

SUPPORTING RAIL WORKERS

(Ms. ELFRETH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ELFRETH. Mr. Speaker, I rise today supporting Congressmen DELUZZO and NEHLS' bipartisan Railroad Retirement Fairness Act.

This legislation eliminates outdated provisions of Federal law that unfairly reduce railroad retirement payments for certain retirees and spouses who continue to work in non-railroad jobs after retirement.

This is really important because we shouldn't be penalizing rail workers who choose to or sometimes have to continue working after retirement.

Mr. Speaker, this is also a deeply personal issue for me. My father was a proud member of BLET Local 71 out of Philadelphia and drove trains for SEPTA for decades. He provided for our family, working mostly nights and weekends, and now relies on that hard-earned railroad retirement.

I know firsthand the long hours and grit these jobs take from both railroad workers and their families, which is why I support this legislation to level the playing field and ensure hard-working rail workers keep their rightfully earned retirement benefits.

RECOGNIZING MENTAL HEALTH AWARENESS MONTH

(Ms. PETTERSEN asked and was given permission to address the House for 1 minute.)

Ms. PETTERSEN. Mr. Speaker, I rise today during Mental Health Awareness Month to talk about something that impacts every family in this country.

Whether it is struggling ourselves or someone we know, all of us have been touched by mental health challenges. Far too often, people don't have access to the critical care that they need.

For me, it was my brother Justin. After years of struggling and falling through the cracks, we lost him to suicide in 2008. There isn't a day that goes by that I don't think about him.

Justin was one of the smartest people I have known. He was passionate, an avid reader, and was working to become a history teacher. He had recently been married and had his entire life ahead of him.

Through all the moments of our lives, big and small, our family grieves that he is not with us today.

Mr. Speaker, the most important thing we can do to reduce the stigma is to tell our stories, and that is why I am here telling mine.

To the individuals and the families who are struggling in this country, I want you to know that you are not alone, and there are so many of us here in Congress who are not going to stop fighting for you.

STOPPING PRICE GOUGING

(Ms. TLAIB asked and was given permission to address the House for 1 minute.)

Ms. TLAIB. Mr. Speaker, families across the country are struggling to afford groceries. The costs of eggs, milk, bread, baby formula, and fresh produce keep rising while giant grocery chains and corporate executives rake in record profits.

Some of the grocery stores are now using surveillance technology and digital labels to squeeze even more money out of working people.

It is shameful that corporations would raise prices on products that they know families need to survive. For me, this is corporate greed, plain and simple.

No parent, not one individual, should be able to walk into a grocery store wondering if they can afford to feed their families because an algorithm or private data that the grocery chains got decided they can charge them more.

That is why I introduced the Stop Price Gouging and Grocery Stores Act to crack down on crooked pricing practices and protect consumers from corporate abuse. Not one person who goes into a grocery store should worry about their private information being used to jack up their prices. We all deserve fair prices, transparency, and dignity, not exploitation at the grocery store.

Mr. Speaker, I am calling on all of my colleagues to please support me on the Stop Price Gouging and Grocery Stores Act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on May 20, 2026:

S. 4530, to amend chapters 83 and 84 of title 5, United States Code, to authorize an increase of the retirement age for members of the Capitol Police.

VETERANS 2ND AMENDMENT PROTECTION ACT

Mr. BOST. Mr. Speaker, pursuant to House Resolution 1300, I call up the bill (H.R. 1041) to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from transmitting certain information to the Department of Justice for use by the National Instant Criminal Background Check System, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1300, the amendment in the nature of a substitute recommended by the Committee on Veterans' Affairs, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1041

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans 2nd Amendment Protection Act".

