weapons testing.¹ Benefits under RECA are also available to certain uranium miners, mill workers, ore transporters, and core drillers who worked in the uranium industry between 1942 and 1990. Amendments to RECA in 2025 created a new category of eligibility for persons who lived near certain radioactive waste sites in Alaska, Kentucky, Missouri, and Tennessee. To qualify for benefits, RECA claimants must have contracted one of the medical conditions specified in the statute after possible exposure to ionizing radiation from the detonation of an atomic weapon, after working in the uranium industry, or while living near a waste site.

The RECA program is administered by the Civil Division of the Department of Justice (DOJ).² To date, DOJ has approved just under 52,000 RECA claims for more than \$3.3 billion in benefits.³ Since the enactment of the 2025 RECA amendments in the FY2025 reconciliation law (P.L. 119-21) that created the Manhattan Project waste eligibility category, more than 23,000 claims from this category have been filed. RECA program data are provided in **Table A-1** in the **Appendix**.

Benefits under RECA are paid out of general revenue and are considered mandatory spending. Authorization for the RECA program ends on December 31, 2027.⁴

Atomic Weapons Testing at the Trinity and Nevada Test Sites

On July 16, 1945, the United States detonated the first atomic bomb at the Trinity Test Site near Alamogordo, NM. This was the only atmospheric atomic weapons test identified at the Trinity Test Site or in New Mexico.⁵

The Trinity test—which was followed by the only two offensive uses of atomic weapons at Hiroshima and Nagasaki, Japan—ushered in an era of extensive development and testing of atomic weapons that would last until 1992. During this period, the United States, under the auspices of the Atomic Energy Commission (AEC) and later the Department of Energy (DOE), conducted 1,054 atomic weapons tests.⁶ The majority (928) of these tests were conducted at the Nevada Test Site (NTS), a 1,375 square-mile federal reservation located approximately 65 miles north of Las Vegas in Nye County, NV.⁷ Of the 928 tests conducted at NTS, 828 were

¹ Title 42, Section 2210 note, of the *U.S. Code*; enacted as P.L. 101-426 on October 15, 1990.

² The RECA program website is at <http://www.justice.gov/civil/common/reca>. Implementing regulations are at Title 28, Part 79, of the *Code of Federal Regulations*.

³ Department of Justice, Radiation Exposure Compensation System, *Awards to Date: 08/24/2026*, August 24, 2026, <https://www.justice.gov/civil/awards-date-08242026>.

⁴ Prior to the enactment of the 2025 RECA amendments, the RECA program had sunset and had closed to new claimants on June 10, 2024.

⁵ In 1961 an underground test (Gnome test) was conducted at Carlsbad, NM, and resulted in a release of radiation. In 1967, another underground test (Gasbuggy test) was conducted at Farmington, NM.

⁶ Twenty-four of these tests were jointly conducted with the United Kingdom.

⁷ The Nevada Test Site (NTS) is now referred to as the Nevada National Security Site and is administered by the Department of Energy (DOE), National Nuclear Security Administration. For additional information on the history and (continued...)

underground tests and 100 were atmospheric tests in which the atomic weapons exploded at or above ground level, resulting in radioactive material being released into the atmosphere.⁸ These 100 atmospheric tests and the initial Trinity test were the only atmospheric atomic weapons tests conducted in the continental United States and Alaska. **Table 1** provides a summary of U.S. atomic weapons tests by location.

Table 1. United States Atomic Weapons Tests, by Location

Location	Number of Tests
South Atlantic Ocean Area	3
Pacific Ocean Area	106
United States other than Nevada Test Site (NTS)	17
Alamogordo, NM (Trinity Test Site)	1
Amchitka, AK	3
Carlsbad, NM	1
Central NV	1
Fallon, NV	1
Farmington, NM	1
Grand Valley, CO	1
Hattiesburg, MS	2
Nellis Air Force Range, NV	5
Rifle, CO	1
NTS	928
Total	1,054

Source: Department of Energy, *United States Nuclear Tests: July 1945 through September 1992*, DOE/NV-209-REV 15, December 2000, p. xiii.

