

House Veterans Affairs Committee
Member Day Hearing
May 16, 2018

Written Testimony of Rep. Joseph P. Kennedy, III

Chairman Roe and Ranking Member Walz, thank you for holding this important hearing and giving members who do not normally work directly with your Committee the opportunity to testify today.

Veterans and their families are in every congressional district across the country. As members of Congress, we can and must do more to support them as they have fought for and defended us.

I would like to take this opportunity to highlight access to civil legal aid, an issue that does not always make it to the forefront of the discussion impacting veterans and their families but is an indispensable piece of many of the challenges facing the veteran community.

In June 2017, the Department of Veterans Affairs (VA) released results of its annual Project CHALENG (Community Homelessness Assessment, Local Education and Networking Groups for Veterans) survey. The survey results, identifying the highest unmet needs for veterans, were startling. According to the homeless veterans and social service providers participating, several of the top unmet needs of homeless veterans involved legal assistance, including for eviction and foreclosure issues, helping restore a driver's license, assistance related to outstanding warrants and fines, child support issues, and discharge upgrades. Many of the other top unmet issues also involved a legal component, including family reconciliation assistance and credit counseling.

But perhaps most startling is that these same unmet legal needs keep showing up year after year on the VA's annual survey. This is unacceptable. More importantly, this is a solvable problem.

In some respects, the problem is two-fold. First, it is unclear whether the VA has the proper statutory authority to dedicate even its already appropriated funds to legal aid for veterans, and second, we do not provide sufficient funding to meet the need for legal aid nationwide.

Within its existing authority, the VA has taken great strides in tackling this issue. There are now at least 165 free legal clinics for veterans operating in VA Medical Centers, Community Based Outpatient Clinics, and Vet Centers across the country. In November 2017, then-VA Secretary David Shulkin signed a Memorandum of Agreement with the American Bar Association, The Veterans Consortium, and the National Law School Veterans Clinic Consortium to increase and improve access to free legal services for veterans.

A great example is the existence of medical-legal partnerships (MLPs) at certain facilities. These programs connect a lawyer with a veteran's medical providers so that they can work as a team. While a veteran receives needed medical care, the lawyer may address any legal issues that also pose an obstacle to that veteran's well-being. Lawyers can identify issues impacting anything from access to housing and health care, or resolving financial scams and family disputes. MLPs are one way we can provide comprehensive care to the veteran. And it is a cost effective model,

with studies demonstrating that MLPs improve health outcomes while driving down health care costs.

However, these clinics only operate to the extent legal aid providers and partners can supply their own funding to operate. The VA provides the space, but no funding. They exist in only a fraction of the more than 1,200 VA health care facilities nationwide. Whether or not our veterans get the legal help they need should not depend on their zip codes or solely on the generosity of volunteers.

Despite these clinics, the need for access to legal aid far exceeds the availability. The main VA programs that could help homeless veterans and their families get the legal help they need, including the Supportive Services for Veteran Families (SSVF) and the Grants and Per Diem Program, both have limited statutory authority to require grantees to provide legal aid and inadequate funding for the authorities they do have.

Chairman Roe and Ranking Member Walz, I implore this Committee and this Congress to explore ways we can increase veterans' access to civil legal aid. The reverberating effects of veterans having access to lawyers to help resolve legal issues can be transformational to the veterans and their families. With investment from Congress, I believe we can have a significant positive impact.

Thank you for your consideration. I stand ready to work with you.

Joseph P. Kennedy, III
Member of Congress