SEC. 2. PROHIBITION ON SECRETARY OF VETERANS AFFAIRS TRANSMITTAL OF CERTAIN INFORMATION TO THE DEPARTMENT OF JUSTICE FOR USE BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(a) *IN GENERAL.*—Chapter 55 of title 38, United States Code, is amended by inserting after section 5501A the following new section:

"§5501B. Prohibition on transmittal of certain information to the Department of Justice for use by the national instant criminal background check system

"The Secretary may not transmit to any entity in the Department of Justice, for use by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901; Public Law 103-159; 107 Stat. 1541), personally identifiable information of a beneficiary, solely on the basis of a determination by the Secretary to pay benefits to a fiduciary for the use and benefit of the beneficiary under section 5502 of this title, without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such beneficiary is a danger to themselves or others."

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 5501A the following new item:

"5501B. Prohibition on transmittal of certain information to the Department of Justice for use by the national instant criminal background check system."

SEC. 3. NOTIFICATION OF LACK OF BASIS FOR THE SECRETARY OF VETERANS AFFAIRS TO HAVE TRANSMITTED CERTAIN INFORMATION TO THE DEPARTMENT OF JUSTICE FOR USE BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(a) *IN GENERAL.*—Such chapter (as amended by section 2) is further amended by inserting after section 5501B the following new section:

"§5501C. Notification of lack of basis for transmittal of certain information to the Department of Justice for use by the national instant criminal background check system

"The Secretary shall, within 30 days of the enactment of the Veterans 2nd Amendment Protection Act, and in accordance with section 103(e)(1)(D) of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901(e)(1)(D); Public Law 103-159; 107 Stat. 1541), notify the Attorney General that the basis for the transmittal, on or after November 30, 1993, by the Secretary, of personally identifiable information of a beneficiary, solely on the basis of a determination by the Secretary to pay benefits to a fiduciary for the use and benefit of the beneficiary under section 5502 of this title, to any entity in the Department of Justice, for use by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901; Public Law 103-159; 107 Stat. 1541), does not apply, or no longer applies."

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of such chapter (as amended by section 2) is further amended by inserting after the item relating to section 5501B the following new item:

"5501C. Notification of lack of basis for transmittal of certain information to the Department of Justice for use by the national instant criminal background check system."

SEC. 4. DETERMINATION BY THE SECRETARY OF VETERANS AFFAIRS THAT A PERSON IS MENTALLY INCOMPETENT IS INSUFFICIENT TO TREAT SUCH PERSON AS A MENTAL DEFECTIVE.

(a) *IN GENERAL.*—Such chapter (as amended by sections 2 and 3) is further amended by inserting after section 5501C the following new section:

“§5501D. Determination of mental incompetence is insufficient basis to treat a person as a mental defective

“The Secretary shall not treat a person as having been adjudicated as a mental defective solely on the basis that the Secretary has determined that such person—

“(1) is mentally incompetent under section 3.353 of title 38, Code of Federal Regulations (or successor regulation); or

“(2) requires a fiduciary under section 5502 of this title.”.

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of such chapter (as amended by sections 2 and 3) is further amended by inserting after the item relating to section 5501C the following new item:

“5501D. Determination of mental incompetence is insufficient basis to treat a person as a mental defective”.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs, or their respective designees.

The gentleman from Illinois (Mr. BOST) and the gentleman from California (Mr. TAKANO) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. BOST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on H.R. 1041, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of my bill, H.R. 1041, as amended, the Veterans 2nd Amendment Protection Act.

The choice before the House today is clear: whether those who defended our freedom deserve the same constitutional protection as nonveterans.

This past February, President Trump and Secretary Collins answered that question with a resounding yes.

VA overturned a longstanding policy of automatically reporting veterans and beneficiaries to the FBI's National Instant Criminal Background Check System, also called NICS, simply because they needed help managing their VA benefits.

VA reported them not because they committed a crime or because a judge or a medical professional determined they were a danger to themselves or others. VA reported them to NICS simply because they needed help managing their benefits. That was the policy for over three decades, Mr. Speaker.

I have been working on this issue for 10 years because I know that this inter-

pretation of the law is wrong. That is why I have long-championed this bill, as well as my bipartisan provision in this, the yearly VA appropriation bill, to prohibit VA's fiduciary program from reporting veterans' names to NICS.