Note: Includes 24 joint U.S.-UK tests conducted at NTS.

Atmospheric atomic weapons tests at NTS were conducted between January 27, 1951, and October 30, 1958, and again between July 7, 1962, and July 17, 1962. The largest atmospheric test at NTS in terms of energy yield was the Hood test conducted on July 5, 1957, which had an energy yield equivalent to 74,000 tons (74 kilotons or kt) of trinitrotoluene (TNT).⁹

characteristics of the NTS, see Terrance R. Fehner and F.G. Gosling, *Origins of the Nevada Test Site*, Department of Energy, DOE/MA-0518, December 2000.

⁸ During some underground tests, radioactive material escaped from underground through a process known as venting, thus releasing some radioactive material into the atmosphere.

⁹ For comparison purposes, the first atomic bomb ever detonated (Trinity test) had a yield of 21 kt; the atomic bombs dropped on Hiroshima and Nagasaki had yields of 15 kt and 21 kt, respectively; and the largest atmospheric test conducted by the United States, the Bravo Test at Bikini Atoll in the Marshall Islands on February 28, 1954, had a yield of 15 million tons (15 megatons, or Mt).

RECA Benefits

Compensation Payments

The following benefits are available under the RECA program:

- **Onsite participants:** \$100,000 to persons who participated onsite in the atmospheric test of an atomic weapon and developed one of the types of cancer specified in the statute, or to their eligible survivors.
- **Downwinders:** \$100,000 to persons who were present in one of the specified areas near the Trinity Test Site in New Mexico or the Nevada Test Site (NTS) during a period of atmospheric atomic weapons testing and who developed one of the types of cancer specified in the statute, or to their eligible survivors.
- **Uranium miners, millers, and ore transporters (uranium workers):** \$100,000 to persons who worked in mining, milling, or transportation of uranium between 1942 and 1990 and developed one of the types of diseases specified in the statute, or to their eligible survivors.
- **Manhattan Project waste claimants:** variable compensation of at least \$50,000 based on unreimbursed medical expenses for persons who lived in certain zip codes in Alaska, Kentucky, Missouri, or Tennessee and developed one of the types of cancer specified in the statute, or \$25,000 to the survivors of Manhattan Project waste claimants.

All RECA benefits are one-time, lump-sum payments and are not adjusted to reflect changes in wages or the cost of living. Benefits are not subject to the federal income tax¹⁰ but are offset by any payments received from any lawsuit or settlement, or by any disability compensation or Dependency and Indemnity Compensation (DIC) payments from the Department of Veterans Affairs (VA) for any illnesses or injuries due to exposure to radiation from atomic weapons testing or work in the uranium industry covered by RECA.¹¹ For onsite participants with claims based on diseases other than leukemia, RECA benefits are offset by the actuarial present value of prior payments.¹² For all other beneficiaries, including onsite participants with claims based on leukemia with radiation exposure prior to age 21, RECA benefits are offset by the actual value of prior payments. Veterans who have received RECA benefits prior to the receipt of disability compensation benefits from the VA under the presumptive eligibility provisions of the Radiation-Exposed Veterans Compensation Act (REVCA; P.L. 100-321)¹³ are required to have their VA benefits reduced by the amount of their RECA benefits.¹⁴

¹⁰ Section 104(a)(2) of the Internal Revenue Code (26 U.S.C. §104(a)(2)).

¹¹ Section 6(c)(2) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

¹² The actuarial present value of prior payments is calculated in accordance with Title 28, Section 79.75(e), and Appendix C to Part 79, of the *Code of Federal Regulations*.

¹³ Under REVCA, certain conditions related to radiation exposure in veterans who were onsite participants; served during the American occupation of Hiroshima or Nagasaki, Japan; were interred as prisoners of war in Japan; or served in a capacity that would make them eligible for membership in the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) special exposure cohort (through work in the development of atomic weapons) are presumed to be service-connected for the purposes of eligibility for disability compensation benefits payable by the VA.

