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BEFORE THE
SENATE COMMITTEE ON INDIAN AFFAIRS**

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Good afternoon, Chairman Hoeven, Vice Chairman Udall, and distinguished Members of the Committee. Thank you for the opportunity to discuss the Department of Veterans Affairs' (VA) efforts to end homelessness among Veterans and specifically Native American Veterans, including legislation regarding the U.S. Department of Housing and Urban Development-VA Supportive Housing (HUD-VASH) Program. Unfortunately, VA did not receive the draft bill regarding this program in sufficient time to fully coordinate views on the bill. We will follow up with the Committee as quickly as possible to provide comments on the draft bill.

Ending homelessness among all Veterans, including Native American Veterans, is a VA priority. The HUD-VASH Program is a collaborative program between HUD and VA which combines HUD housing choice vouchers with VA supportive services to help Veterans experiencing homelessness and their families find and sustain permanent housing. Through public housing authorities, HUD provides rental assistance vouchers for privately owned housing to Veterans eligible for VA healthcare services who are experiencing homelessness. VA case managers connect these Veterans with support services such as health care, mental health treatment, and substance use counseling to help them in their recovery process and with their ability to maintain housing in the community. Among the VA programs addressing Veteran homelessness, HUD-VASH

enrolls the largest number and largest percentage of Veterans who have experienced long-term or repeated homelessness. Since 2008, HUD-VASH has admitted over 180,000 homeless Veterans to case management.

Historically, legal rules have prevented Tribes or Tribally Designated Housing Entities (TDHE) from participating in the HUD-VASH program. In December 2014, Congress authorized funding for a Tribal HUD-VASH demonstration program, which targets housing and supportive services to Native American Veterans who are homeless or at risk of homelessness and who are living on or near a reservation or other Indian areas. Under the first-ever Tribal HUD-VASH Program, 26 tribes share \$5.9 million in funding for rental assistance. Case management and supportive services are primarily provided by VA for participating Native American Veterans.

Tribal HUD-VASH is modeled on the standard HUD-VASH program, which combines HUD rental assistance for homeless Veterans with VA case management and clinical services. In the program's first year, HUD and VA are working to implement the program and have begun to lease the 500 housing subsidies allocated for the demonstration program and to provide supportive services. Some of the rental assistance will be used as project based unit subsidies, supporting development of affordable housing stock on tribal lands. Consistent with other project based housing, some of these units are in development or otherwise not yet active.

Implementation of Tribal HUD-VASH

Tribal HUD-VASH is a program that requires strong collaborative and coordinated efforts from the involved partners, including VA, HUD, the tribes and tribal

housing authorities, as well as the tribal Veterans Service Officers and other community partners. In implementing this program, VA and tribal entities have developed policies and procedures related to assessment, screening, referral, and entry into the program, and have worked together to identify and engage eligible Veterans. Community partnerships are needed to ensure that additional resources are available for supports that VA is not able to provide, such as services for the Veteran's family members.

When a potentially eligible Veteran is identified, VA conducts the initial screening to determine if the Veteran meets basic eligibility criteria, including determination of homelessness or at risk of homelessness status, eligibility for VA health care, and the clinical need for case management services. As in the standard HUD-VASH program, eligible Veterans must agree to participate in VA case management to receive Tribal HUD-VASH assistance as one of the eligibility criteria, particularly as this program provides permanent supportive housing, not housing only. The tribally designated housing entity (TDHE) makes its own eligibility determination after VA referral. TDHE eligibility includes meeting Native American criteria, income threshold, and state lifetime sex offender prohibitions.

Goals of Tribal HUD-VASH include improved physical and/or mental health, employment, education, and/or goals the Veteran chooses for himself/herself. Substance use can have a significant impact on Veterans' ability to achieve and sustain housing stability and related goals, addressing substance use is a significant focus of the services provided to Veterans within the Tribal HUD-VASH program. Through Veteran-centered services, HUD-VASH case managers support Veterans to achieve

their goals regarding substance use and recovery, and Veterans are provided access to VA behavioral health care services and substance use treatment.