This is a bill about due process. Most importantly, it is about protecting our veterans' Second Amendment rights. It is time we put a permanent end to the practice of treating our veterans' Second Amendment rights as an option and pass H.R. 1041.

This bill would codify the policy rider that was included in the MILCON appropriation bill that passed the House last week.

As a veteran and sportsman, I believe it is a gross violation of due process to say that a veteran with a fiduciary should be treated as a second-class citizen. Our veterans raise their right hands to defend the constitutional rights of American citizens. I know because I was one of them, and I took that responsibility seriously.

□ 1220

Yet, when the question came before our committee on whether it would defend their rights, Ranking Member TAKANO and our colleagues on the other side of the aisle voted “no.”

Mr. Speaker, it is an unfortunate fact that some Members in this Chamber plan to defend this discriminatory practice. Generally, a civilian cannot lose their Second Amendment rights without involvement from a judge, but veterans did for three decades. Democrats would prefer they continue to.

A veteran goes to the VA to ask for help, and the VA bureaucracy answers “yes,” but only in exchange for your Second Amendment rights.

Mr. Speaker, that is not due process. This is an antigun, antiveteran agenda. If a veteran poses a legitimate threat to themselves or others, judges already have legal tools available to them. Let me say that again. Judges already have legal tools available to them. A veteran should receive the same rights as every other American.

There is also something else that I want to raise: the false assumption that disabled veterans are dangerous and the harmful assumption that the capacity to manage your finances has any bearing on dangerousness or that you are dangerous, as well. Those sorts of cartoon-like simplifications cause those with disabilities to face extra hurdles when exercising their rights. It is unacceptable, and, as a veteran, I am not going to stand for it anymore.

There is no evidence that these veterans are more dangerous to themselves or others simply because they need help managing their benefits. Holding veterans to the evidence-less standard is outrageous. Frankly, it paints the veterans' mental health issues in a way that should concern everyone. Over 200,000 veterans were reported to the NICS list under this practice. Let me say it again: 200,000 veterans.

Secretary Collins and President Trump worked with DOJ to change that, wiping the list clean. I want to be clear that no person, veteran or otherwise, reported to NICS by a State judge, law enforcement agency, or other reporting bodies for any other reason was removed.

At committee markup, Democrats also offered amendment after amendment designed to delay and weaken this bill. They wanted more studies.

Mr. Speaker, I am tired after 10 years of delays. Democrats want a system where veterans are presumed guilty and a system where veterans are forced to prove their innocence.

In America, constitutional rights are God-granted rights. Veterans should never have to choose between assistance and preserving their constitutional rights, and veterans with disabilities should not be discriminated against.

This Congress has a responsibility to protect veterans' rights just as fiercely as they protect any other American's rights.

This Memorial Day, let us not just remember those veterans who made the ultimate sacrifice. Let us also remember the freedoms and the people who they sacrificed it for.

Mr. Speaker, I urge all Members to support H.R. 1041, as amended, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to this bill and I urge my colleagues to vote against it, as well.

May is Mental Health Awareness Month, and it also happens to be Military Appreciation Month. We are also here a few days before Memorial Day, when we honor those who gave all to defend our country, so the cruel irony of the majority choosing to consider this bill now is not lost on me.

They are here, once again, putting politics above policy, only this time Republicans are playing political games with the lives of veterans.

It goes without saying that there is a mental health crisis in this country. Americans of all stripes lack access to the resources necessary to properly care for their mental health—or fail to fully realize them—and they suffer because of this crisis.

Veterans are certainly no exception, and they face additional challenges due to service-connected mental health conditions. Many veterans can access mental health care through the VA, but those not connected to VA care may face additional challenges seeking resources and support.

Unfortunately, because of cheap, easy access to firearms in this country, our Nation's mental health crisis is one of the many contributors to the epidemic of suicide and gun violence in America.

Again, veterans are not immune to that, and where those two issues converge, veterans and their communities suffer the consequences.

Let me just cite a few examples: Lewiston, Maine; Thousand Oaks, California; Sutherland Springs and Fort Hood, Texas; New Orleans, Louisiana; Jasper, Georgia; and countless others. The absolute tragedy of veteran suicide remains persistent.

