



March 25, 2026

The Honorable Mike Bost
Chair, House Veterans Affairs Committee
364 Cannon House Office Building
Washington, DC 20515

The Honorable Mark Takano
Ranking Member, House Veterans Affairs Committee
2078 Rayburn House Office Building
Washington, DC 20515

The Honorable Jen Kiggans
Chairwoman, Subcommittee on Oversight
and Investigations
152 Cannon House Office Building
Washington, DC 20515

The Honorable Delia Ramirez
Ranking Member, Subcommittee on Oversight
and Investigations
1523 Longworth House Office Building
Washington, DC 20515

Re: Opposition to Discussion Draft of Veterans Care Protection Act

Dear Chair Bost, Ranking Member Takano, Chairwoman Kiggans, and Ranking Member Ramirez:

The undersigned members and allies of the Consortium for Constituents with Disabilities (CCD) Rights Task Force submit this statement for the record opposing a discussion draft titled the Veterans Care Protection Act. CCD is the largest coalition of national organizations advocating for federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society.

The draft legislation purports to give the Department of Veterans Affairs (VA) authority to file petitions in state courts seeking to have veterans admitted to VA medical centers placed under guardianship. Guardianship is an extraordinary measure that would strip those who have served our country of the right to make their own decisions about the most basic aspects of their lives, such as choices about where to live and what health care they receive. It would deprive them of the right to vote, the right to marry, and the right to engage in basic financial transactions. For these reasons, guardianship is sometimes referred to as “civil death.” Claude Pepper, former Chair of the House Select Committee on Aging, once stated at a hearing that:

The typical ward has fewer rights than the typical convicted felon By appointing a guardian, the court entrusts to someone else the power to choose

where they will live, what medical treatment they will get and, in rare cases, when they will die. It is, in one short sentence, the most punitive civil penalty that can be levied against an American citizen, with the exception . . . of the death penalty.¹

Placing veterans under guardianship will do nothing to address the real issue that these veterans face. Many veterans are unable to access the community-based services and housing that they need. That situation has become even more dire as the VA has significantly cut critical mental health services in recent months.² Indeed, three months ago the Ninth Circuit Court of Appeals affirmed a ruling that the VA had placed thousands of homeless veterans with mental illness in West Los Angeles at serious risk of institutionalization in violation of federal law by failing to provide them with the community services and supported housing that they needed.³ Appointing guardians will not expand the community services and housing available to veterans. Instead, guardianship is likely to be used as a means to place veterans in nursing facilities and other institutional settings where they would not willingly choose to live.

Guardianship should not be used as a substitute for investment in housing and community-based services.⁴ Services that have proven highly successful in serving people with disabilities who may be more difficult to engage and in achieving good health outcomes—such as peer support services, assertive community treatment (ACT), and Housing First—should be provided before someone’s right to make decisions is taken away. A recent article discussing the VA’s new initiative highlights expert recommendations that, rather than employing guardianship, “the most extreme tool available,” the VA should first use “research-based approaches that can stabilize vulnerable veterans without removing their legal autonomy.” Such approaches include “stabilizing housing and building trust” through Housing First programs, which increase voluntary engagement in services; using Critical Time Intervention, which provides intensive time-limited support “during key transitions—such as discharge from hospitals, shelters, or incarceration—when individuals are particularly vulnerable to instability;” using Assertive Community Treatment (ACT) teams to deliver services in homes, shelters, and community

¹ [H.R. Rep. No. 100-641](#), Statement of Claude Pepper before the Subcomm. on Health and Long-Term Care of the Special Comm. on Aging, 100th Cong., 1st. Sess. 4, 5-10 (1987).

² See, e.g., Vernal Coleman et al., [Veterans Who Need Mental Health Care Keep Losing Their Therapists Under Trump](#), Pro Publica (Mar. 12, 2026), Zara Abrams, [Deep cuts and restructuring at the VA are diminishing care](#), American Psychological Ass’n News (March 1, 2026).

³ [Powers v. McDonough](#), 163 F.4th 1162 (9th Cir. 2025).

⁴ See, e.g., Monica E. Oss, [The Guardianship Question](#), OPEN MINDS (March 19, 2026) (discussing the VA’s guardianship initiative).

settings; and “using peer support programs with HUD-VASH, which combines housing vouchers with case management and has been credited with reducing veteran homelessness when adequately funded.”⁵

While the VA has relied for decades on community resources such as public guardianship programs to file petitions in the rare circumstance where a guardianship is needed, the VA claimed at a [hearing](#) last week that suddenly it has 700 veterans in VA facilities for which it believes there is no option but for the VA to file its own guardianship petitions. That is an extraordinary number, explicable only by the [internal VA documents](#) entered in the Congressional record at that hearing. Those documents indicate that the VA’s guardianship initiative was designed to target homeless veterans and implement the Executive Order on Ending Crime and Disorder on America’s Streets. That Executive Order embraces the use of institutionalization and coercive strategies to address the needs of homeless people. It is extremely troubling for veterans to face the prospect of losing their basic rights based on an initiative grounded in political strategy rather than good care. It is equally troubling that the VA plans to litigate as an adverse party to any veterans who choose to contest a guardianship petition.

Further, we believe the VA has inappropriately tried to circumvent Congress, making an end-run around the need for statutory authority to litigate guardianship petitions. It has done so by entering a [Memorandum of Understanding](#) (MOU) with the Justice Department to appoint VA attorneys as Special Assistant U.S. Attorneys for the purpose of filing and litigating guardianship petitions. We are not aware of the Justice Department ever having litigated a guardianship petition before, nor are we aware of any source of authority for the Justice Department to take action under state guardianship laws.

Finally, we are concerned that the VA’s guardianship push may be even more sweeping than the VA has publicly indicated. While the VA’s witness at last week’s hearing insisted that the initiative is limited to veterans in VA medical centers, the internal VA documents identify plans to expand the initiative to homeless veterans on the streets and to veterans who are not being served by the VA.

We urge you not to move forward with the Veterans Care Protection Act and to take action to stop implementation of the MOU between the VA and the Justice Department.

⁵ *Id.*

Respectfully,

Access Ready, Inc.

Alliance for Rights and Recovery

American Association of People with Disabilities

American Civil Liberties Union

American Therapeutic Recreation Association

Baltic Street Wellness Solutions

Bazelon Center for Mental Health Law

Center for Public Representation

CommunicationFIRST

Disability Rights Education and Defense Fund

Epilepsy Foundation

Kiva Centers

Let's Talk SAFETY, Inc./The PILLARS

National Alliance to End Homelessness

National Academy of Elder Law Attorneys

National Disability Rights Network

National Health Law Program

Quality Trust for Individuals with Disabilities

TASH

United Spinal Association

Youth MOVE National