¹⁴ Title 38, Section 1112(c)(4), of the *U.S. Code*.

No medical or other benefits are provided by the RECA program. However, uranium workers eligible for RECA are automatically eligible for an additional \$50,000 in compensation and for medical benefits that pay for all medical costs associated with their covered illnesses under Part B of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA).¹⁵

Survivors' Benefits

Each onsite participant, downwinder, or uranium worker who qualifies for RECA is entitled to one benefit payment on his or her behalf. If the claimant is living, the benefit is paid to them directly. If the claimant is deceased, then the benefit is paid to the following survivors according to the below order of precedence:

1. spouse, provided the spouse was married to the claimant for at least one year before the claimant's death;
2. children, in equal shares;
3. parents, in equal shares;
4. grandchildren, in equal shares; and
5. grandparents, in equal shares.¹⁶

If a Manhattan Project waste claimant has died from any cause before submitting a claim, the following eligible survivors of that claimant are eligible for benefit according to the following order or precedence:

1. spouse, and
2. children in equal shares.

Only the survivors listed in this section are eligible for RECA benefits, and if there are no such survivors to a claimant, no benefit is paid on that claim.

RECA Eligibility

Onsite participants, downwinders, uranium workers, and Manhattan Project waste claimants must meet exposure and disease requirements provided in the RECA statute and regulations to qualify for RECA benefits for themselves or their survivors.

Onsite Participants

Exposure Requirements

A person may be eligible for RECA benefits if he or she was present onsite and participated in an atmospheric atomic weapons test conducted by the United States and meets the specific geographic and participation requirements provided in the RECA regulations.

¹⁵ Title 42, Section 7384u, of the *U.S. Code*. Onsite participants, downwinders, and Manhattan Project waste claimants are not automatically eligible for the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and can receive EEOICPA Part B benefits only by establishing eligibility through work in the development, not testing, of atomic weapons.

¹⁶ Section 6(c)(4) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

Geographic Requirements

A person must have been within or above one of the following geographic areas during a period of atmospheric atomic weapons testing,¹⁷ including for up to six months after the period of testing ended:

- NTS.
- The Pacific Test Sites (Bikini Atoll, Enewetak Atoll, Johnston Island, Christmas Island, the test site for the shot during Operation Wigwam, the test site for Shot Yucca during Operation Hardtack I, and the test sites for Shot Frigate Bird and Shot Swordfish during Operation Dominic I) and the official zone around each site from which non-test-affiliated ships were excluded for security and safety purposes.
- Trinity Test Site.
- The South Atlantic Test Site for Operation Argus and the official zone around the site from which non-test-affiliated ships were excluded for security and safety purposes.
- Any designated location within a naval shipyard, air force base, or other official government installation where ships, aircraft, or other equipment used in an atmospheric nuclear detonation were decontaminated.
- Any designated location used for the purpose of monitoring fallout from an atmospheric nuclear test conducted at NTS.¹⁸

Participation Requirements

A person must have held one of the following occupations and performed one of the following activities while onsite during a period of atmospheric atomic weapons testing, including for up to six months after the period of testing ended:

Required Occupations

- member of the Armed Forces;
- civilian employee or contract employee of the Manhattan Engineer District, the Armed Forces Special Weapons Project, the Defense Atomic Support Agency, the Defense Nuclear Agency, or the Department of Defense or its components or agencies or predecessor components or agencies;
- employee or contract employee of the AEC, the Energy Research and Development Administration, or the Department of Energy;
- member of the Federal Civil Defense Administration or the Office of Civil and Defense Mobilization; or
- member of the U.S. Public Health Service.¹⁹

Required Activities

¹⁷ The dates for each period of atmospheric atomic weapons testing are provided at Title 28, Section 79.31(d)(1) of the *Code of Federal Regulations*.

¹⁸ Title 28, Section 79.11(f), of the *Code of Federal Regulations*.

¹⁹ Title 28, Section 79.11(g)(1), of the *Code of Federal Regulations*.