Despite our best efforts, the rate of veteran suicide has not declined as far and as fast as we would like it to. More than 6,500 veterans die by suicide each year, and more than 70 percent of those suicides are deaths by firearms.

In fact, veterans are three times more likely to die by suicide using a firearm than their nonveteran peers. So why, knowing all of that, do we find ourselves debating a bill today that will only lead to more firearms in the hands of the most vulnerable veterans in VA care? The answer is pure and simple: politics.

This bill is not about the Second Amendment. It is about Republicans invoking their favorite political shield whenever they need to distract from their failure to govern. They have brought versions of this bill to the floor and in committee. They have brought it up again and again for nearly a decade and usually when they want an election-year fight, not a serious veterans policy debate.

Veterans should know exactly what is happening here. The majority is using the Second Amendment as branding for a bill that has nothing to do with veterans losing rights for seeking care. That is not happening.

What is happening is that Republicans are stoking fear, feeding stigma, and using vulnerable veterans as props in a political fight. More specifically, Republicans desire to invoke the sacred Second Amendment and use the issue of access to firearms for political gain, and that is what is driving this conversation.

That they would do so by endangering veterans' lives is disgusting to me, and it should be to them, as well. What we will hear from Republicans is that fear of having their Second Amendment rights encroached upon leads to a reluctance of veterans to seek mental health care. That is true, but that very fear is being stoked by the stage that they have set for today's debate.

The constant refrain from Republicans that the VA will take your guns away if you seek help is what is fueling the harmful stigma. Under no circumstances does seeking mental health care at the VA lead to a loss of rights or firearms, and if the Republicans were interested in the truth, they would acknowledge that.

We will hear from the majority and we have heard from them already that veterans' due process rights are being violated and that veterans are having their rights stripped away unconstitutionally by bureaucrats at the VA. Again, not true and false on many fronts.

There is robust due process built into the VA's systems that passes constitu-

tional muster. We are going to hear from Republicans that the VA's decision to assign someone a fiduciary and subsequently add their name to the NICS list is based on whether someone can balance their checkbook or whether they can manage their benefits. Again, another blatant falsehood.

□ 1230

The VA's decisions are based on a diagnosis of severe mental illness or injury that prevents a beneficiary from managing their own affairs. Let me say that again: The VA's decisions are based on a diagnosis of severe mental illness or injury that prevents a beneficiary from managing their own affairs.

It is documented in medical records by a clinician, not just some what they would call a bureaucrat. It is documented in medical records by a clinician and interpreted by someone trained in reading those medical records. At no point is anyone just given a mere math test.

Mr. Speaker, at times I feel like we are screaming into the void regarding gun violence. How many more preventable deaths and injuries will we tolerate? How many veterans will we let languish in a spiral that leads to it? When will we stop political posturing and start making meaningful change to actually help veterans?

This bill is certainly not accomplishing that task. Unfortunately, my counterparts have lost sight of the truth at the heart of this issue. What is at the heart of this issue is the veterans' health and safety.

The majority wants veterans to believe that this debate is about protecting constitutional rights. It is not. It is about recycling a decade-old talking point, stoking fear about VA care, and hiding behind the Second Amendment because they do not have a serious governing agenda.

Today, we are debating this bill, and I want you to remember that the rhetoric of the majority is not based on the reality of the situation but, rather, it is based on their desire to use veterans as pawns in their election-year political games.

Mr. Speaker, I reserve the balance of my time.

Mr. BOST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a veteran, I find this argument offensive, that veterans with fiduciaries are dangerous. This is simply not true. There is no evidence provided that veterans with fiduciaries are any more violent, suicidal, or dangerous than nonveterans.

Yet, Democrats continue to push the idea that veterans who need help managing their finances should be treated as though they were presumed dangerous. Now, he can say that that is not the case, but there are over 200,000 people who would argue differently.

