



---

## Uploaded to the VFC Website

▶▶ July 2014 ◀◀

---

This Document has been provided to you courtesy of Veterans-For-Change!

Feel free to pass to any veteran who might be able to use this information!

For thousands more files like this and hundreds of links to useful information, and hundreds of "Frequently Asked Questions, please go to:

[Veterans-For-Change](#)

---

*If Veterans don't help Veterans, who will?*

---

**Note:**

VFC is not liable for source information in this document, it is merely provided as a courtesy to our members & subscribers.



## *C-123K AGENT ORANGE TIMELINE:*

**mid-1950s:** C-123 transport enters Air Force service. Excellent short-field medium transport, two reciprocating engines (gasoline prop engines), with two jets added to most airplanes to become C-123K; about 350 built

**1962-1973:** C-123B and C-123K used for regular airlift (cargo, passenger, aerial delivery of cargo and paratroops, aeromedical evacuation) in Vietnam

**1961-1971:** UC-123 and UC-123K (C-123 with modifications for aerial spray) used for Operation Ranch Hand (spray of Agent Orange), and some used until 1971 for spraying insect control. "U" designation means modified for spray operations; U designation removed when spray apparatus is removed and C-123 resumes normal airlift missions

**1972-1982:** Remaining aircraft (less some given to South Vietnamese Air Force) returned to US, most of the UC-123K aircraft had spray gear removed and reverted to C-123K designation; some UC-1232K assigned to Rickenbacker Air National Guard Base for world-wide inspect spray operations

**1978:** Bill Kurtis of CBS News breaks Agent Orange – Vietnam veterans story

**1979 September:** Conway Report: in response to aircrew complaints by Westover aircrews re: overwhelming stench of aircraft #362 (*Patches*), USAF environmental survey team conducts inspection of 362 at Westover AFB, determines it contaminated with military herbicides. No air samples taken – note in 1979 no definitive test existed for presence of dioxin (TCDD)

**1981-1982:** All C-123K and UC-123K transferred to USAF aircraft boneyard (called AMARG) at Davis-Monthan for storage, salvage, resale

**1982:** *Patches* flown to USAF Museum, stored outside

**1994 December:** USAF Museum seeks to bring *Patches* inside museum building, conducts required bioenvironmental test (also because of employee concerns about smells and possible toxins); test by toxicologists Capt Wade Weisman and Dr. Ron Porter from USAF Brooks Laboratories determines *Patches* "heavily contaminated" on **all** test surfaces, requires all employees to begin wearing HAZMAT protection in or near *Patches*; no air samples taken. *Patches* eventually requires three separate decontamination efforts. Neither Weisman nor Porter will comment any longer re: this report – Weisman said he was physically threatened

**1996 April:** Wright-Patterson AFB and HQ USAF Surgeon General direct *Patches* access restricted to personnel in HAZMAT protection, plus 48 hour outside ventilation of aircraft before entry

**1996 October:** USAF Office of Environmental Law JAG officer Major Ursula Moul advises HQ Air Force Material Command **“I do not believe we should alert anyone outside official channels of this potential problem.”**

**1996 October:** Lieutenant General Farrell HQ Air Force Material Command informed by Mr. R. Shoneman, Executive Director of AMARG (the boneyard in Arizona) that C-123 fleet is contaminated, sales should be restricted, asks authority to destroy airplanes. Notes all tested aircraft were positive for dioxin contamination

**1996 December:** Major Ursula Moul, JAG officer in USAF Office of Environmental Law, advises GSA of need to cancel sales of surplus C-123s due to Agent Orange contamination

**1997 February:** civilian decontamination firm completes three-step decontamination of *Patches* at USAF Museum, costs \$57,000. Used wipe samples to conclude aircraft finally decontaminated

**1997 December:** Ms. Peggy Lowndes of GSA advises USAF Office of Environmental Law re: sales of aircraft to Walt Disney, her concerns about health and environmental threat, informs Moul about contaminated aircraft

**1997 March:** Major Ursula Moul, JAG officer in USAF Office of Environmental Law, writes Western Aviation, purchaser of surplus C-123K aircraft to cancel sale due to dioxin contamination and concern for public health “overriding concern for safety and our inability to risk endangering human lives.”

