



**STATEMENT OF  
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PAST STATE COMMANDER (2013-2014)  
FOR THE RECORD OF THE  
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY  
COMMITTEE ON VETERANS' AFFAIRS  
UNITED STATES HOUSE OF REPRESENTATIVES  
JUNE 14, 2023**

Chairman Van Orden, Ranking Member Levin and Members of the Subcommittee:

Thank you for this opportunity in my capacity as Past State Commander, DAV (Disabled American Veterans), Department of California to submit testimony for the record of your hearing titled, Legislative Hearing and specifically to address, "H.R. 3848, Housing our Military Veterans Effectively Act."

Mr. Chairman, before delving into H.R. 3848 I would like to first provide you and the Members of the Subcommittee some background that will put in context my testimony. My involvement with the West Los Angeles VA's development of the Draft Master Plan began with a conversation I had in late February 2015 with then DVA Secretary Robert McDonald while attending DAV's National Mid Winter Conference in Washington D.C. representing the DAV Department of California as its Legislative Director.

The discussion with the Secretary was based on concerns brought to my attention by representatives of other Congressionally Chartered Veteran Service Organizations (VSO) that dealt with the, "West LA, CA Matter – Principles for a Partnership and Framework for Settlement By and Between the U.S. Department of Veterans Affairs and Representatives of the Plaintiffs – Valentini v. McDonald." This agreement had no VSOs invited to have a seat at the table to represent the vested interests of their members and the veteran community within the West Los Angeles, VA catchment area, to include the following Counties: Los Angeles, Ventura and portions of Orange, Kern and Santa Barbara Counties.

Secretary McDonald recognizing this as an oversight recommended I organize a team of VSO Leaders representing their respective organization and in turn he would direct his Special Assistant to work with me and the VSO Coalition on all matters leading to the development of the Draft Master Plan, to include Public Comments to the Federal Register and subsequently marshalling VSO Coalition "Statements for the Record of the Subcommittee on Health," supporting the passage of H.R. 5936, the "Los Angeles Homeless Veterans Leasing Act of 2016," Public Law 114-226.



## **POSITIVE IMPACT OF PUBLIC LAW 114-226**

The VSO members of the VSO Coalition combined represent well over half of the State of California's 1.7 million veterans and of the over three hundred thousand veterans residing in the West Los Angeles, VA catchment area; therefore, we are unmistakably aware of the toll taken on the over three thousand homeless and in jeopardy of becoming homeless veterans and their families. The positive impact the Los Angeles Homeless Veterans Leasing Act of 2016 has had in-light of the delays due in-part to the required Environmental Impact Studies and their completion, the review of leaseholder agreements and subsequent removal of those not in compliance with Public Law 114-226, amendments to said Public Law necessary to better facilitate the process to improve the West LA VA campus and the unexpected slowdown of infrastructure installation, construction and remodeling of buildings due to the COVID-19 Pandemic, has been thus far. And the incalculable effort by the VA, Community Partners, VSOs, Local Government entities, and the State to stay the course and not lose sight of the goal to leave no one behind and secure for our homeless veterans and their families the housing and wrap-around services they need and deserve as best possible during this time and under those strenuous circumstances. In furtherance of this....

### **DAV PUBLIC COMMENT (excerpts dated Dec. 17, 2021) FEDERAL REGISTER ANNOUNCEMENT ON THE DRAFT FINAL WEST LOS ANGELES VA MASTER PLAN**

The Disabled American Veterans (DAV), Department of California acknowledges veterans are proud of their service and the vast majority say they would do it all over again. Yet many paid a price, either in terms of an adverse impact on their health, or relationships, and/or a myriad of other issues incurred while in the service. Anyone of which or in tandem contribute to their struggles, struggles inherent in transitioning to civilian life, which was a notable characteristic the U.S. Sanitary Commission wrote in a report dated May 15, 1865, "*....these returning soldiers, by their military service, have become more or less detached from their previous relations, associations, and pursuits, which are now to be re-established. Many of those men will not only physically, but morally disabled, and all will exhibit the injurious effects of camp life in a weakened power of self-guidance and self-restraint, inducing a certain kind of indolence, and, for the time indisposition to take hold of hard work....*"

We recognize that far too many veterans today believe the government has failed them and to a lesser degree the American public are likewise perceived as unconcerned with their, the veterans' plight, well-being, or whether they're receiving the benefits they were promised and earned through their service to the Nation, many during times of peril. One clear conclusion taken from this is: Our Representatives and citizens need to do more to ensure the Nation keeps its promises to our veterans.



