

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 1998, 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.