Incompetence in financial ability is not and should not be something that should take away your Second Amend-

ment right. Yes, veterans struggle with suicide and mental health greater than the rest of the population. Yes, those financial hardships often face negative thoughts, but the problem facing the veterans are separate and distinct.

They deserve to be treated as such. That is why we have a VA that spans everything from healthcare to benefits. If someone is truly a danger to themselves or others, there are medical and legal professionals who can stand by and address these issues just like it is for those people who are nonveterans. H.R. 1041 does not change that fact. It simply dispels harmful stereotypes.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. VAN ORDEN), my good friend, who has been a veteran who served beside veterans, his combat brothers and sisters, and knows what veterans face.

Mr. VAN ORDEN. Mr. Speaker, I rise in strong support of this bill. "A well regulated militia, being necessary for the security of a free State, the right of the people to keep and bear arms, shall not be infringed." That is the entire text of the Second Amendment.

I would argue that this should apply to those of us who literally bore arms to protect the freedoms of our fellow Americans. It is critically important.

If a veteran who is incapable of balancing his checkbook has his right to bear arms removed, I would argue that this entire body could not legally carry arms because we are incapable of balancing a checkbook, and that has been proven over decades.

I implore the minority to look at veterans for who we are. We are patriotic, loving Americans, but this supersedes the Second Amendment. Ninety-seven percent of all referrals to the NICS database come from the VA. Sixty percent of veterans who commit suicide have not been connected to the VA, and a significant reason that our veterans don't go to the VA is because they are concerned that they are going to lose their Second Amendment rights.

With the passing of Matthew Burns, 22 of my friends have committed suicide, so I take this very seriously. I commend Mr. TAKANO for having the 988 veteran suicide crisis line number behind him. I thank him for that. I know my colleague does not want our veterans to commit suicide, but this is how they are going to do it because my fellow veterans refuse to go to the VA because they refuse to give up their constitutional right to keep and bear arms.

Again, I implore my colleagues on both sides of the aisle to strongly support this bill, as I do.

Mr. TAKANO. Mr. Speaker, let me address this issue of who is actually in the fiduciary program. Let's talk a moment about the population that this bill is intended to cover, those who are actually in the fiduciary program.

These are veterans with severe illnesses, illnesses like schizophrenia, significant traumatic brain injury,

post-traumatic stress, bipolar disorder, and dementia. These are people who meet the level of injury or illness criteria such that they cannot manage their personal affairs, not just their checkbook.

I have heard this argument over and over again by the majority. Oh, people are being denied, veterans are being denied access to firearms because they can't balance their checkbook. No, no, no. This is not to be reduced to that talking point.

We should be looking to these veterans with care and compassion. We should look at how to better serve their needs regarding access to consistent care and treatment. All these disorders are associated with elevated risk of dangerousness to self and others—suicide in particular—especially when combined with a host of other factors that are actually concentrated in the veterans population.

Moreover, we also know empirically that veterans who are found to have poor financial management abilities are also two times more likely to have substance abuse disorders, suicidal ideation, or engage in violent behavior and be in the justice system.

Drawing a distinction between those who simply cannot balance their checkbook and those who are more explicitly dangerous to themselves or others is not warranted and, in fact, could cause more veterans to slip through the cracks.

It is important to acknowledge that there are significant data gaps that exist related to the population of beneficiaries in the fiduciary program. I, for one, would like to know more about the veterans that are in the fiduciary program.

This bill addresses none of those data gaps, which is one of its many flaws. Instead of seeking to understand who is in this population, the majority rejects any attempt to know more about them.

The majority suggests that there are veterans on the fiduciary list who don't have the opportunity to get off that list, that there is a lack of a robust appeals process. He cites 200,000 veterans being named in this list because they are assigned a fiduciary and cites that there is only maybe a couple of folks who have ever appealed. He cites that as a failure of the appeals process, but maybe it is the other way around. Maybe it is not really what veterans want to do who are on this list. I would like to know that for sure, and we could study that, but the majority has rejected all attempts.

There is very limited information publicly available about the population of veterans deemed to be financially incompetent who have historically been reported to the NICS list and whether they, on average, have elevated rates of suicidality or violence.