Tribes and TDHEs deliver tenant- or project-based rental assistance to eligible Native American Veterans who have been screened for eligibility by VA and the Tribe or TDHE. VA prioritizes eligible Native American Veterans with the greatest need for case management. VA must document the assessment and screening process in the Veteran's medical record and in VA's Homeless Operations Management and Evaluation System (HOMES). The tribe or TDHE must maintain written documentation of all referrals and housing eligibility screening in the Veteran's file, as well as electronically report participant data as required in the Federal Register implementation notice, Vol. 80, No. 203. VA may provide case management services directly or via contract with a Tribal health care provider for service delivery. A Tribe or TDHE may partner with VA to provide office space for the VA case manager, or VA, in coordination with the Tribe, or TDHE may partner with IHS to provide space for VA case management at an IHS facility. Services may include substance use treatment, mental health care, health care, job training, and education about tenancy rights and responsibilities.

Similar to the standard HUD-VASH program, Native Americans are housed under Tribal HUD-VASH based on a Housing First approach. This means that Veterans are provided housing assistance, along with case management and supportive services to foster long-term stability to prevent a return to homelessness. Housing First provides immediate access to housing without prerequisites, such as sobriety or the demonstrated absence of current substance use. This approach targets those who are

homeless and have complex clinical needs. There are two main components to Housing First: permanent housing and wrap around services to support continued tenancy. Housing First uses a treatment philosophy that is consumer-directed and Veteran-centric.

Housing First is a research-based approach based on the premise that supportive services are more effective when the daily stress of being homeless is relieved. The key principles of Housing First as it is applied under HUD-VASH policy are: respect, warmth, and compassion for all Veterans; Veteran choice and self-determination; a recovery-oriented approach; and utilization of Harm Reduction strategies to assist Veterans to understand and reduce the impact any substance use may be having on their housing stability and the achievement of their goals.

Informed by the evidence that housing stability enhances the ability of Veterans to seek and engage in appropriate health and behavioral health care services including substance use treatment, Housing First approaches do not require sobriety as a precondition for obtaining or sustaining tenancy, and such criteria are not required within leases. With a focus on Veteran-driven services, mandatory testing for substance use is not implemented, but assisting Veterans to achieve and sustain recovery is a significant focus of the case management and other supportive services delivered, and Veterans are linked to appropriate treatment and behavioral health care services as needed. VA and tribal grantees work together to establish eligibility, case management, outreach strategies and next steps. All partners work to develop processes that obtain and sustain housing for eligible Veterans. Every partner provides points of contact for all involved agencies. Additionally, VA and tribal grantees work with community

agencies such as tribal Veterans' services/offices, tribal law enforcement, health agencies, drug and alcohol service providers, and others to let them know about this potential resource for Native American Veterans who are homeless or at risk of homelessness.

Eligible Native American Veterans and their families pay no more than 30 percent of their monthly-adjusted income, as outlined in the Tribal HUD-VASH implementation notice. Tribes or TDHEs pay the difference between the rent and the Veteran's rent contribution with the Tribal HUD-VASH rental assistance. Tribes or TDHEs may also negotiate the inclusion of utilities in payment contracts with housing owners. Funds may cover any additional costs related to housing Native American Veterans under this program.

To date, Tribal HUD-VASH has 103 Veterans housed, with another 98 Veterans currently enrolled and in the process of becoming housed. Many of these Veterans are married or have children residing with them. In addition, several Veterans have engaged in employment opportunities, or have enrolled in education or training programs, now that they are housed.

With regard to other bills on the agenda, S. 1250, the Restoring Accountability in the Indian Health Service Act of 2017, we defer to the Department of Health and Human Services, Indian Health Service, for views and comments. We note for that same bill certain portions of the text reflects the language in 38 U.S.C. § 713(e), the constitutionality of which was successfully challenged in *Helman v. Department of Veterans Affairs*, case 2015-3085 (Fed. Cir. May 9, 2017). We defer to the Department of Justice for further comment on that issue. We defer to the Department of Housing

and Urban Development with respect to S. 1275, the Bringing Useful Initiatives for Indian Land Development Act of 2017 or BUUILD Act of 2017.

VA remains steadfast in our commitment to end homelessness among all Veterans, no matter their circumstance or background, with recognition of the special efforts needed to reach especially vulnerable Native American Veteran populations. We are fortunate to have robust partnerships with HUD, other Federal agencies, and tribal organizations in that effort. Thank you and I look forward to your questions.