

**NINETY-SIXTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Charlotte, North Carolina
August 26, 27, 28, 2014**

Resolution No. 133: Designate United States Air Force C-123K Transport Aircraft as Agent Orange Exposure Sites

Origin: Maryland

**Submitted by: Convention Committee on Veterans Affairs & Rehabilitation
(Consolidated with Resolution No. 254 (IL))**

WHEREAS, The levels observed in the C-123K aircraft greatly exceed the Department of Defense's (DoD) own standards for maximum permissible exposure to any dioxin contaminating interior surfaces; and

WHEREAS, Other federal agencies have reviewed the data and concurred that exposures to personnel at levels exceeding DoD recommendations are likely to have occurred; and

WHEREAS, In response to the State of Arizona and U.S. Environmental Protection Agency environmental concerns, the U.S. Air Force withdrew the aircraft from commercial resale, quarantined them and, in April 2010, ultimately took extraordinary disposal measures and smelted the remaining fleet; and

WHEREAS, It is estimated that approximately 1,500 servicemembers, including aircrews and maintenance personnel were exposed to military herbicide-contaminated conditions on the C-123K aircraft; and

WHEREAS, Many of these personnel, still surviving, now have health problems commonly associated with herbicide exposure and have endured lengthy legal struggles to prove these problems are service-related; and

WHEREAS, The Secretary of the Department of Veterans Affairs has statutory responsibility to accurately designate situations and locations that caused veterans to have been exposed to military herbicides used in Vietnam, as well as their contaminants; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Charlotte, North Carolina, August 26, 27, 28, 2014, That The American Legion work with Congress and the Department of Veterans Affairs to promptly designate the C-123K aircraft, in the United States, as having been Agent Orange exposure sites to permit veterans who were aircrew or maintenance personnel to be eligible for Agent Orange-related benefits.