

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	7 - 0 - 1
Yeas:	Berger, Edwards C., Garrard, Jenson, Nolan, Read, Roblan
Nays:	0
Exc.:	Gelser
Prepared By:	Jerry Watson, Administrator
Meeting Dates:	5/13

WHAT THE MEASURE DOES: Authorizes Oregon Military Department to make payments to members of the Oregon National Guard exposed to hexavalent chromium while serving at specified water treatment plant in Basra, Iraq in 2003 and who develop cancer as result of exposure. Directs department to adopt rules for eligibility and amounts of payments. Appropriates moneys from General Fund for purposes of making payments. Declares emergency, effective July 1, 2009.

ISSUES DISCUSSED:

- Soldiers that have died
- Legislative support of measure
- Personal stories of people affected
- Associated medical problems

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: In 2003, members of the Oregon, South Carolina and Indiana National Guard were stationed at the Qarmat Ali water treatment plant in southern Iraq. During their tour of duty, they were exposed to hexavalent chromium, a known human carcinogen. Hexavalent chromium increases the risk of lung cancer when inhaled on a regular basis for even short periods of time. Adverse effects can arise years later.

The National Guard was present to protect civilian workers of KBR, a Houston-based Pentagon contractor, which had been hired to repair the plant as part of the Restore Iraq Oil (RIO) project. The plant, which provides water to the southern oil fields of Iraq, had been contaminated with sodium dichromate before it was abandoned prior to the invasion of Iraq by the US. Sodium dichromate, a substance used to clear corrosion on pipes, contains hexavalent chromium.

In March, 2008, civilians working for KBR sued KBR for Damages. Guardsmen in Indiana subsequently filed suit against KBR in December 2008. In June 2008, a congressional hearing was held to investigate an alleged cover-up of the 2003 plant contamination and subsequent exposure of the National Guard troops providing security there.

According to an article in the *Oregonian* (March 9, 2009), the Oregon Guard sent 286 letters to soldiers of the 1st Battalion, 162nd Infantry Division, about possible exposure. Fewer than 20 have responded to the Department of Veterans Affairs or the Guard. The article asserts that some ninety-three Oregon soldiers may still not know that they have been exposed to hexavalent chromium. The Oregon Guard sent registered letters notifying them in early March 2009, six years after their deployment.

5/18/2009 4:39:00 PM

This summary has not been adopted or officially endorsed by action of the committee.