



National Institute for Occupational
Safety and Health
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, OH 45226-1998

Dear ADDRESSEE (See attached):

I am writing to seek your input into the development of a new occupational illness compensation program. The Energy Employees Occupational Illness Compensation Act of 2000, and Executive Order 13179, have delegated several responsibilities to the Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC), National Institute for Occupational Safety and Health (NIOSH). The establishment of an Advisory Board on Radiation and Worker Health, management of records and data, and the appointment of physicians to medical panels (administered & funded by DOE) are included in these responsibilities. Additionally, and of more immediate concern, the following responsibilities require the development of guidelines and promulgation of regulations.

1. Promulgate regulations: a) to be used by the Department of Labor to assess the probability that a claimant's cancer was caused by his or her occupational exposure to radiation while employed as a nuclear weapons worker ("probability of causation"), and b) to be used by NIOSH to estimate the cumulative past radiation doses incurred by individual claimants ("dose reconstruction") [Sec. 3623(c), (d)].
2. Estimate the radiation doses incurred by individual claimants, using the dose reconstruction methods NIOSH promulgates as regulations [Sec. 3623(d) & (e), 3624(b)(2)].
3. Establish (potentially through regulation) and implement a process within HHS for the Secretary of HHS to consider and decide whether to designate additional classes of workers to be included in the Special Exposure Cohort (SEC) [Sec.3626].

Work on developing the technical foundation for these guidelines and regulations is now fully underway. At this point in our efforts, we would welcome any independent comments or input you would like to offer regarding these responsibilities. In order to have an accurate and complete record of comments provided, and to fully consider and react to comments, we would appreciate your written comments by May 15, 2001. Comments should be directed to:

L. J. Elliott (R-45)
Acting Director, Office of Compensation Analysis and Support
National Institute for Occupational Safety and Health
4676 Columbia Parkway
Cincinnati, Ohio 45226

Your interest and input in this challenging new program are greatly appreciated.

Sincerely,

Larry J. Elliott, MSPH, CIH
Acting Director, Office of Compensation
Analysis and Support
National Institute of Occupational Safety and Health

Stakeholders Input Letter Addressees

Richard Miller
Jim Ellenberger, AFL-CIO
Keith Dinger, Health Physics Society (HPS)
Charles Meinholdt, National Council on Radiation protection and Measurement (NCRP)
Joe Fitzgerald, Salient Strategies
Neil Otchin, Veteran's Administration (VA)
Ashok C. Thadani, Nuclear Regulatory Commission (NRC)
Jeff Klemm, Science Applications International Corporation, (SAIC)
Don Ellsburg
Michael Schaeffer, Defense Threat Reduction Agency DTRA
Jeff Hill, Atomic Trades and Labor Council, ORNL
James K. Phillips, Political Education Program, PACE International Union
Scott Schnieder, Laborer's Health and Safety Fund
John J. Jesky, Hanford Atomic metal Trades Council
Jim Blankenship, Atomic Trades and Labor Council, ORNL
Gary Benjamin, Administrator Fernald Worker's Settlement Fund
Glenn Bell
Owen Hoffman, SENES, Inc.
Daniel O. Stram, Univ. of Southern California
John J. Fix, Battelle Memorial Institute
Roy E. Shore, New York Univ. Medical Center
Arthur C. Upton
UMDNJ-CRESP
John D. Boice, International Epidemiology Institute
Richard Wilson, Harvard School of Public Health
Sander Greenland, Univ. of California
Dale Hattis, CENTED
Michael Sprinkler, ICWUC Health and Safety Dept.
Jay Lubin, Division of Cancer Epidemiology and Genetics
Michael Wright, United Steelworkers of America
Sylvia Keiding
John Dement, Duke Univ
Frank Mirer, United Auto Workers
Mike Flynn, International Association of Machinist and Aerospace Workers
Darrell R. Fisher, Pacific Northwest Nat'l Laboratory
John E. Till, Risk Assessment Corporation