



Legislative Building
Olympia, WA 98504-0482

Washington State Legislature

Phone: (360) 786-7550
FAX: (360) 786-1999

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



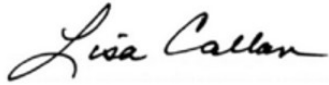
Representative Shelley Kloba
1st Legislative District



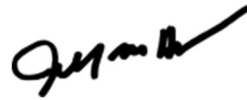
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3rd Legislative District



Representative Marcus Riccelli
3rd Legislative District



Representative Lisa Callan
5th Legislative District



Senator Jeff Holy
6th Legislative District



Representative Sharon Brown
8th Legislative District



Representative Dave Paul
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Senator Bob Hasegawa
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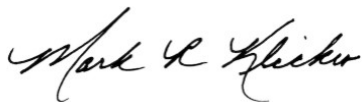
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Senator Brad Hawkins
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Senator Judy Warnick
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Senator Jeff Wilson
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Senator Marko Liias
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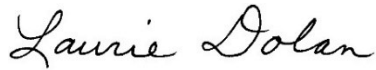
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Senator Sam Hunt
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Senator Jamie Pedersen
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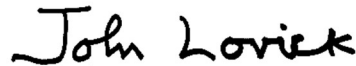
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43rd Legislative District



Representative Frank Chopp
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Representative Javier Valdez
46th Legislative District



Senator Mona Das
47th Legislative District



Senator Patty Kuderer
48th Legislative District



Representative Vandana Slatter
48th 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
