

THE AMERICAN LEGION, DEPARTMENT OF MICHIGAN

RESOLUTION: 04-8-C

SUBMITTED BY: American Legion National Headquarters

SUBJECT: The Establishment of Amyotrophic Lateral Sclerosis (ALS)  
as a Gulf War Presumptive Disease

RESOLUTION

- WHEREAS, Amyotrophic Lateral Sclerosis (ALS) is a fatal neurological disease that controls muscle movement and neither a cause or effective treatment for ALS is known; and
- WHEREAS, Preliminary findings of a joint Department of Veterans Affairs (VA) and Department of Defense (DoD) study, released in December 2001, of nearly 2.5 million veterans indicated that deployed Gulf War veterans are twice as likely as their non-deployed counterparts to develop ALS; and
- WHEREAS, The VA study initially identified 40 Gulf War veterans with ALS and there may be other Gulf War veterans currently suffering from ALS yet to be identified; and
- WHEREAS, The Secretary of Veterans Affairs ("Secretary") announced that he would explore VA's options for compensating Gulf War veterans who subsequently develop ALS; and
- WHEREAS, VA subsequently directed all VA regional offices to submit all Gulf War ALS cases to VA Central Office for expeditious adjudication; and
- WHEREAS, Despite the Secretary's announcement and subsequent action, VA did not have plans to draft a regulation establishing an ALS presumption under current law guaranteeing compensation for Gulf War veterans who develop ALS in the future; and
- WHEREAS, The joint VA and DoD study was published in the scientific journal "Neurology" in September 2003, resulting in the Secretary to publicly announce that this "final study" supports his 2001 decision to compensate Gulf War veterans stricken with ALS; and

WHEREAS,

Despite this public announcement and the Secretary's initial decision to expeditiously service-connect, on a direct basis, Gulf War veterans diagnosed with ALS, VA recently informed The American Legion that it would be "premature" at this time to create a regulatory presumption of service connection for Gulf War veterans with ALS; now, therefore, be it

RESOLVED,

That The American Legion pursue specific legislation to establish ALS as a condition presumed to be service-connected when incurred by veterans of the Gulf War.