



February 5, 2025

The Honorable Jerry Moran
Chairman
Senate Veterans Affairs Committee
412 Russell Senate Office Building
Washington, D.C. 20510

Chairman Moran:

The National Disability Rights Network (NDRN)* would like to thank you for introducing the Veterans Second Amendment Protection Act which would permanently end the Veterans Administration's (VA) practice of sending a veteran's name that has a fiduciary to the National Instant Criminal Background Check System (NICS list) without due process. This bill would take a crucial step in addressing the stigmatizing and unsupported belief that there is a connection between an individual that has a fiduciary and gun violence.

NDRN has long advocated for the inclusion of necessary protections and due process in any system (like guardianship or conservatorship) when taking away that individual's rights and decision-making authority. We have also fought to counter the stigmatizing belief that just because an individual has a disability requires the removal of all that individual's rights, decision-making authority, and due process protections.

Much like past proposals to include individuals that have a Representative Payee that manages that individual's Social Security benefits to the NICS list, the VA practice of sending veterans' names with a fiduciary to the NICS list is fraught with a lack of due process and factual support. There is no evidence that individuals that require someone to help with their financial matters have a propensity to gun violence or will harm themselves or

others. In fact, this requirement to submit an individual's name to the NICS list could have the perverse effect of stopping an individual from seeking the care and support they may need because they don't want to have their name placed on the NICS list. This legislation is timely and stands for the important belief of not viewing an individual with a disability through a lens of blanket assumptions about disabilities, but that they must be viewed as an individual and given the due process rights we all support.

Again, thank you for your action on this issue and we are eager to work with you on enacting this bill into law. Should you have questions, please reach out to Eric Buehlmann, Deputy Executive Director for Public Policy, at eric.buehlmann@ndrn.org.

Sincerely,

A handwritten signature in blue ink that reads "Marlene Sallo". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Marlene Sallo
Executive Director
National Disability Rights Network

*NDRN is the non-profit membership association of Protection and Advocacy (P&A) agencies located in all 50 States, the District of Columbia, and the United States Territories. In addition, there is a P&A affiliated with the Native American Consortium which includes the Hopi, Navajo, and San Juan Southern Paiute Nations in the Four Corners region of the Southwest. P&A agencies are authorized under various federal statutes to provide legal representation and related advocacy services, and to investigate abuse and neglect of individuals with disabilities in a variety of settings. The P&A Network comprises the nation's largest provider of legally based advocacy services for persons with disabilities.