□ 1240

We have no data on the desired beneficiaries in the fiduciary program to purchase or own firearms. We don't

even know if people on this list actually want to own firearms.

We have no data on why beneficiaries are failing to utilize the due process afforded to them in the system already.

We have no data on if fear of losing Second Amendment rights is a major impediment to seeking help or if other factors are more important.

In other words, the claim that fear of losing Second Amendment rights is a major impediment to seeking help is a claim being made that has not been borne out by any sort of research or study.

We also don't know the long-term mental health outcomes of those in the fiduciary program.

Democrats in the past have offered amendments to address all of these data gaps, and they were universally rejected by the majority because, again, this is not about policymaking to them. This is not about really trying to understand what we can do to help veterans.

What Republicans have put forth here today is a philosophical debate about the absoluteness of the Second Amendment, and they have made this argument in the absence of data to push legislation without safeguards that will have real-life consequences.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Ms. WASSERMAN SCHULTZ), my good friend and the ranking member of the Subcommittee for Military Construction, Veterans Affairs, and Related Agencies of the Appropriations Committee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank my friend Ranking Member TAKANO for his leadership on the committee. I know he feels just as strongly as I do on this issue. That is why I must rise in opposition to this bill today.

Every day, 17 veterans die by suicide, and 13 of them use a firearm to take their lives. That number is simply unacceptable to me, as I know it is to all of my colleagues, but I am deeply concerned that, with this bill, we are about to make it worse.

The current law was written to help protect veterans. A key moment is when their doctor and care team deem that they are not able to manage their own life and are deemed to be mentally incapacitated.

At that point, the law is designed to prevent them from owning a gun and potentially harming themselves. The VA should be able to refer veterans to NICS who are at the most risk for the purpose of saving lives, but this legislation will permanently tie the VA's hands.

As the ranking member of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee, I have opposed this legislation every time it has been attached to our bill, in the name of protecting veterans.

When I was in the Rules Committee last week and on the floor debating the MILCON-VA bill, this provision was raised multiple times, but, Mr. Speak-

er, I heard something different this year. There are some core agreements. There is a glimmer of hope.

We all agree that we have a major issue with getting help to our veterans and keeping them safe. While we disagree about this legislation, I think that there is a path forward to a bipartisan compromise, a compromise that could allow the VA to do the work that we need to save lives, the work that we directed them to do, and that also respects the choices of some of our veterans.

In the meantime, I must urge my colleagues to vote "no" on this legislation that is attempting to use a sledgehammer where a scalpel can do the job.

Mr. Speaker, I urge a "no" vote.

Mr. BOST. Mr. Speaker, I yield myself such time as I may consume.

I think we should go ahead and listen to what was actually said whenever we said that they actually were having some mental problems, the issue where the ranking member actually said that we only take it away and then they have an appeals process, and that that appeals process is a great appeals process. Mr. Speaker, 240,000 veterans have had their rights taken away, and through the appeals process, less than 800 got them back—less than 800.

He also said that some of them might not want to have their Second Amendment rights. There is nothing in our Constitution that forces you to use your Second Amendment rights. Mr. Speaker, constitutional rights do not become less important simply because ignoring them is convenient.

In fact, moments like these are when the constitutional protection matters the most. My colleagues say we should respond with more studies. That is what they want, more studies. A peer-reviewed study is not standing for the rights granted to every American citizen of our Nation. Who should keep their rights more than the people who stood up and fought for them?

Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, I rise in very strong support of H.R. 1041, the Veterans 2nd Amendment Protection Act.

This bill would restore Second Amendment rights to the veterans who valiantly served our Nation but whose constitutional right to bear arms has been stripped away by unelected bureaucrats.

Federal law, enacted in 1968, prohibits individuals who have been "adjudicated as a mental defective"—and the keyword is "adjudicated"—from possessing or acquiring firearms. This restriction is enforced primarily through the National Instant Criminal Background Check System.

