October 6, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States of America
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

RE: Hanford workers

Dear President Biden:

We write to request that you reconsider the United States Department of Justice's attempts to block an overwhelmingly bipartisan state law to provide industrial insurance coverage to workers made sick on the Hanford federal nuclear site during its multiyear clean-up project.

In 2018, our state legislature passed HB 1723 with wide bipartisan support to improve the standards for industrial insurance coverage for workers at the Hanford nuclear site. The law grants a presumption of workplace exposure for specific diseases and conditions for Hanford workers so they can access the health care and benefits they deserve before it is too late. Our state residents who suffer from terrible, painful, and debilitating diseases known to be linked to exposure of toxic chemicals were having well-documented difficulties overcoming objections from the federal contractor to access benefits from our state industrial insurance program. Numerous efforts to address these problems with the contractor were unsuccessful. Most of the ill workers are members of Plumbers and Steamfitters Local Union #598 in Pasco, Washington. HB 1723 simply improves the standards for sick Hanford Nuclear site workers to qualify for our state industrial insurance benefits.

Industrial insurance is a state-run program in every state. Workers have a right to be protected by their state’s industrial insurance laws even if they work for a federal contractor. In 1937, Congress approved the principle that states have broad authority to apply state industrial insurance laws to federal projects. The previous administration sued the state, and our state Attorney General successfully defended the law in federal district court. The prior administration appealed that ruling to the Ninth Circuit. Most recently, a panel of the Ninth Circuit Court of Appeals unanimously upheld HB 1723. An appointee of former President George W. Bush, Judge Milan Smith, wrote the opinion for the panel. It is most distressing that the Biden administration’s Department of Justice has ignored those previous rulings and is now asking the U.S. Supreme Court to overrule our state’s decision to protect the workers made ill on their jobs at the Hanford nuclear site in Washington state.
We are proud that our bipartisan state law has withstood extensive legal scrutiny and ask that you review this matter and the Department of Justice’s request for Supreme Court consideration.

Thank you for your time and service.

Sincerely,
Members of the Washington State Legislature

Senator Andy Billig
Majority Leader

Senator John Braun
Minority Leader

Senator Karen Keiser, Chair
Labor, Commerce & Tribal Affairs Committee

Senator Curtis King, Ranking Member
Labor, Commerce & Tribal Affairs Committee

Representative Mike Sells, Chair
Labor & Workplace Standards Committee

Representative Larry Hoff, Ranking Member
Labor & Workplace Standards Committee

Senator Derek Stanford
1st Legislative District

Representative Shelley Kloba
1st Legislative District

Representative Timm Ormsby
3rd Legislative District

Representative Marcus Riccelli
3rd Legislative District
Representative Lisa Callan
5th Legislative District

Representative Sharon Brown
8th Legislative District

Senator Bob Hasegawa
11th Legislative District

Senator Brad Hawkins
12th Legislative District

Representative Mark Klicker
16th Legislative District

Senator Marko Liias
21st Legislative District

Senator Sam Hunt
22nd Legislative District

Senator Jeff Holy
6th Legislative District

Representative Dave Paul
10th Legislative District

Representative David Hackney
11th Legislative District

Senator Judy Warnick
16th Legislative District

Senator Jeff Wilson
19th Legislative District

Representative Strom Peterson
21st Legislative District

Representative Jessica Bateman
22nd Legislative District
Representative Laurie Dolan
22nd Legislative District

Senator Kevin Van De Wege
24th Legislative District

Senator Emily Randall
26th Legislative District

Representative Mari Leavitt
28th Legislative District

Senator Steve Conway
29th Legislative District

Senator Jesse Salomon
32nd Legislative District

Representative Tina Orwell
33rd Legislative District

Senator Christine Rolfes
23rd Legislative District

Representative Steve Tharinger
24th Legislative District

Senator T’wina Nobles
28th Legislative District

Representative Dan Bronoske
28th Legislative District

Senator Claire Wilson
30th Legislative District

Representative Cindy Ryu
32nd Legislative District

Representative Mia Gregerson
33rd Legislative District
Representative Joe Fitzgibbon
34th Legislative District

Representative Liz Berry
36th Legislative District

Representative Sharon Tomiko Santos
37th Legislative District

Senator June Robinson
38th Legislative District

Senator Liz Lovelett
40th Legislative District

Representative Debra Lekanoff
40th Legislative District

Representative Tana Senn
41st Legislative District

Representative Eileen Cody
34th Legislative District

Senator Rebecca Saldana
37th Legislative District

Representative Kristen Harris-Talley
37th Legislative District

Representative Emily Wicks
38th Legislative District

Representative Alex Ramel
40th Legislative District

Senator Lisa Wellman
41st Legislative District

Representative My-Linh Thai
41st Legislative District
Representative Sharon Shewmake 42nd Legislative District

Representative Nicole Macri 43rd Legislative District

Senator Steve Hobbs 44th Legislative District

Senator Manka Dhingra 45th Legislative District

Senator David Frockt 46th Legislative District

Representative Javier Valdez 46th Legislative District

Senator Jamie Pedersen 43rd Legislative District

Representative Frank Chopp 43rd Legislative District

Representative John Lovick 44th Legislative District

Representative Roger Goodman 45th Legislative District

Representative Gerry Pollet 46th Legislative District

Senator Mona Das 47th Legislative District
Cc: Julie Chavez Rodriguez, Director of the Office of Governmental Affairs
    Senator Patty Murray, Washington State
    Senator Maria Cantwell, Washington State
    U.S. Representative Suzan DelBene, 1st District
    U.S. Representative Rick Larsen, 2nd District
    U.S. Representative Jamie Herrera Beutler, 3rd District
    U.S. Representative Dan Newhouse, 4th District
    U.S. Representative Cathy McMorris Rodgers, 5th District
    U.S. Representative Derek Kilmer, 6th District
    U.S. Representative Pramila Jayapal, 7th District
    U.S. Representative Kim Schrier, 8th District
    U.S. Representative Adam Smith, 9th District
    U.S. Representative Marilyn Strickland, 10th District