- performed duties within the identified operational area around each atmospheric detonation of a nuclear device;
- participated in the decontamination of any ships, planes, or equipment used during the atmospheric detonation of a nuclear device;
- performed duties as a cloud tracker or cloud sampler;
- served as a member of the garrison or maintenance forces on Enewetak Atoll (currently within the territory of the Republic of the Marshall Islands) between June 21, 1951, and July 1, 1952; between August 7, 1956, and August 7, 1957; or between November 1, 1958, and April 30, 1959; or
- performed duties as a member of a mobile radiological safety team monitoring the pattern of fallout from an atmospheric detonation of a nuclear device.²⁰

Disease Requirements

An onsite participant must have contracted one of the types of cancers listed in **Table 2** after exposure to ionizing radiation from his or her participation in an atmospheric atomic weapons test.

Downwinders

Exposure Requirements

A downwinder must have been physically present in one of the counties or geographic areas in Arizona, Idaho, Nevada, New Mexico, or Utah listed in **Table 3** for (1) a period of at least one year between January 21, 1951, and November 6, 1962, or (2) the entire period between June 30, 1962, and July 31, 1962, or in New Mexico for at least one year between September 24, 1944, and November 6, 1962.²¹ **Figure A-1** in the **Appendix** provides a map of the downwinder eligibility areas.

Disease Requirements

A downwinder must have contracted one of the types of cancers listed in **Table 2** after exposure to ionizing radiation from an atmospheric atomic weapons test at NTS or, in the case of downwinders in New Mexico only, the Trinity Test.

Table 2. Specified Cancers for Eligibility as Onsite Participants and Downwinders

(all cancers must be primary cancers)

Onset of the disease was at least two years after first exposure to fallout		
Leukemia (other than chronic lymphocytic leukemia)		
Onset of the disease was at least five years after first exposure to fallout		
Multiple Myeloma	Lymphomas (other than Hodgkin's disease)	Bile Duct Cancer

²⁰ Title 28, Section 79.11(g)(2), of the *Code of Federal Regulations*.

²¹ Title 28, Section 79.23, of the *Code of Federal Regulations* provides that person who resided or was employed full-time in the downwinder eligibility area is presumed to have been physically present in the area for the duration of his or her residence or employment.

Brain Cancer	Breast Cancer (male or female)	Colon Cancer
Esophageal Cancer	Gall Bladder Cancer	Liver Cancer (except if cirrhosis or hepatitis B is indicated)
Ovarian Cancer	Pancreatic Cancer	Pharynx Cancer
Salivary Gland Cancer	Small Intestine Cancer	Stomach Cancer
Thyroid Cancer	Urinary Bladder Cancer	Lung Cancer

Source: Section 4(b)(2) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

Table 3. Downwinder Eligibility Areas

Arizona	Idaho	Nevada	New Mexico	Utah
Apache County	Entire state	Eureka County	Entire state	Entire state
Coconino County		Lander County		
Gila County		Lincoln County		
Navajo County		Nye County		
Yavapai County		White Pine County		
Mohave County		Clark County townships 13 through 16 at ranges 63 through 71		

Source: Section 4(b)(1) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

Uranium Workers

Miners

Exposure Requirements

A uranium miner must have worked in a uranium mine in one of the states listed in **Table 4** for at least one year during the period between January 1, 1942, and December 31, 1990, or must have been exposed through mining to at least 40 working-level months (WLMs) of radiation during this period.²²

A *WLM* is defined in the RECA statute as one working level of radiation exposure every work day for a month, or an equivalent exposure over a greater or lesser period. One *working level of radiation exposure* is defined as the concentration of decay products of radon that will release 130,000 megaelectron volts (MeV) of alpha energy per liter of air.²³

A miner who worked for less than one qualifying year or who was exposed to less than the required 40 WLMs of radiation and who also worked as a uranium miller, ore transporter, or core

²² Any state may apply for uranium worker eligibility state status. If determined by DOJ that a uranium mine was operating in the state at any time during the period from January 1, 1942, to December 31, 1971, that state will be added to the list. However, no state has ever been added to the list of eligible states.

