

APPENDIX Q

PRECONFIRMATION QUESTIONS FROM THE U.S. SENATE COMMITTEE
ON VETERANS' AFFAIRS TO HON. HERSHEL GOBER AND THE
RESPONSES:

QUESTION AND RESPONSE NUMBER 39

1999	16.9
2000	18.9
2001	21.1

Question 38. Does VA formally segregate “environmental hazard” cases from other Persian Gulf veteran claims in order to ensure that regional office personnel give these complex claims unique consideration? If so, please explain how these are segregated, what criteria are applied. Also, provide copies of all written policies on this issue (including any changes made after redistribution of Persian Gulf veteran claims to all Regional Offices).

Answer 38. Although we specifically “track” environmental hazard claims, we do not “segregate” these claims from others in the adjudication process. We have provided regional offices with a list of environmental hazards to serve as a guide in identifying these Gulf War claims for purposes of tracking. A copy of VA Circular 20-92-29, and VA Manual Provision M-10, Part III, Chapter 1, are included as Attachment 6.

Question 39. Are all “signs and symptoms” unrelated to a diagnosis considered to be ratable “inferred” issues that appear in the record but are not specifically articulated by the veteran as a claim for compensation? Please provide copies of any written policy or guidance on this issue.

Answer 39. Yes. Examples of signs and symptoms which may be manifestations of undiagnosed illness are contained in 38 CFR 3.317(b). These examples are not meant to limit the range of conditions that may be considered under this regulation. A copy of 38 CFR 3.317 is included as Attachment 7.

Question 40. Is there any medical or scientific evidence to support a conclusion that undiagnosed illnesses related to service in the Persian Gulf would appear many years after that service?

Answer 40. As suggested in my response to Question 36, there is insufficient evidence at this time to support a definitive conclusion as to when undiagnosed illnesses could be expected to appear. It is our hope and expectation that by the year 2001, we will have results of ongoing