



Statement for the Record of the

NATIONAL COALITION
for **HOMELESS VETERANS**

House of Representatives
Committee on Veterans' Affairs
Subcommittee on Oversight and Investigations

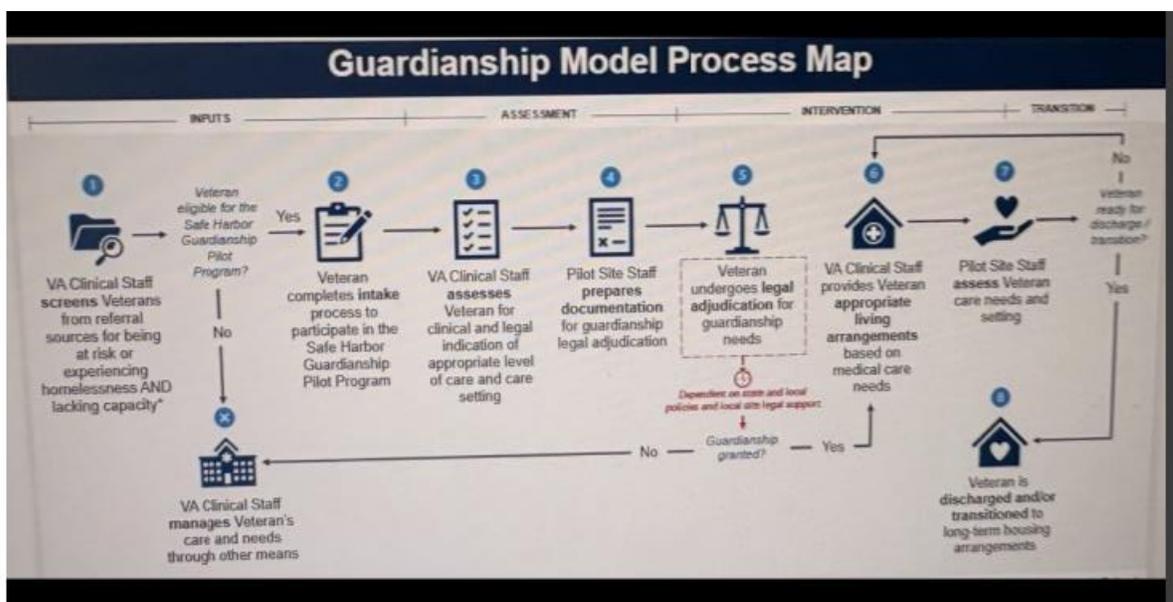
Hearing on Pending Legislation

March 25, 2026

We write to share our views on the draft Veterans Care Protection Act. In the last two weeks, we have seen the announcement of the Department of Veterans Affairs (VA) and Department of Justice (DOJ) Memorandum of Agreement on guardianship, disappointing responses from a VA witness at a March 18, 2026 hearing, and documents about VA’s Project Safe Harbor entered into the hearing record. *NCHV must make clear that we oppose efforts to utilize the guardianship process to address veteran homelessness*, whether via the draft Veterans Care Protection Act or the related VA-DOJ MOU on Guardianship. We use VA’s internal documents, submitted for the record in last week’s hearing, to help illustrate our concerns.

Guardianship proceedings should be a last resort, given their impact.

While we acknowledge that there are extreme situations where guardianship proceedings are reasonable, it should be a last resort, rather than the default option immediately after intake.



VA slide detailing proposed guardianship model process map under Project Safe Harbor, indicating eligible veterans will complete Safe Harbor intake immediately after being screened for being at risk of or experiencing homelessness¹

Guardianship strips a veteran of authority to make critical choices, including the type of care they access and where and how they receive that care. It can also affect whether they can vote or marry, where they are able to live and even decisions on end-of-life care. While there may be need for assistance with care decisions, surely there are other routes that could be pursued, leaving guardianship as the final resort when others are insufficient. Guardianships are also difficult, if not impossible to terminate.