In retrospect the DAV's Public Comments as presented in its October 15, 2015 submission to the Federal Register announcement do in fact favor to a great extent the actions being proposed in the Draft Final West Los Angeles VA Master Plan and to that end DAV has a long history in supporting legislation to ensure the WLA VA campus remains a viable edifice of the VA's Integrated Health Care Network, suitable to meet the unique needs of its veteran cohort from all eras. To amplify that very point, here are a few significant enacted Public Laws 100-322 and 110-161 that preceded Public Law 114-226 and Public Laws 117-18 and 117-263 that enhanced the viability of the Los Angeles Homeless Veterans Leasing Act of 2016 without changing the very core and purpose of the Enhanced Use Lease edict's that leaseholders are required to faithfully and without reservation uphold, to Benefit Principally Veterans, their spouse, and dependents

...we began with a recap of where we started in 2015 regarding the VSOs inclusion in the process, laying the ground work in support of the Secretary's Special Assistant, support in the nature of arranging outreach efforts in the form of Town Halls in the outlying regions of the WLA VA's service area, collaborating with other organizations having a vested interest in the process and most importantly developing the West LA Draft Master Plan, and where we again find ourselves, standing at a crossroad, a crossroad that we must map out with all urgency and due diligence available to allay the veteran homelessness crisis in our midst, the same crisis that has beset our fellow veterans for far to long, but in doing so we must remain true to the principles now set forth in the Draft Final West Los Angeles Master Plan, approved by DVA Secretary Denis McDonough on April 22, 2022, detailing the updated vision for a stable and supportive community for homeless and other at-risk Veterans and their families at the VA Greater Los Angeles Healthcare System.

#### **DAV DEPARTMENT OF CALIFORNIA CONCERNS**

"To fulfill President Lincoln's promise to care for those who have served in our nation's military and for their families, caregivers and survivors."

This is not just some aspirational motto engendered by the VA we resorted to, a catch phrase as we began our work on the Draft Master Plan in 2015, but the very essence, a foundational aspect ensuring the task we were about to embark on to re-establish what was begun in 1888 comes to fruition once again, but as the 21<sup>st</sup> Century model to be emulated throughout the VA. A place homeless veterans can call home, where they will be afforded all the attributes in Benefits and Services available to them through the U.S. Department of Veterans Affairs, applied in deference to social economic status, but as prescribed in accordance with the law, Title 38 U.S.C., which was established to protect the rights of veterans and to ensure appropriate care is provided to sustain their health and well-being.



In our review of H. R. 3848 we have determined that this bill does not reach a reliable level of surety that would be of benefit in creating a reliable source of quality housing in communities' homeless veterans are left unsheltered. This is especially true in high-cost housing and rental markets like that of Los Angeles and the surrounding Counties within the West LA VA catchment area. This bill will also stymie further progress in the development of much needed housing on the VA campus. There is a temptation here to be avoided: it mistakes an outcome for a process:

- **Per Diem** – This provision deals only with the VA Grant and Per Diem program, the rates proposed simply put are low balled. In addition, the rates discussed in the bill will not adequately reimburse Transitional Housing providers for the actual cost of care and services to homeless veterans. We cannot afford to continue losing providers in our communities due to inadequate Per Diem rates.
- **OIG Authority** – Amendment in the Nature of a Substitute to H.R. 3484 Offered by Mr. Miller of Florida, enshrined the OIG Authority in the final bill, H.R. 5936, becoming Public Law 114-226, the Los Angeles Homeless Veterans Leasing Act of 2016. During our review of the Substitute bill to H.R. 3484 we took into consideration the long history of controversy, misuse, and fraud related to the WLA campus land use. It was the purpose of H.R. 5936 to give the Inspector General oversight and accountability authority to ensure that leases on the WLA property principally benefit veterans. And H.R. 3848 will dismantle that authority for private interests. This authority is critical to give the Federal government a mechanism through which to exit leases on the WLA campus that do not principally benefit veterans, as required by current law.
- **In-kind Consideration** – H.R. 3848 proposes allowing third-party Enhanced Use Lease and Land Sharing Agreement holders substitute with “in-kind consideration” in lieu of cash money as is the current form of lease payment, as such it is more likely than not the lease holders would profit by this arrangement and offer nothing in return of equal value and meets the requirement established by law of, “principally benefits veterans.” It should be noted, the VA utilizes the money received from these leases to fund much needed veteran programs and resources.



Mr. Chairman, DAV Department of California believes we must deliver on the promises made by the Los Angeles Homeless Veterans Leasing Act of 2016 for the sake of the homeless veterans and their families, as many are in desperate need of housing and VA's life changing benefits. This concludes my testimony, and we thank you for the opportunity to provide our comments.

Nancy Casey, State Commander  
Disabled American Veterans  
Department of California

Richard Valdez, Past State Commander  
Disabled American Veterans  
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