**1997 August:** Vice Commander Air Force Security Assistance Center (the USAF sales office to foreign governments) informs Secretary of the AF details of contaminated aircraft sold to foreign governments (Thailand and South Korea)

**1999 February:** Davis-Monthan AFB civilian employees at Boneyard submit Inspector General Complaint re: their dioxin exposure from working on stored C-123 fleet. Complaint surfaces at USAF Surgeon General Office (note: *I cannot find any record of resolution*)

**2000 April:** GSA court case to cancel contract with Western Aviation for sale of surplus C-123K aircraft; USAF toxicologist Dr. Ron Porter testifies the aircraft “are a danger to public health.” Judge orders sales contract voided

**2003 July:** Memorandum to ALCD/LCD, notes 100% contamination of all surfaces tested on *Patches*, and contamination of remaining C-123s stored at Davis-Monthan, discusses methods of disposal, concerns over ground contamination

**2007:** first known C-123 veteran claim denied - USAF retiree Lt Col Aaron Olmsted (Hartford, CT) pursued claim with VA, then appeal the denial, and finally hearing by

Board of Veterans Appeals. Judge at BVA ruled against Olmsted re: (1) veteran unable to prove the specific C-123K flown were used in Vietnam for spraying Agent Orange, and (2) veteran unable to prove the specific aircraft remained contaminated. Olmsted widow left with adult incapacitated son – her VA dependents claim was denied March 2012

**2008 August:** All C-123 aircraft at Davis-Monthan moved to special fenced HAZMAT storage area, and ordered airplanes ordered specially sealed (**note: I am double-checking this date**)

**2008 March/August:** Mr. Wayne Downs at Hill AFB, Utah reports C-123s are in HAZMAT storage, suggests EPA rules re: dioxin contamination can be skirted by shredding aircraft because shredded metal scraps don't have to be reported; expresses concern that having placed aircraft in HAZMAT storage inference could be made that in fact constituted recognition by USAF of C-123s as hazardous materials, which should have been reported to EPA and Arizona EPA. Discusses potential \$3.4 billion dollar fine

**2009 February:** Col Alvin Young, PhD USAF Ret, recommends destruction of remaining C-123K by smelting and specifically mentions the need to destroy them immediately due to concern that aircrews might learn of the Agent Orange contamination and pursue claims for illnesses with the VA. Later in separate email describes those aircrews as "trash-haulers, freeloaders" looking "for a tax-free dollar from sympathetic congressman." Uses title of "Senior Consultant to the Office of Secretary of Defense" in emails to USAF personnel. His title cited by USAF at Hill AFB and Davis-Monthan AFB as authority to destroy C-123 fleet

**2010 April:** remaining C-123K aircraft smashed, shredded and smelted as only environmentally responsible method of disposal; disposed of specifically to resolve all remaining worries about dioxin even though buyers exist for entire aircraft, engines, instruments, etc. Deceptive press release prepared in case of media inquiry; officials discussed need to avoid media attention

**2011 April:** Wes Carter starts his search for veterans' illnesses, discovers C-123 Agent Orange paperwork trail; veterans always knew our C-123s were used for Agent Orange but didn't realize planes remained contaminated. FOIAs submitted to USAF which released first known information about C-123 contamination, previously held in official channels only

**2011 October:** teleconference hosted by Sen. Burr's staff with reps from VA Veterans Benefits Administration and Public Health Division, at which time they explained the VA's perspective re: **contamination** and unlikely **exposure** – NOTE: these are two separate issues to the VA, with contamination being generally agreed upon but exposure denied by VA, using unique theory re: "dry dioxin transfer" and denies validity of wipe tests to show exposure risk

