

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0305**

July 28, 2017

The Honorable David J. Shulkin  
Secretary  
U.S. Department of Veteran Affairs  
810 Vermont Avenue, NW  
Washington, D.C. 20420

Dear Secretary Shulkin,

On June 9, 2017, I had a productive meeting with the Veterans Administration (VA) Undersecretary for Health, Dr. Poonam Alaigh. We discussed many of the challenges and obstacles my constituents face at the Phoenix Veterans Health Care System (Phoenix VA), and the Southeast Veterans Affairs Health Care Clinic (Southeast Clinic). The Phoenix VA serves many of my constituents in Arizona's fifth Congressional District and the Southeast Clinic is located in my hometown of Gilbert, Arizona. Several action items came from the meeting and my staff quickly got to work finding solutions for our constituents with your congressional liaison team.

The first challenge we identified is that it has been months since the Phoenix VA has had a full-time dedicated Congressional Liaison Officer. This position is critical for the Arizona Congressional Delegation to meet our constituents' needs and needs to be filled as soon as possible.

Secondly, my district staff has worked tirelessly to secure space at the Southeast Clinic on the first and third Wednesday of each month from 2:00 to 4:00 PM to help our constituents with federal casework while they wait to see their doctor. This service provides immediate information and assistance to veterans at a convenient central location for them. At the request of my constituents to provide additional hours of service, I asked Dr. Alaigh if we may be afforded additional days and timeslots each month at the Clinic. After our initial request, we were made aware that the VA's Office of General Counsel (OGC) was to review the overall policy in response to our request for a few additional hours to help our veterans.

Today we cross the seven week mark of waiting to hear a response from the OGC, despite frequent reminders from our office. We have heard from various sources that the OGC is reviewing the legality of our presence in the Southeast Clinic. I fail to understand, and have not been provided a clear explanation to date on the question of legality of our staff's efforts to provide fundamental assistance to our veterans. In fact, after news spread of our success, on April 26, 2017 the Director of the Phoenix VA, Ms. RimaAnn Nelson, invited the entire

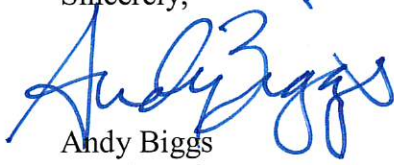
delegation and various Veteran Service Organizations to set up a station as we had stating that "this would be a great service we could provide for you and the Veterans we are all honored to care for." I find it baffling that the efforts that were praised and encouraged just a few short months ago are now being called into question. I cannot think of a reason why we may now not be allowed to provide assistance to veterans at the Southeast Clinic at the same time vendors are allowed to sell products inside the facility. I understand that the decision is pending your approval. Time is of the essence.

In an unrelated matter, yet another example of the continued problems surrounding Arizona's VA facilities, an elderly wheel-chair bound veteran was recently arrested by a security guard at the Southeast Clinic. By all the accounts I have read, it is my understanding that this was a minor disagreement over the rules for veterans within the clinic that was unnecessarily escalated by an aggressive security guard.

Today, my staff spoke with Cathy Haperstock with the VA's Office of Legislative Affairs and we were assisted with information for our constituent to file a formal complaint with the VA. We were assured a swift investigation would be initiated. Instead of expressing concern about our elderly veteran, Ms. Haperstock seemed more concerned with media interest in the story and any liability our staff could face if they "inserted themselves" in such a situation.

I hope under your leadership, many of these issues facing both the Phoenix VA and the Southeast Clinic can be resolved in a timely manner. However, without immediate action, I will be forced to elevate the challenges I have had with the Arizona VA in an effort to serve our nation's veterans, particularly my own constituents. I look forward to your prompt response.

Sincerely,



Andy Biggs  
Member of Congress