²³ Radiation exposure in mines is largely caused by the inhalation of radon gas and the short-lived solid decay products of radon. In the RECA statute, these decay products are referred to as “short half-life daughters of radon.”

driller may qualify for RECA based on a combined work history in qualifying employment of at least one year or that results in exposure of at least 40 WLMs of radiation.

Table 4. Uranium Worker Eligibility States

Arizona	Colorado	Idaho	New Mexico
North Dakota	Oregon	South Dakota	Texas
Utah	Washington	Wyoming	

Source: Section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

Notes: Any additional state may apply for inclusion in this list and will be included if it is determined by DOJ that a uranium mine was operating in the state at any time during the period from January 1, 1942, to December 31, 1971. No state has ever been added to the list of eligible states through this process.

Disease Requirements

A uranium miner must have developed one of the conditions listed in **Table 5** after exposure to radiation. The RECA statute provides specific types of medical evidence that must be presented to support a diagnosis of a nonmalignant respiratory disease.

Table 5. Diseases for Eligibility as Uranium Miners, Millers, Ore Transporters, and Core Drillers

Lung Cancer (including in situ cancer)	Renal Cancer	Chronic Renal Disease, such as	Nonmalignant Respiratory Disease, specifically
		- nephritis - kidney tubal tissue injury	- fibrosis of the lung - pulmonary fibrosis - cor pulmonale related to fibrosis of the lung - silicosis - pneumoconiosis

Source: Section 5(a)(1)(A) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

Millers, Ore Transporters, and Core Drillers

Exposure Requirements

A uranium miller, ore transporter, or core driller must have been employed in the milling or transportation of uranium ore or uranium-vanadium ore, the drilling for rock samples of uranium or vanadium for the purposes of uranium or vanadium mining, or the remediation efforts at a uranium mine or mill in one of the states listed in **Table 4** for at least one year during the period from January 1, 1942, to December 31, 1990.

A uranium miller, ore transporter, or core driller who was employed for less than one qualifying year in any of these occupations may qualify for RECA based on a combined work history in all qualifying uranium work of at least one year.

Disease Requirements

A uranium miller, ore transporter, or core driller must have developed one of the conditions listed in **Table 5** after exposure to radiation. The RECA statute lists specific types of medical evidence that must be presented to support a diagnosis of a nonmalignant respiratory disease.

Manhattan Project Waste Claimants

Exposure Requirements

To be eligible for RECA, a Manhattan Project waste claimant must have been physically present for a period of two years after January 1, 1949, in of the zip codes listed in **Table 6**. These zip codes generally correspond to areas in the vicinity of the Amchitka Island site in Alaska, the Paducah Gaseous Diffusion Plant site in Kentucky, the Mallinckrodt (St. Louis Downtown Site) and St. Louis Airport Site (SLAPS) in Missouri, and the Oak Ridge Gaseous Diffusion Plant site in Tennessee. **Figure A-2** in the **Appendix** provides maps of the Manhattan Project waste qualifying zip codes.

Table 6. Manhattan Project Waste Claimant Qualifying Zip Codes

Alaska	Kentucky	Missouri	Tennessee
99546, 99547	42001, 42003, 42086	63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63121, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, 63367	37716, 37840, 37719, 37748, 37763, 37828, 37769, 37710, 37845, 37887, 37829, 37854, 37830, 37831

Source: Section 5a(d) of the Radiation Exposure Compensation Act (42 U.S.C §2201 note).

Disease Requirements

A Manhattan Project waste claimant must have one of the cancers listed in **Table 7** to qualify for RECA. This list of qualifying cancers includes all cancers that are qualifying for downwinders and onsite participants in addition to bone cancer and renal cancer.

