

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

Resolution No. 20: Presumptive Conditions for Former Prisoners of War

Origin: Georgia

Submitted by: Convention Committee on Veterans Affairs & Rehabilitation

WHEREAS, In its interest for the welfare of all those who have served in the nation's Armed Forces, one of the major concerns of The American Legion has been the welfare of those who have been prisoners of war (POWs); and

WHEREAS, The American Legion has supported various legislative measures intended to alleviate the disabilities that afflict former POWs as a result of experience during internment; and

WHEREAS, In the past, The American Legion supported enactment of Public Law 97-37, the Former Prisoners of War Benefits Act of 1981, approved August 14, 1981, and the presumptions included in Public Law 100-322; and

WHEREAS, Continued scientific observation of their condition during the years subsequent to their internment indicates additional health problems probably associated with the conditions of their internment; and

WHEREAS, The United States has a fundamental obligation to do everything possible to alleviate any and all health problems of former POWs and see to their physical, social, and economic well-being; and

WHEREAS, The American Legion believes there is a need to further modify the current provisions of title 38, United States Code, that provide for former POWs; 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 shall support legislation to amend section 1112 of title 38, United States Code, so as to provide presumptive service connection for the following conditions in the absence of demonstrable inter-current disease or injury:

- 1. Hepatitis or other infectious diseases of the liver;**
- 2. Arthritis, including osteoporosis;**
- 3. Chronic pulmonary disease (where there is a history of forced labor in mines during internment);**
- 4. Chronic liver disease;**
- 5. Adult-onset diabetes; and, be it further**

RESOLVED, That The American Legion seek legislation to be enacted to rescind the requirement in section 1112(b) of title 38, United States Code, that a POW must be held in captivity for at least 30 days to receive benefits and compensation for any presumptive disabilities, specified in that section, that were incurred in captivity; and, be it finally

RESOLVED, That The American Legion shall support any and all efforts on the part of the United States government to alleviate and ameliorate social, economic, and physical disabilities experienced by former POWs where such disabilities can reasonably be attributed to the effects of internment by the enemies of the United States.