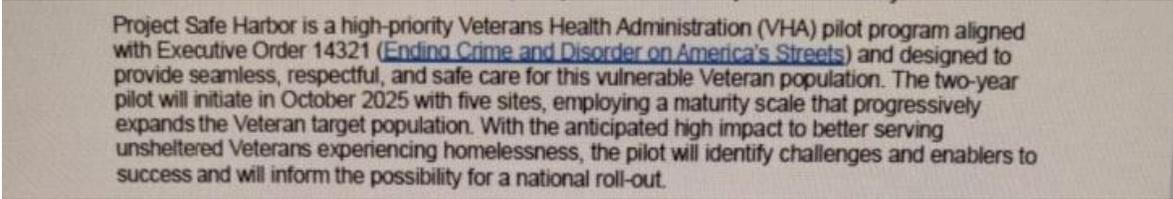
VA appears to have pursued DOJ partnership to accelerate Project Safe Harbor.

Involuntary civil commitments and guardianship proceedings are not sensible solutions to address veteran homelessness. However, documents entered into the record after the March 18 hearing imply VA believed that to be the case for veterans experiencing and at risk of homelessness. The Department sought

¹ *Hearing on Pending Legislation: House Committee on Veterans Affairs, 119th Congress (2026); (Documents submitted for the record by Representative Mark Takano). <https://docs.house.gov/meetings/VR/VR00/20260318/119040/HHRG-119-VR00-20260318-SD010.pdf>*

legislative relief and greater partnership with DOJ to ensure Project Safe Harbor could be implemented to their desired maturity level.

It appears VA's interest in utilizing guardianship to address homelessness in earnest emerged following Executive Order 14321², which did not reference the Department of Veterans Affairs or assign it a role in this area.



Project Safe Harbor is a high-priority Veterans Health Administration (VHA) pilot program aligned with Executive Order 14321 ([Ending Crime and Disorder on America's Streets](#)) and designed to provide seamless, respectful, and safe care for this vulnerable Veteran population. The two-year pilot will initiate in October 2025 with five sites, employing a maturity scale that progressively expands the Veteran target population. With the anticipated high impact to better serving unsheltered Veterans experiencing homelessness, the pilot will identify challenges and enablers to success and will inform the possibility for a national roll-out.

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VA description of Project Safe Harbor from Safe Harbor Guardianship Project Charter.

Stated goals of the project were to identify challenges and enablers to set up a model for guardianship referrals nationwide. While VA had existing authorities in place to refer veterans for guardianships and allowed Medical Center staff to continue to utilize them, it appears VA sought out new authorities to utilize guardianship processes as a response to homelessness and in doing so, opened the aperture to guardianship proceedings for additional groups of veterans.

² Executive Order 14321, (2025). <https://www.govinfo.gov/content/pkg/DCPD-202500793/pdf/DCPD-202500793.pdf>

³ *Hearing on Pending Legislation: House Committee on Veterans Affairs*, 119th Congress (2026); (Documents submitted for the record by Representative Mark Takano). <https://docs.house.gov/meetings/VR/VR00/20260318/119040/HHRG-119-VR00-20260318-SD010.pdf>

Key Updates:

- Pilot sites submitted the first monthly update on November 14, including key accomplishments, challenges, lessons learned, and select metrics. Pilot sites briefed the National Workgroup on November 21, 2025.
 - All five pilot sites reported having initiated implementation of the Safe Harbor Pilot Program and are currently working on Maturity Level 1: Foundational and Planning Tasks.
 - Metrics on process utilization from the beginning of the pilot, including inpatient boarding and referral sources, will be collected in December.
 - Bridge QUERI is developing additional metrics and a program evaluation plan for implementation in January.
- Pilot Sites are developing baseline needs assessments and action plans. The National Workgroup will review action plans and work with sites during a virtual sequester December 9-11, 2025.
- Scheduling a meeting with Mr. Bartrum and OGC to review OGC recommendations on guardianship.

Challenges:

Topic	Challenge	Mitigation
Confirming legal guardianship authorities for pilot sites	OGC is awaiting a decision from the Department of Justice (DOJ) on a request for authorization to pursue litigation and provide guardianship legal services through contracts or regional counsel to VA sites.	OGC has concurred with sites continuing to use their current mechanisms for legal support. The pilot is able to proceed while delegation of authority from DOJ is pending.

Upcoming Key Meetings:

Date	Meeting Title	Description/Purpose
December 9-11, 2025	National Workgroup Sequester Meeting (virtual)	Feedback on Baseline Needs Assessments & Action Plans
January 21, 2025	National Workgroup Meeting	Pilot Site and Workstream Progress Updates

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VHA Project Safe Harbor Weekly Updates November 3-14, 2025.

Guardianships can disincentivize veterans from seeking care.

