

Statement of Congressman Henry A. Waxman to the CARES Commission
September 29, 2003
Long Beach, California

Members of the CARES Commission:

Good morning, and thank you for holding this important hearing. Unfortunately, the religious holiday prevented me from traveling from Washington over the weekend to be with you, but my district director, Lisa Pinto, will read my statement on my behalf.

I strongly oppose the creation of a Desert Pacific Healthcare Network Land Use Planning Committee to determine the reuse of so-called "excess land" at the WLAHC. The limited information we have been provided on the proposal offers ample reasons to oppose it:

1. None of the publicly available CARES documents specifically identify land on the WLAHC campus the VA considers "excess." Further, although Section C of the Market Plan indicates that Network 22's excess land use policy would be submitted as part of the CARES Market Plan, it has not been included in any public documents.
2. The proposed Land Use Committee would consist of six internal VA health care administrators. No veterans, veterans' service organizations, members of the community, planning experts or elected officials would be represented.
3. None of the public CARES documents discuss the VA's requirements under the National Environmental Policy Act, the National Historic Preservation Act, and other applicable federal laws as they pertain to excess property or the proposed demolition of buildings.

Even if these serious flaws could be corrected, however, the Commission should flatly reject the proposed Land Use Committee because Congress has already enacted legislation on this matter.

Section 707 of the Veterans Programs Enhancement Act of 1998 (P.L. 105-368) requires the development of a land use master plan for the WLAHC. After years of contentious debate, this law, which has not yet been fulfilled, promises a comprehensive long-term solution for land use.

As you know, the VA rejected the controversial plan that was submitted in April 2001, and Secretary Principi subsequently committed to initiate a new master land use plan **after** the CARES process is concluded. I would like to submit a letter Secretary Principi wrote on this matter for the record.

I would also like to submit a joint letter Senator Boxer, Senator Feinstein, and I sent Secretary Principi on August 6, 2003 that outlines our strong opposition to the proposed Land Use Committee and our support for the timetable set out by the Secretary for the development of a land use master plan.

Another area of concern I have about the CARES process is that the lack of basic information available to the public has made it virtually impossible to evaluate Network 22's and the Commission's proposals and offer meaningful input.

Just six days prior to its April 15 submission to the CARES Commission, Network 22 provided my staff and a limited number of stakeholders with a very general power point presentation and description of the proposed Land Use Planning Committee. One additional follow-up meeting was held with some stakeholders, but no specifics were provided, nor were any questions answered. Unfortunately, many of us continue to have more questions than answers about the VA's plans for Network 22.

Finally, I want to take a moment to highlight the unique characteristics of the WLAHC and provide some context for the strong veteran and community interest in its future. This property was deeded to the VA after the Civil War on the strict condition that it be used to benefit veterans. Veterans have repeatedly expressed their concern about a shortage of programs on the campus for homeless veterans, veterans in transition, and aging veterans. A comprehensive land use plan will allow the VA to satisfy the deed's conditions and more effectively serve our veterans.

The WLAHC is also the largest VA facility in the nation. It is surrounded by dense residential neighborhoods and congested traffic systems. A comprehensive land use process is critical to ensuring that the quality of life of the residents in this heavily populated urban area is not impaired.

The piecemeal nature of land use planning at the WLAHC has been an utter failure. I urge you to reject the creation of a Desert Pacific Healthcare Network Land Use Planning Committee so we can stay the course Congress mandated and adhere to the timetable Secretary Principi has laid out.

In closing, I request that the Commission accept written statements from interested individuals who have not had an opportunity to testify today. I would also like to submit hundreds of letters and postcards I have received from veterans and the community voicing strong opposition to the proposed Land Use Planning Committee.

Again, thank you for holding this hearing.

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Congress of the United States
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Washington, DC 20515-0529

HENRY A. WAXMAN
30TH DISTRICT, CALIFORNIA
April 10, 2003

The Honorable Anthony Principi
Secretary of Veterans Affairs
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, D.C. 20420

Dear Secretary Principi:

We are writing to express our concerns about the process that is being used for the development of VISN 22's Capital Asset Realignment for Enhanced Services (CARES) Market Plan and Land Use Charter, and to request a delay in the April 15, 2003 submission date until these concerns can be addressed.

