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## Congress of the United States

House of Representatives

Washington, DC 20515

Dr. James Melius  
Chairman

NIOSH Advisory Board on Radiation and Worker Health  
Century Center  
Clairmont Rd.  
Atlanta, GA 30329

Dear Dr. Melius,

I want to take this opportunity to thank you for coming to New Mexico, for allowing me the opportunity to offer a statement for the record and for allowing me to call into the meeting earlier today. I send my regrets that I could not join you in person. I write today in strong support of Special Exposure Cohort Petition (SEC)-00109 regarding Los Alamos National Laboratory Support Services Workers from January 01, 1976 through December 31, 2005.

I would like to highlight the history of SEC-00109 with the board today. The original petition was submitted in April of 2008 and qualified for evaluation in May of the same year. The petition evaluation was finally prepared and submitted by NIOSH in February of 2009, a full 180 days past the required deadline to do so. Since February 2009, NIOSH has taken no further action on SEC-00109, creating a full three years of inaction on the part of NIOSH regarding this particular petition.

It is my understanding that the lack of action over the last three years is due to NIOSH's inability to obtain data from LANL to support their premise that the dose can be reconstructed using substitute radio nuclides for reconstruction. After this significant delay, it is time to drop the substitute data and move on to another type of methodology to perform dose reconstruction so that action upon the petition can finally be taken.

Many of my constituents have been negatively affected by the inaction of NIOSH on this petition. These workers have contributed to the safety and security of our nation and as a result have seen their health negatively impacted by their work. This petition recognizes the sacrifices these workers have made and provides them with the compensation they deserve. It is long past time to move forward on this petition.

Sincerely,

Rep. Ben Ray Lujan  
United States House of Representatives, NM 03

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