

**STATEMENT OF  
EDWARD LILLEY, ASSISTANT DIRECTOR FOR HEALTHCARE,  
NATIONAL VETERANS AFFAIRS AND REHABILITATION DIVISION  
THE AMERICAN LEGION  
BEFORE THE  
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS  
COMMITTEE ON VETERANS' AFFAIRS  
UNITED STATES HOUSE OF REPRESENTATIVES  
ON  
"AN EXAMINATION OF WASTE AND ABUSE ASSOCIATED WITH VA'S  
MANAGEMENT OF LAND-USE AGREEMENTS"**

**FEBRUARY 10, 2015**

*"Of all of the egregious cases involving homeless veterans in Los Angeles, one stands out for attorney Mark Rosenbaum. VA police arrested a homeless Vietnam War veteran they caught taking food from a trash bin on the West Los Angeles VA campus. Although clearly mentally disabled – the veteran had suffered a head injury after falling out of a helicopter – VA cops didn't extend a helping hand. Instead, they gave him a citation for stealing government property. He paid the \$1,000 fine by collecting aluminum cans.<sup>1</sup>"*

In October 2014, The American Legion held a Veterans Benefit Center for veterans in the Los Angeles area to provide assistance with VA appointment scheduling, benefits claims, enrollment in VA health care, and to follow up with the outreach provided to the city's large homeless veteran community. The Legion's Center was held at the Cloud Break Communities & US VETS Transitional and Permanent Housing Facility for at-risk and/or homeless veterans. During the three-day benefits event, more than 200 veterans were able to receive assistance. However, had the West Los Angeles campus of the VA provided the assistance promised to veterans, the Benefits Center may not have been necessary.

The West Los Angeles campus of the Department of Veterans Affairs has strayed so far from its mission of protecting veterans that charter busses in search of parking can spend the night there, but not homeless veterans who fought for this country; hotel laundry can be cleaned there, but a homeless veteran who needs a shower to clean up for a job interview can't get help. This cannot be the way our government fights for homeless veterans.

The struggle in West Los Angeles has a lengthy history. Congress enacted legislation well over 100 years ago in 1887 to authorize construction of the first soldier's home in the West, part of efforts following the Civil War to address disabled and homeless veterans. The following year, the land was donated *in perpetuity* to serve veterans by Senator John P. Jones and the Bakers, a prominent Los Angeles family.

The Pacific Branch of the National Veterans Home opened later that year with about 1,000 veterans in temporary quarters. The federal government added a hospital and permanent housing.

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<sup>1</sup>The American Legion Magazine – September 2014 <http://www.legion.org/magazine/224241/betrayed>

A post office, churches, theaters and a 10,000-volume library followed. Veterans tended gardens, put on plays and rode the trolley to Santa Monica beaches. By 1922, West Los Angeles was home to about 4,000 veterans. The Pacific Veterans Home eventually became part of VA, but the agency quietly stopped accepting new residents in the late 1960s or early 1970s as a swell of Vietnam War veterans appeared and upscale neighborhoods grew up around the West Los Angeles VA.

Not only did VA stop allowing veterans to live there, it turned more than 100 acres of the property into a leasing enterprise for everything from a dog park to charter bus storage, a private school's athletic center and a hotel chain's laundry – not to mention the UCLA baseball stadium.

Thus did the land that had been used to directly serve veterans become encroached upon by enterprises that have nothing to do with its original intent, such that in 2012 Carolina Winston Barrie, the 84 year old descendent of one of the land donors, came forward to lament the loss of what had been: “a fully functioning city within the county of Los Angeles.”<sup>2</sup>

The American Legion, the nation's largest wartime service organization of veterans, has been fighting for veterans to have full use of the West LA land for over 30 years. In 1983, The American Legion passed a resolution urging “no part of the West Los Angeles Veterans Administration Facility be sold or otherwise transferred by the United States Government, or any agency thereof.”<sup>3</sup>

In 1992, The American Legion affirmed that “real property located at the West Los Angeles Veterans Medical Center in Los Angeles, California, and elsewhere where such facilities are provided, shall be maintained to attain the greatest benefit for care and well-being of the sick disabled veteran population.”<sup>4</sup>

Now, The American Legion urges Congress to restrict the Enhanced Use Lease (EUL) capabilities to a priority list of services that will meet the needs of the veteran community<sup>5</sup>, and The American Legion opposes any EUL that does not specifically provide any obvious and permanent benefits, resources or services to the veterans' community.

To be clear, the 388 acres of the West Los Angeles Medical Center Campus (West LA VA) represent the largest medical center in the Department of Veterans Affairs (VA) medical system and they *do* serve quite a large contingent of veterans. The VA Greater Los Angeles Healthcare System serves over 1.4 million veterans in Southern California, over half a million of those veterans in the city of Los Angeles alone. Unfortunately, the campus is no longer solely dedicated to serving veterans, and that is where The American Legion takes issue with the current state of affairs in California.

