

Congress of the United States
House of Representatives
Washington, DC 20515-0530

HENRY A. WAXMAN
30TH DISTRICT, CALIFORNIA

Statement of Representative Henry A. Waxman
Local CARES Advisory Panel Public Hearing
September 22, 2005

I had very much wanted to join you, but the House of Representatives is in session, and we will have votes on the House floor throughout the day. I appreciate this opportunity, however, to have my statement read and be made part of the record.

I want to thank the veterans and other members of our community for attending today's meeting. I also want to thank the Local Advisory Panel members for their commitment and many hours of hard work.

As you know, the 387 acres of land that make up the West LA VA property have a unique national status. This status is the result of significant protections that were put into place to ensure the land is used to directly benefit our veterans. Our community believes these protections are sacrosanct. They date as far back as 1888, when John P. Jones and Arcadia B. de Baker donated the land to the National Home for Disabled Volunteer Soldiers on the condition that a branch of the home be permanently maintained. The West LA VA is the only remaining Old Soldiers home in our entire VA system.

An additional protection was put in place exactly 100 years later with the enactment of a measure authored by Senator Cranston -- Section 421(b)(2) of the Veterans' Benefits and Services Act of 1988. This law prohibits the VA from declaring as excess, or otherwise disposing of, 109 acres at the West LA VA. Additional restrictions were enacted in 1991 under the Veterans' Benefits Programs Improvement Act. Section 401 of that law prohibits the VA from entering into enhanced-use leases on any of the 109 acres. These two laws taken together have affectionately become known as the Cranston Act.

Another significant milestone for protecting the property was reached in the Veterans' Programs Enhancement Act of 1988, which mandated that the VA develop a long term master plan for the VA campus. After a failed attempt in 2001 to comply with this mandate, our County Supervisor, Zev Yaroslavsky, invited then-Secretary Principi to meet with the veterans and community about this disastrous process. We are fortunate to have Secretary Principi's follow-up letter to Supervisor Yaroslavsky in which the Secretary vowed not to allow the property to be used for commercial purposes. He also committed to initiating a new land use master plan. The veterans, community, and

elected officials have relied on Secretary Principi's assurances and believe the VA has an obligation to stand by them. (I have attached Secretary Principi's letter to Supervisor Yaroslavsky.)

In his May 2004 CARES decision, Secretary Principi recognized the West LA VA as a unique resource and stressed the importance of preserving the integrity of the land. He gave the VA's assurance that it would maintain the property for uses that serve to enhance the Department's mission. He reiterated his vow to develop a master plan for the campus. (I have attached a copy of Secretary Principi's May 2004 CARES decision.)

Today the VA and PwC will present a number of Business Plan Options. It is critical that the LAP take into account all of the limitations and protections that accrue to this important piece of land as they consider each Business Plan Option.

I urge the LAP to reject any Business Plan Option, Capital Planning Option, or Re-Use Option that in any way compromises the promises and protections we have extended to our veterans. Any plan that would potentially allow for commercial use, mixed use with a commercial component, private residential use, or sale or disposal of this property violates our commitment to our veterans and our promise to the family that generously donated the land.

I understand that a number of veterans will introduce a VETERANS OPTION to the LAP today. It calls for fully honoring the protections and conditions on this property. I strongly support this option and urge its adoption in a unanimous vote. We owe our veterans a debt of gratitude for their service and sacrifice. We can never repay them, but we can assure them that this land will continue to be theirs and we will provide them with the respect and services a grateful nation owes them.

Thank you.



THE SECRETARY OF VETERANS AFFAIRS
WASHINGTON

February 25, 2002

Mr. Zev Yaroslavsky
Supervisor, 3rd District County of Los Angeles
821 Kenneth Hahn Hall of Administration
500 W. Temple St.
Los Angeles, CA 90012

Dear Mr. Yaroslavsky:

Thank you for hosting the November 20, 2001, roundtable meeting in Los Angeles. I appreciated and enjoyed the opportunity to meet you and the other community stakeholders. I take very seriously all of the questions, concerns and comments presented at the roundtable and apologize for the delay in following-up on the issues you raised. I think it is very important that the Department of Veterans Affairs (VA) partner with and receive input from the local community and elected officials.

As I indicated at the meeting, I have no intention of going forward with the current 25-Year Land Use Master Plan. We will use and refine the Capital Asset Realignment for Enhanced Services (CARES) process to develop future capital asset and land use plans for the West Los Angeles campus. You have my assurance that this process will include community involvement. After the CARES process is complete, a new Land Use Master Plan will be initiated by the VA Desert Pacific Healthcare Network. During this process, the Network Director, Mr. Kenneth Clark, will ensure that the community is appropriately involved and that your concerns are addressed.

As part of the process through which we will develop a new Land Use Master Plan, we will be looking at enhanced use projects that are beneficial to veterans. For example, adding additional office space to the site so that the Regional Office can be collocated there. As stated to the group, I will not allow the property to be used for commercial purposes.

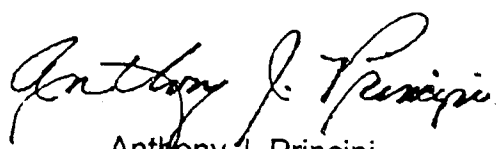
I fully support the provisions of the Cranston Amendment; however, I do not think it is appropriate to extend its provisions to the entire VA West Los Angeles campus.

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Mr. Zev Yaroslavsky

Once again, I appreciate your hosting the roundtable meeting. I look forward to your involvement in the development of a new 25-Year Land Use Master Plan that will serve both VA and the community.

Sincerely yours,


Anthony J. Principi

CARES Commission Recommendation

VII Excess Land Use *West LA Campus*

- 1 The Commission concurs with the DNCP proposal for the Network Land Use Planning Committee to address the use of VA land, especially the property on the West LA campus, with stakeholder input. The Commission recommends, however, that the committee be augmented with the addition of stakeholder representation on the committee in an advisory capacity.
- 2 The Commission concurs with the DNCP proposal for construction of a new clinical addition to consolidate clinical services.
- 3 The Commission recommends that any study involving excess or surplus property should consider all options for divestiture, including outright sale, transfer to another public entity, and a reformed enhanced use leasing process. VA should also consider using vacant space to provide supportive services to homeless veterans.

Secretary's Decision

VII Excess Land Use *West LA Campus*

Spread across 387 acres in an urban neighborhood, the West LA campus is a unique resource and it is important that VA preserve the integrity of the land originally granted for use as an Old Soldiers home. VA is committed to maintaining the property for uses that serve to enhance the Department's mission.

To ensure that VA has a clear framework for managing the vacant and underused property at the West LA campus, VA will develop a Master Plan for the campus in collaboration with stakeholders who will have input into the plan's development.

The Master Plan will be completed by the end of 2004 (*Reference – Excess VA Property: Crosscutting*).