**2011 November:** Carter meeting at USAF School of Aerospace Medicine (USAFSAM) at Wright-Patterson AFB, to present veterans' research and request Surgeon General of the Air Force to investigate. USAFSAM research begun and report expected April 2012

**2011 November:** VA releases decision that aircrews were unlikely to have been exposed; cites research but some of the works cited are by authors who agree with exposure by aircrews, and some works cited are by authors who stated their work does not relate at all to issue of aircrew exposure, one way or the other

**2012 January:** Dr. Tom Sinks, deputy director of the CDC's Agency for Toxic Substances and Disease Registry, provides official opinion that aircrews were more likely than not exposed, that aircrews were exposed at even higher levels of toxicity than tests suggest because tests were performed more than a decade after aircraft stopped flying

**2012 January:** Letter to Secretary of Veterans Affairs from president, Vietnam Veterans of America, asking that C-123 veterans received recognition for Agent Orange exposure

**2012 March:** Dr. Jeanne Stellman, Professor at Columbia University's Mailman School of Public Health and Dr. Fred Berman, Director of the Toxicology Program at Oregon Health Sciences University, each provide detailed Independent Scientific Opinions that aircrews were more likely than not exposed to dioxin at harmful levels. Note: VA uses language of "more likely than not" as wording in favor of a veteran's claim, thus that wording in these opinions

**2012 March:** Washington meeting hosted by Sen Burr's staff with senior representatives of VA, including Mr. Jim Simpsel, Dr. Wendy Dick, Dr. Terra Irons and others, with Wes Carter and Dr. Jeanne Stellman representing C-123 veterans. VA explained their continued insistence that veterans were not exposed; offered compromise suggestion of referring question to Institute of Medicine for special report with hoped-for results by end of 2012

**2012 April:** *Poster*, display by VA Public Health at Society of Toxicology conference, by Dr. Terra Iron and Dr. Wendy Dick. Addresses Blue Water Navy and C-123 issues

**2012 May** USAF School of Aerospace Medicine report due. Quiet backchannel information is that senior AF wordsmithed and watered down 40-page document from four-person PhD research team into five pages of mild, opaque overview deleting vital conclusions put forth by research team; report claimed USAF unable to determine exposure either way, and subsequent letters said VA should not use the USAF report to guide any individual veteran's Agent Orange claim

**2012 June:** First C-123 veteran's Agent Orange claim denied, using boiler-plate language from VA publications and including no individual assessment

**2012 August:** USAF team briefs Senator Burr's staff, includes via teleconference Dr. Fred Berman of Oregon Health Sciences University, Dr. Richard Clapp of Boston University, and Major Wes Carter, as they explained general AF conclusion that crews were not exposed

**2012 September:** Portland VA approves Wes Carter's Agent Orange application, requests advice from VA HQ, which recommends denial. Portland VA requests information confirming Wes Carter's service *aboard* C-123 from the Joint Services Records Research Center, which answered instead they couldn't confirm *exposure* and the VA should refer to its own website

**2012 September:** VA Compensation Service recommends denial of Wes Carter's Agent Orange application by rejecting all scientists' expert opinions because they weren't physicians, and by concluding TCDD hasn't been shown to cause harm. Dr. Wayne Dwernychuk responds he was left dumbfounded by that statement

**2012 October:** Dr. Wayne Dwernychuk issues independent scientific opinion that C-123 crews most likely were exposed to harmful amounts of dioxin

**2012 October:** VA Under Secretary for Benefits General Allison Hickey wrote Wes Carter explaining "secondary" exposure to Agent Orange not covered for benefits. 2012 November: VA Public Health releases newest bulletin on Agent Orange for veterans exposed outside Vietnam, and includes C-123 veterans with Thailand and Blue Water Navy as those who are able to submit claims if able to prove exposure

**2012 November:** VA releases latest Agent Orange exposure bulletin, including C-123 veterans in same category as Thailand and Blue Water Navy veterans from the Vietnam War, and stating such veterans must prove exposure but presumptive illnesses would not have to have medical nexus reestablished