Table 7. Specified Cancers for Eligibility as Manhattan Project Waste Claimants

Initial exposure occurred after 20 years of age and onset of disease was at least two years after initial exposure		
Leukemia		
Onset of the disease was at least two years after initial exposure		
Multiple Myeloma	Lymphomas (other than Hodgkin's disease)	Bile Duct Cancer
Brain Cancer	Breast Cancer (male or female)	Colon Cancer
Esophageal Cancer	Gall Bladder Cancer	Liver Cancer (except if cirrhosis or hepatitis B is indicated)
Ovarian Cancer	Pancreatic Cancer	Pharynx Cancer
Salivary Gland Cancer	Small Intestine Cancer	Stomach Cancer
Thyroid Cancer	Urinary Bladder Cancer	Lung Cancer
Bone Cancer	Renal Cancer	

Source: Section 5A(e) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

Application and Appeals Process

Application Process

The DOJ Civil Division administers the RECA program and makes eligibility decisions on claims. Benefit claims must be submitted in writing and on standard application forms provided by DOJ.

The RECA statute requires that claimants submit “written documentation” of their illnesses to qualify for benefits, and the RECA regulations provide detailed requirements on the types of documents that must be submitted. Section 6(d)(5) of the RECA statute requires that in cases submitted by Native Americans, the application and payment procedures established by DOJ must “take into consideration and incorporate, to the fullest extent feasible, Native American law, tradition, and custom.”

Application decisions for RECA benefits are made by an assistant director within the Constitutional and Specialized Torts Section, Torts Branch, of the DOJ Civil Division. Decisions must be made within 12 months of receipt of a completed application and all supporting materials. If no decision is made within 12 months, the application is automatically approved for benefits.²⁴

Radiation Exposure Screening and Education Program

Section 4 of the Radiation Exposure Compensation Act Amendments of 2000 (P.L. 106-245) authorized the Department of Health and Human Services (HHS) to provide grants to federal, state, and local health centers and nonprofit organizations to (1) conduct cancer screenings of persons who may be eligible for RECA and (2) provide assistance with securing the medical documentation needed to file RECA claims. These grants are administered by the HHS Health Resources and Services Administration (HRSA) as the Radiation Exposure Screening and Education Program (RESEP). There are currently eight RESEP clinics operating in Arizona, Colorado, New Mexico, Nevada, and Utah, with one clinic providing services exclusively to Native Americans.²⁵ Applicants for RECA benefits are not required to be screened for cancer at RESEP clinics.

Appeals Process

An applicant who is denied RECA benefits may file an appeal with the DOJ; this appeal is ruled on by an appeals officer appointed by the Assistant Attorney General of the Civil Division of the DOJ. Appeals must be made in writing within 60 days of the initial decision, and the appeals officer must decide to affirm or reverse the initial decision or remand the case back to the assistant director for further action. An applicant dissatisfied with the outcome of his or her appeal may seek judicial review in U.S. District Court.

²⁴ Section 6(d)(1) of the Radiation Exposure Compensation Act (42 U.S.C. §2210 note).

²⁵ Additional information on the Radiation Exposure Screening and Education Program (RESEP) is available on the Department of Health and Human Services (HHS) website at <http://www.hrsa.gov/getthehealthcare/conditions/radiationexposure/index.html>.

Attorney's Fees

Applicants for RECA benefits and applicants filing appeals of benefit denials may be represented in all matters related to the program by licensed attorneys. In addition, Native American claimants may be represented by nonattorney representatives of tribal organizations. These are the only nonattorneys authorized to represent RECA claimants. Nonattorney representatives may not charge fees for their representation. The RECA statute provides the following limitations on fees that may be collected by licensed attorneys who represent RECA claimants:

- for initial claims in which the attorney entered into a contract with the claimant on or after July 10, 2000, 2% of the benefits awarded;
- for initial claims in which the attorney entered into a contract with the claimant before July 10, 2000, 10% of the benefits awarded; and
- for the resubmission of previously denied claims, 10% of the benefits awarded.

In the case of an unsuccessful claim, an attorney may recover his or her costs associated with representing the claimant. Pursuant to a 2007 decision by the U.S. Court of Appeals and subsequent regulations, an attorney representing a successful claimant may recover his or her expenses associated with the claim in addition to the 2% or 10% fee.²⁶

²⁶ Hackwell v. United States, 491 F.3d 1229 (10th Cir. 2007); and Title 28, Section 79.74(b), of the *Code of Federal Regulations*.

