June 21, 2010

Honorable Bob Filner, Chairman
U.S. House of Representatives
Committee on Veterans' Affairs
335 Cannon House Office Building
Washington, DC 20515

Dear Chairman Filner:

Thank you for allowing The American Legion to participate in the Committee hearing on Health Effects of the Vietnam War – The Aftermath on May 5, 2010. I respectfully submit the following in response to your additional questions:

1. **VA has expressed concerns about the feasibility of mustering a statistically significant sample size of participants in the NVVRS; not just due to difficulties in locating all of the participants, but also to concerns that some of the original participants may be reluctant to participate. Do you share their concern that reluctance on the part of participants in the NVVRS may be problematic?**

   Mr. Chairman, The American Legion does share a concern if there are no original participants to take part in the study. However, we do feel that VA should conduct the study, and as long as a representative sample is found the results would be valid. During the 2001 NVVLS study, the researchers estimated that 8.5 percent of the Vietnam-era veterans who originally participated in the first NVVRS, had died. Therefore we can anticipate a significantly reduced number of participants. We recommend that VA provide the number of remaining original participants and request their participation in the upcoming study.

   In conclusion, The American Legion again applauds the addition of a consent form and VA's promise that study participation will not affect the participants' VA benefits or VA health care; however, we also have further concerns over other language in the form or lack thereof. Left out of the consent form was the lack of assurance of confidentiality of the veterans identifying information. This could make potential veteran participants, to include original participants, reluctant to participate in the upcoming study; which may in turn invalidate the study.

2. **Do you share GAO's concerns about VA's requirements that the NVVLS contractor provide them with the identifying information of participants in the study?**

It is The American Legion's belief that the identifying information should be used for conducting the **NVVLS study only**. According to researchers and methodologists, to encourage participation for previous NVVRS participants, veterans were assured confidentiality of their identifying information. This confidentiality served as a factor to motivate veteran participation in the past and should be included on the upcoming NVVLS consent form.

VA's NVVLS consent form will lack assurances of confidentiality, because it states VA will in fact take possession of study participants' indentifying information. We also share concerns that this may minimize veteran participation in the study.

Thank you for your continued commitment to America's veterans and their families

Sincerely,

Joseph Wilson, Deputy Director
Veterans Affairs & Rehabilitation Commission