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Bonamici and Colleagues Urge VA to Reevaluate Claims Related to C-123 Aircraft Agent Orange Exposure

Oct 23, 2013 Issues: Veterans

Washington, D.C.—Today Congresswoman Suzanne Bonamici (D-OR) and a bipartisan group of 19 House colleagues sent a letter to U.S. Department of Veterans Affairs Secretary Eric Shinseki urging reevaluation of all claims related to Agent Orange exposure that occurred aboard C-123 aircraft after the Vietnam War. Many of the 1,500 to 2,500 veterans who served aboard the aircraft from 1972 to 1982 have experienced health problems that appear to be exposure-related. Until recently, the VA had denied these claims, but recently reversed course when it granted disability benefits to Lt Col. Paul Bailey, who served aboard a C-123 aircraft in the years after the Vietnam War. Many additional claims have not yet been reevaluated.

“Those whose claims were denied deserve to have their files reopened and reevaluated,” wrote the members. “And the claims that are still being processed must be given expedited, careful, and thoughtful review. This attention should be given to all C-123 veterans who, from 1972 to 1982, flew the same aircraft from the same bases and with the same mission.”

Many of the country’s top experts on Agent Orange, including the Director of the National Institute of Environmental Health Sciences and the Director of the Agency for Toxic Substances and Disease Registry, have written detailed statements supporting the claim that crewmembers serving aboard C-123s were exposed during the post-Vietnam era.

Bonamici’s letter was signed by many of her House colleagues, including Reps. Paul Cook, Ron Barber, Kerry Bentivolio, Julia Brownley, John Conyers, Joe Courtney, Eni F.H. Faleomavaega, Raúl M. Grijalva, Alcee L. Hastings, Denny Heck, Mike Honda, Steve Israel, Walter B. Jones, Barbara Lee, Collin C. Peterson, Jared Polis, Carol Shea-Porter, Mark Takano, and Juan Vargas.

The full text of the letter follows.

The Honorable Eric K. Shinseki
Secretary
Department of Veterans Affairs

810 Vermont Avenue NW
Washington, DC 20420

October 23, 2013

Dear Secretary Shinseki:

Thank you for your work on behalf of our nation's veterans. We were pleased to hear that the Department of Veterans Affairs recently reversed its denial of disability benefits for LTCOL Paul Bailey, who served on C-123 aircraft in the years after the Vietnam War. In light of this, we urge you to reevaluate previously-denied claims for other veterans who also served on C-123 aircraft. In addition, we ask that you expedite review on current pending cases for the veterans who served aboard these planes, many of whom are suffering from multiple illnesses.

From 1972 to 1982, around 1,500 aircrew, aerial port, and maintenance staff served on C-123 aircraft that had been used during the Vietnam War to spray military herbicides, including Agent Orange. These men and women served their country without knowledge of the danger posed to them by the dried herbicide residue on the aircraft. Many of the country's top experts on Agent Orange, including the Director of the National Institute of Environmental Health Sciences and the Director of the Agency for Toxic Substances and Disease Registry, have written detailed statements supporting the claims of the crewmembers that they were exposed to Agent Orange. Despite overwhelming evidence and support from the scientific community, the VA continues to deny that any level of exposure occurred.

As described in a recent *Washington Post* article, a 2009 recommendation by Hill Air Force Base in Utah stated that "smelting is necessary for these 18 [C-123] aircraft so the Air Force will no longer be liable for 'presumptive compensation' claims to any who works around this 'Agent Orange' metal." This appears to indicate a desire to obscure evidence of Agent Orange exposure in order to deny benefits to those who served; if that is accurate, it is shameful and an affront to many who put their lives on the line for our country.

The C-123 veterans deserve better than this. Given the vast evidence from the toxicology community, as well as documentation from the military, the VA must seriously reconsider its position on this issue. Those whose claims were denied deserve to have their files reopened

and reevaluated. And the claims that are still being processed must be given expedited, careful, and thoughtful review. This attention should be given to all C-123 veterans who, from 1972 to 1982, flew the same aircraft from the same bases and with the same mission.

We will continue to follow this issue closely. We look forward to a prompt response from you outlining the steps you plan to take to help the C-123 veterans.

Sincerely,

Suzanne Bonamici
Member of Congress