

ON THE NOMINATION OF LEON R. SEQUEIRA TO BE ASSISTANT SECRETARY OF LABOR FOR POLICY

Mr. SALAZAR. Mr. President, I rise to share my serious concern about the implementation of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). Because of the gravity of my concerns, I have placed a hold on a nomination currently pending before this body – the nomination of Leon R. Sequeira to be Assistant Secretary for Policy at the Department of Labor.

I harbor no ill will toward Mr. Sequeira. But I am furious with the foot-dragging, the obstruction, and the neglect that have characterized the Administration's approach toward American citizens who took real risks for our country during the Cold War, who are suffering now, and who need and deserve help.

It is my understanding that Mr. Sequeira's role will be to advise the Department of Labor Secretary Elaine Chao on policy development and program implementation. It is my hope that I can work through my numerous concerns with the Department of Labor and the Department of Health and Human Service.

The EEOICPA program is supposed to compensate the thousands of Cold War veterans who worked for our country's nuclear weapons programs. Together, these two federal agencies are responsible for administering the EEOICPA program. Both agencies also play significant roles in the Special Exposure Cohort (SEC) petition process.

As Congressman John Hostettler pointed out earlier this week, the SEC petition process was designed to provide a mechanism for workers to be given relief from a government that "frequently misled them about the hazards they were facing and failed to properly monitor their exposure." Among the workers who face just such a situation were the Americans who worked at Rocky Flats, in my State of Colorado.

Many of these individuals, who knowingly risked their own safety to protect our democracy, have suffered from painful and debilitating diseases, including cancer, and many have died as a result of their brave service. Like Department of Labor Secretary Elaine Chao, I would hope that their government could provide some measure of justice to these patriots. She has stated that, "My concern is that we take care of men and women who were harmed as a result of loyal service to their country. It is my hope that this program will repay them in some small way for all they've lost."

Unfortunately, this program is repaying them with bureaucratic delays and a deck stacked against them. I believe our government is failing to fulfill the promise and intent of the EEOICPA program.

In Colorado, many people who worked at Rocky Flats were exposed to beryllium, radiation and other hazards that have led to cancer and death. They filed a Special Exposure Cohort petition over 17 months ago to receive compensation. Their petition has been delayed and obstructed at various levels and by several agencies. We have been waiting for the Administration to take action to ensure that the composition of the Advisory Board on Radiation and Worker Health is adjusted so that it will more fairly examine workers' claims, but the Administration has failed to act. Sadly, I fear that, to a great extent, these actions are the result of conscious decisions by certain agency officials.

Since the Department of Labor's mission is to foster and promote the welfare of American workers, I hoped to work with the Department to ensure that the quiet heroes of Rocky Flats petition were

compensated. However, I have struggled to find common ground, and for some of these workers, time is running out. Moreover, hearings held by the House Judiciary Committee have left me with serious questions regarding their efforts to undermine the Rocky Flats and other SEC petitions in the name of cost containment and other shameful actions.

I hope to discuss these questions with Mr. Sequeira and other Administration officials, and to get some firm commitments about cleaning up this process, moving forward fairly, and getting the Rocky Flats petition approved. Until then, I cannot in good faith allow this nomination to proceed.