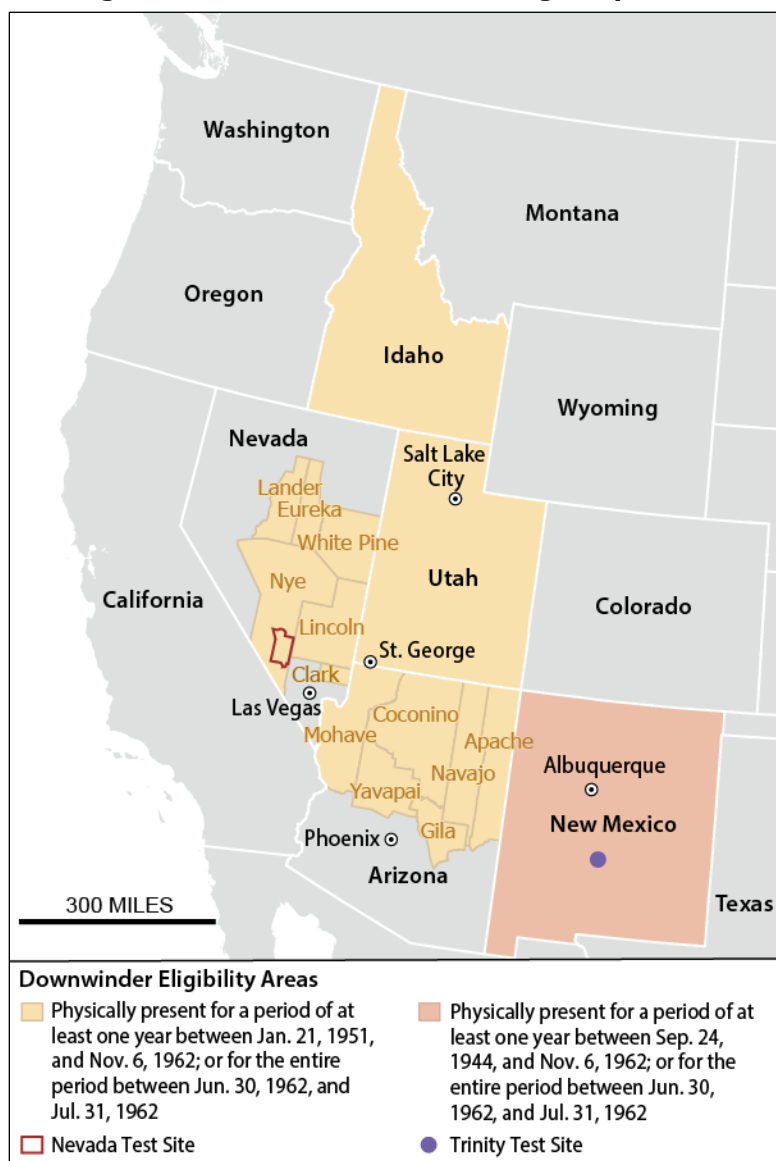
Appendix. RECA Program Data and Eligibility Areas

Table A-1. RECA Program Data
(as of August 24, 2026)

Claim Type	Pending	Approved	Denied	Total	Benefits Approved
Downwinder	21,891	31,175	5,329	58,395	\$1,753,020,000
Onsite Participant	112	5,837	4,027	9,976	\$428,702,535
Manhattan Project Waste Claimant	17,946	5,170	1	23,117	\$234,575,000
Uranium Worker	1,203	9,812	5,165	16,180	\$980,474,560
Total	41,152	51,994	14,522	107,668	\$3,396,772,095

Source: Department of Justice, Radiation Exposure Compensation System, *Awards to Date: 08/24/2026*, August 24, 2026, <https://www.justice.gov/civil/awards-date-08242026>.

