

Prepared Statement of Joseph L. Falvey, Jr.
Nominee to be Judge, United States Court of Appeals for Veterans Claims

Good afternoon Chairman Isakson, Ranking Member Tester, and distinguished Members of this Committee. I am deeply honored to have been nominated by the President to serve as a judge on the United States Court of Appeals for Veterans Claims.

I am also honored to appear before the Committee today. In a sense, I am here representing not only myself but also my family, which is full of veterans. Not surprisingly, no one in my family has ever addressed a Senate Committee before, so I would like to take this unique opportunity to recognize the long line of veterans from which I come.

One hundred years ago, my grandfather served as an Army machine gunner with the American Expeditionary Force in France during World War I. At the end of World War II, my then 17-year old father enlisted in the Army-Air Corps and went on to serve in the Air Force through the Korean and Vietnam wars. My older brothers each served for 30 years and are Cold War era veterans. I myself served in the Marine Corps for 30 years, including service in Afghanistan. Two of my sons are Marine Corps infantry officers (one completed two combat tours in Afghanistan and the other is preparing for his second overseas deployment), one of my daughters is an Air Force officer, and a son-in-law and a daughter-in-law served in the Marine Corps. Many other close relatives also served, including my nephew, an Air Force veteran of Operation Iraqi Freedom, who will be buried at Arlington National Cemetery later this month.

Military service not only runs in my family, it runs deep within me. I believe this love of country and its veterans would serve me well on the Court of Appeals for Veterans Claims.

Throughout my life and my career in the Marine Corps and as an attorney, I have sought to serve my country and do my duty as best as I understand it.

Both law and war, it seems to me, impose duties on us in the present. We owe a tremendous debt to the Americans who came before us, who fought and died, who were wounded and mangled, in places like Belleau Wood, Iwo Jima, the Chosin Reservoir, Hue City, and Fallujah.

Such bloodshed made it possible to enact our higher law—the Constitution—and the laws of the United States that persist today, including the laws that come before the Court of Appeals for Veterans Claims. As Burke and Madison explained, our laws are an “inheritance . . . from our forefathers” that impose a “debt against the living.” It’s our duty, therefore, to abide faithfully by our laws, and judges have a special role in that effort.

This sense of duty is what drew me to the Marine Corps and to the law, and it’s why I am much honored to be nominated to the Court of Appeals for Veterans Claims. This Court, perhaps more so than any other court in the country, has a special calling to faithfully apply our nation’s laws to do right by the Americans who have sacrificed for it.

I have spent the past 37 years in public service and, if fortunate enough to be confirmed, I would be honored to grow gray in continued service of my country while seeking daily to do right by our laws and by our warriors.

I am committed to devoting the same level of energy and effort that I have brought to all my endeavors to ensure timely and fair resolution of the cases that come before me. I promise you that I would strive every day that I am a judge to deliver justice under the law to everyone who comes before me.

Thank you for the opportunity to appear before you today and for considering my nomination to this important court. I would be pleased to answer any questions you might have.