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<sup>2</sup> <http://www.npr.org/2012/09/10/160736598/los-angeles-va-has-made-millions-on-rental-deals>

<sup>3</sup> Resolution No. 4 “Retention of Real Property Located at West Los Angeles, California, Veterans Administration Facility,” 1983

<sup>4</sup> Resolution No. 20 “Maintain West Los Angeles Property for Veterans,” 1992

<sup>5</sup> Resolution No. 154 “The Department of Veterans Affairs Enhanced-Use Leasing,” 2014

The fight against the commercialization of the veterans' property in Los Angeles has been a long battle dating back decades. This land was donated in perpetuity for the use of veterans, and therefore this land *belongs* to the veterans, not to be disposed of to corporate interests in the hopes of short term financial gains. In 1988 and 1991, Congress enacted legislation prohibiting any commercial development of 109 of the property's 388 acres. In 2007, legislation extended the ban on the sale or disposal of the land to the entire campus. The legislation also affirmed that the property was to remain in permanent possession of the VA to serve veterans.<sup>6</sup>

Additional commercial development of the property solely for profit is antithetical to the purpose and honor of the original donation of land. However, this does not mean there aren't better uses the property could be put to use for.

The previous Secretary of Veterans Affairs, Eric Shinseki, made a very powerful promise at The American Legion's National Convention in Milwaukee in 2010. He told the thousands of assembled Legionnaires "We will end veteran homelessness in the next five years."<sup>7</sup> The VA has worked diligently towards that end, and over the first four years there *has* been a large drop in the numbers of homeless veterans by over a third, to fewer than 50,000 in August of 2014, from over 75,000 in 2010 when the pledge was made.<sup>8</sup>

Reducing the final cohort of homeless veterans will be very difficult, and VA will need to maximize every resource at its disposal, as well as continuing their coordinated work with communities to meet the challenge. In the midst of such a struggle, why then is land specifically set aside for veteran tied up in rental agreements for projects of no benefit to vulnerable veterans who need help most? Why, when VA must dig deep and use every conceivable tool at their disposal, was land that could be used to help homeless veterans being used for a massive hotel chain's laundry facilities, for set storage for major movie studios, and for athletic complexes for private schools?

Due to lawsuits filed on behalf of homeless veterans, some changes are happening in West LA. In the Fall of 2013, for example, a judge ruled VA's leases with the private schools and businesses were not legal, and some of the business have moved out, but the ruling was appealed.<sup>9</sup> Veterans need guarantees that the resources donated and dedicated to serve veterans are not going to be sold off for unclear profits rather than help the veterans as intended.

On January 28, 2015, the VA announced that it had come to an agreement with attorneys representing homeless veterans in Los Angeles that dedicates the West Los Angeles VA campus to serving veterans in need, and commits the department to design a plan to help end homelessness among veterans in Los Angeles County. While The American Legion is relieved to hear about the agreement, and pleased to hear about the short timelines given for improvement, we will be monitoring the West Los Angeles and stand ready to assist as we have for the past 30 years.<sup>10</sup>

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<sup>6</sup> Section 224 of the Consolidated Appropriations Act for Fiscal Year 2008

<sup>7</sup> <http://www.legion.org/veteransbenefits/90664/shinseki-backlog-will-end-year>

<sup>8</sup> <http://online.wsj.com/articles/number-of-homeless-veterans-in-the-u-s-falls-over-past-four-years-1409089535>

<sup>9</sup> <http://www.legion.org/magazine/224241/betrayed>

<sup>10</sup> <http://www.legion.org/homelessveterans/225875/va-redeems-itself-west-la>

Previous legislation in both houses of Congress, S. 1987 and H.R. 4004, from Senator Feinstein and former Representative Waxman would have authorized development on the property for the purpose of helping veterans, and specifically, long term therapeutic housing that can help veterans who are struggling with homelessness achieve stability. This legislation, or any future legislation, needs to keep in focus the driving principle supported by The American Legion with regard to how VA resources are to be used.

No one imagined this conflict when a U.S. senator and a Los Angeles businessman donated 387 acres to the federal government in 1888 with the stipulation that the land be used to “permanently maintain a national home for disabled volunteer soldiers.” If the VA still plans to end Veteran homelessness by the end of this year, then they need to make good on the promise to the homeless veterans in Los Angeles.

Enhanced Use Leasing can be helpful to the programs of the Department of Veterans Affairs, but it must be restricted to a priority list of services that meet the needs of the veterans’ community. Outside organizations must follow the same reporting procedures required of the government in order to ensure effective communication with the Chief Business Office – and the entire process must be publicly transparent while in consultation with veterans service organizations (VSOs) and community stakeholders.<sup>11</sup>

The American Legion thanks this committee again for their diligent oversight of VA’s land use agreements. Working together, The American Legion, Congress, the American people and the Department of Veterans Affairs *can* end veteran homelessness, but only when all assets of VA are arrayed to directly serve veterans.

Questions concerning this testimony can be directed to The American Legion Legislative Division (202) 861-2700, or [ideplanque@legion.org](mailto:ideplanque@legion.org)

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<sup>11</sup> Resolution No. 154 “*The Department of Veterans Affairs Enhanced-Use Leasing,*” 2014