

United States Senate
WASHINGTON, DC 20510

May 8, 2024

The Honorable Denis R. McDonough
Secretary of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Dear Mr. Secretary,

I write to request the Department of Veterans Affairs (VA) continue its diligent action and assistance in maintaining safe and appropriate housing for veterans and their families at its Enhanced-Use-Lease (EUL) facility known as Freedom's Path on the Fort Harrison VA Medical Center campus in Helena, Montana. Freedom's Path, via a lease agreement with a third party, provides housing to veterans and their families using Housing and Urban Development Veterans Affairs Supportive Housing (HUD-VASH) project-based vouchers.

In November 2021, I wrote to you regarding oversight of lead-based paint exposure in one of these units and requested VA's assistance in ensuring the lessee addressed remediation action items in that unit and implemented preventative measures throughout the units and grounds in a timely manner. I appreciate that the Department kept my office apprised of these ongoing efforts and the status of Freedom's Path corrective actions. However, it appears the lessee has not taken all required steps to bring the facility and grounds into compliance. This lack of adherence to the remediation requirements has led to disagreements between the lessee and the Montana Department of Commerce (MDOC), placing the HUD-VASH vouchers for these units, and therefore the veterans and their families' housing, in jeopardy.

It is imperative the Department take whatever steps necessary to ensure these units provide safe and appropriate housing for these veterans and their families. I request VA work closely with MDOC, the lessee, and other relevant local and federal agencies to assist the parties in resolving any outstanding issues with the utmost urgency and using all available legal authorities. This includes, but is not limited to, providing a list of all completed, ongoing, and planned work on these units and all relevant documentation as VA is able to MDOC to show status of remediation efforts to date.

Concurrently with those efforts, I urge the Department to prepare contingency plans that prioritize providing safe housing to these veterans and their families without having to relocate them. And in the unfortunate event the veterans do need to be rehoused, VA must be prepared to provide appropriate alternative housing for these veterans. Any costs associated with displacement and rehousing should not be placed on the veteran. The Department also needs to ensure veterans and their families are provided proper notice and information regarding this situation and have every opportunity to secure alternative housing should they elect to live elsewhere in light of these circumstances.

Please continue to keep me apprised of the status of the discussions between all relevant parties involved in the Freedom's Path EUL at Fort Harrison. I look forward to this situation coming to a resolution in a manner that best serves veterans as soon as possible.

Sincerely,

A handwritten signature in blue ink that reads "Jon Tester". The signature is written in a cursive style with a long horizontal line extending to the right.

Jon Tester
Chairman
Senate Committee on Veterans' Affairs