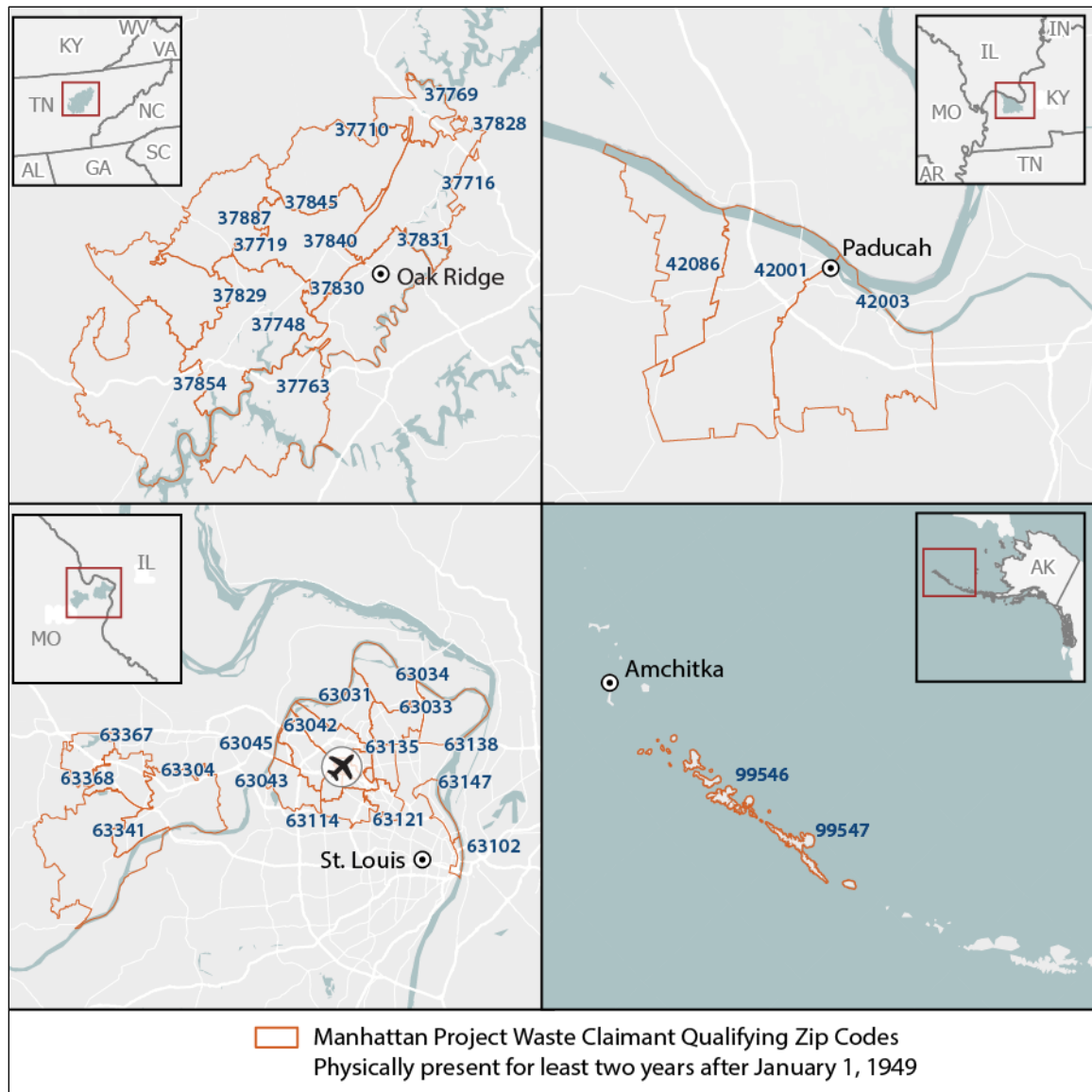
Figure A-1. RECA Downwinder Eligibility Areas



Source: Congressional Research Service.

Note: Only townships 13 through 16 at ranges 63 through 71 of Clark County, NV, are included in the downwinder eligibility area.

Figure A-2. RECA Manhattan Project Waste Eligibility Areas



Source: Congressional Research Service.

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Specialist in Disability Policy

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