Placed in the context of extraordinarily successful national efforts to end veteran homelessness, we are concerned this bill will disincentivize veterans from seeking care at VA and through VA-funded homeless programs. Placing veterans in guardianships as a policy response to a housing challenge makes it less likely that veterans will engage with outreach workers once they understand the implications of this policy. Further, the need to disclose personal health information to courts to make guardianship potential guardians, in violation of privacy laws under 38 USC 7332, would deter veterans from seeking care with VA or other community providers. Outreach staff have the most challenging role in the homeless services network, needing to build rapport with people who have struggles, and may already distrust shelter outreach staff, or VA, or anyone who stops to talk to them. If we are serious about ending unsheltered veteran homelessness, we need to avoid creating programming that could disincentivize a veteran from accessing care at VA.

The Potential for Expansion is Concerning.

VA’s initial documentation for Project Safe Harbor indicated it would focus first on veterans seeking emergency room care and “lacking capacity to make appropriate medical and social decisions for

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themselves, consistent with state laws.” It is unclear whether veterans dealing with poverty and/or a lack of stable housing will be interpreted as lacking capacity to make social decisions.

Further, VA Safe Harbor documentation indicates an interest in expanding the reach of this initiative beyond inpatient care settings in level 3, into serving “veterans who are at risk or experiencing unsheltered or sheltered homelessness and lack capacity*” in level 4 and “veterans who are experiencing unsheltered homelessness and lack capacity* through the guardianship model not in VA Programming.”

Maturity Level	Pilot Site Specifications
Level 1 Complete Foundational and Planning Tasks	<ul style="list-style-type: none"> Site confirms pilot participation and participates on National Safe Harbor IPT <ul style="list-style-type: none"> Each site should identify 2-3 individuals to serve on the National IPT, to include at least one Facility Executive Leadership Team (ELT) member. Site representatives are responsible for overseeing specific site actions, sharing lessons learned, and collaborating with other sites and National partners. Site forms a Safe Harbor local workgroup responsible for local pilot planning, implementation, reporting, and evaluation. Site conducts baseline needs assessment, and action plan to implement the program locally <ul style="list-style-type: none"> Action plan will include a staffing plan, training plan, facilities plan, and communications/outreach plan.
Level 2 Establish Guardianship Model for Sheltered and Unsheltered Veterans Experiencing Homelessness	<ul style="list-style-type: none"> Site develops site-specific guardianship model, to include referral and care process, and roles and responsibilities, in alignment with pilot site requirements, documented in a SOP or similar document. Site allocates at least 1.0 FTEE for program <ul style="list-style-type: none"> National Program Offices will provide temporary Special Purpose Funds equivalent to 1.0 FTEE Social Worker for each site. Site establishes guardianship steering committee responsible for the oversight of the guardianship program and adherence to ethical responsibilities. Site has access to legal services for guardianship, in coordination with the Office of General Counsel; legal services through regional counsel or alternative are acceptable.
Level 3 Serve Veterans Experiencing Homelessness in Inpatient Care	<ul style="list-style-type: none"> Site serves Veterans who are at risk or experiencing homelessness and lack capacity* who are referred from Inpatient Care through the guardianship model.
Level 4 Serve Veterans Experiencing Sheltered or Unsheltered Homelessness in Programming	<ul style="list-style-type: none"> Site serves Veterans who are at risk or experiencing unsheltered or sheltered homelessness and lack capacity* who are in VA Programming through the guardianship model.
Level 5 Serve Veterans Experiencing Unsheltered Homelessness Not in VA Programming	<ul style="list-style-type: none"> Site serves Veterans who are experiencing unsheltered homelessness and lack capacity* through the guardianship model not in VA Programming.

*Defined as lacking capacity to make appropriate medical and social decisions for themselves, consistent with state laws

VA slide detailing Safe Harbor Pilot Site Maturity Levels.

In Conclusion

Newly available information about VA’s intent to utilize guardianship as a path to address unsheltered homelessness, has increased NCHV’s concern about the risks posed to veterans. Both The Veterans Care Protection Act and the March 11 VA-DOJ Guardianship MOUs represent a dangerous step toward that risk becoming a reality for hundreds of veterans.

We urge the committee to oppose callous use of guardianship to resolve housing instability and request that the Committee push VA and DOJ to rescind its March 11, 2026 MOU. Thank you for your

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longstanding partnership in ensuring every veteran has a safe place to sleep, as they pursue life, liberty, and happiness.