CARES Process:

On December 11, 2002, the VA held a CARES briefing at the Sepulveda VA that was comprised primarily of VA staff, but included a member of Congressman Waxman's staff and a couple of community representatives. At the briefing, the VA shared some preliminary data and provided a power point presentation with some general information.

On March 28, 2003, the VA held a second briefing at Congressman Waxman's request. A member of his staff, the staff of Senator Feinstein, the staff of County Supervisor Zev Yaroslavsky, representatives of veterans service organizations, and a small number of community representatives attended. At this meeting and a subsequent meeting on April 9th, the VA presented another power point demonstration with general information. In addition, the VA provided a document entitled "VA Desert Pacific Healthcare Network Land Use Planning Committee ("Land Use Charter").

Unfortunately, the proposed Land Use Charter is not a comprehensive plan suitable for future planning at GLAHS. It appears to be more of a project-by-project tool that excludes critically important steps. For example, the Charter does not address how project proposals will be analyzed and evaluated. It also lacks time frames for community notification and review, environmental review steps, and includes no overall plan for broad land use at GLAHS.

Since stakeholders have received no specific information on what VISN 22's plans are for the Greater Los Angeles Health Care System (GLAHS), we were troubled to learn that the

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VA does not plan to share its final Master Plan and Land Use Charter with stakeholders before they are submitted to the VA on April 15.

According to information the VA has made available about the CARES process, the Market Plans are the "solutions" for "integrating health care planning and capital asset planning." Furthermore, the Market Plans are to be incorporated into the draft VHA National CARES Plan. If the community and their elected representatives are not able to provide input before the Plan is submitted, it is inconceivable to us that there will be an opportunity for meaningful input once it is included in the comprehensive National CARES Plan.

Stakeholder Involvement:

As you know, there is a history of failure to include community input at the West Los Angeles VA. Unfortunately, as a result, relations between the VA and the surrounding community are too often strained and unproductive. Over the last two years, concerns have been raised about the lack of participation by stakeholders during the master planning process, CMOP planning, and preliminary CARES planning.

The community as a whole is supportive of the VA's mission of providing excellent care to veterans. It believes strongly, however, that because the VA's decisions could have significant impacts on residents in one of the most densely populated, heavily traveled, and polluted areas of the country, there must be good communication and cooperative decision-making with affected veterans, residents, business owners, and other stakeholders.

Proper Land Use Planning at GLAHS:

The proposed Land Use Charter is another example of exclusionary decision-making by the VA. The Charter proposes a land use committee membership made up entirely of VA staff. There is no mention of involvement by elected officials, veterans, or community members.

Since GLAHS is a uniquely-situated property within the national VA scheme, its nearly 400 acres must be protected and properly planned using a comprehensive land use process. During your meeting with stakeholders at GLAHS on November 20, 2001, you pledged to get back to the business of comprehensive land use planning after CARES.

Conclusion:

Since stakeholders have not been given an opportunity to review the Market Plan and final version of the Land Use Charter before they are submitted, they have no opportunity to provide meaningful input into the long-term solutions for VISN 22 that will be included in the National CARES Plan. We request that the deadline for the submission be extended so that the VA and all interested stakeholders can work together to establish a comprehensive process for land use decisions at GLAHS that will benefit veterans and be in harmony with the surrounding community.

Thank you for your attention to my concerns, and we look forward to your response.

Sincerely,

Henry A. Waxman
HENRY A. WAXMAN
Member of Congress

Barbara Boxer
BARBARA BOXER
U.S. Senator

Dianne Feinstein
DIANNE FEINSTEIN
U.S. Senator



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.

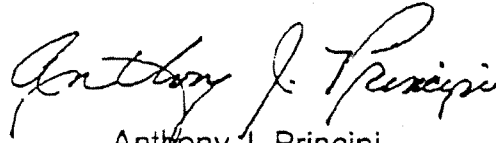
I fully support the provisions of the Cranston Amendment; however, I do not think it is appropriate to extend its provisions to the entire VA West Los Angeles campus.

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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,

A handwritten signature in black ink, reading "Anthony J. Principi". The signature is written in a cursive style with a large, prominent initial "A".

Anthony J. Principi