At the same time, the Department of Veterans Affairs allows service-disabled veterans to receive their hard-earned benefits through a fiduciary when the VA determines they are unable to manage their own finances.

However, this determination is often made by VA officials who may lack adequate mental health training. When the VA makes such a determination, the veteran is automatically reported to NICS as a mental defective, and there is no actual adjudication, resulting in the loss of their Second Amendment rights.

This happens without any judicial finding that the veteran poses a danger to themselves or others. In other words, service-disabled veterans who simply need assistance with financial matters can be stripped of their constitutional rights, not by a judge but by an unelected bureaucrat.

These veterans are faced with an unacceptable choice to either receive the benefits they rightly earned and risk their Second Amendment rights or retain their constitutional rights and risk their veteran benefits. This is a shameful and unjust dilemma, particularly for those who risk their lives in defense of our freedoms.

As a member of the House Appropriations Committee, I am proud to say that Congress took an important first step toward addressing this injustice through the annual appropriations process. The FY24 enacted Consolidated Appropriations Act and subsequently enacted appropriations bills have included language directing the VA to cease this practice.

I am pleased to report that earlier this year, Secretary of Veterans Affairs Doug Collins confirmed the VA has complied with the current law and will no longer report veterans to NICS solely because of their need for a fiduciary.

That is a real, meaningful victory for our veterans and a testament to what this body can accomplish when we stand up for those who serve in our military, but that progress is only temporary and will not remain unless we pass the bill before us today to make it permanent.

I urge all of my colleagues to support this vital bill that builds on that appropriations victory and ensures these protections are permanently codified so that no future administration can reverse course and once again use a veteran's need for financial assistance as grounds to unilaterally revoke their God-given Second Amendment rights.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I want to try to bring us back down to Earth and dispel the rumors that those on the other side of the aisle can't help themselves but to spread.

We have heard that H.R. 1041 is a matter of restoring veterans' due process rights, that it is a matter of veterans losing their guns if they need a little help with their finances, and that veterans are stripped of their rights to bear arms for life by unelected VA bureaucrats. None of this is true.

Veterans are not having their weapons taken away if they utilize VA mental health care. Under no circumstances is VA traipsing around the country confiscating firearms.

This is a story that needs to stop being told. I would encourage my colleagues to stop intentionally spreading misinformation.

The Veterans Health Administration, where veterans would be receiving care, has absolutely no role in this process and absolutely no communication with the Department of Justice or the NICS list.

Veterans can and should go to VHA, the Veterans Health Administration, and the VA medical centers for care without fear.

Stop spreading the false fear or the false basis for fear. Start telling the truth.

The truth is that there is robust due process present in this program. A veteran can appeal the assignment of a fiduciary and their subsequent reporting to NICS both before and after the fact, including in Federal court.

I will note, though, that VA data indicates that not many people choose to appeal this decision. That is not because it is too difficult but because it is a pathway that veterans simply are not choosing or simply don't desire.

Again, we are talking about veterans and other beneficiaries who have been injured or made ill in such a way that they cannot make decisions for themselves.

To be clear, this is not something VA launches into without regard.

□ 1250

Veterans in this program have gone through a rigorous, medically-based—medically-based—process to determine their needs for a fiduciary. The decision is not some flippant choice to take away weapons by unelected bureaucrats over a math test as we often hear. An assignment of a fiduciary is done after highly specific criteria are met, and only then, when those criteria are met, does a veteran's name get forwarded to the NCIS database.

However, the majority asks: Why are we treating our veterans like criminals?

Why are we assuming guilt and barring them from obtaining weapons?

This is a rhetorical flourish. It is also fantastical. Veterans are not being treated like criminals. They are being handled in a manner that is commensurate with their medical status as determined by a medical provider in order to protect them and those around them from potential harm.

We have to stop spreading falsehoods and be honest with our veterans. It is inappropriate full stop.

Mr. Speaker, I yield 2 minutes to the gentlewoman from the great State of Georgia (Mrs. MCBATH), who is my good friend and a passionate advocate for gun safety in America.

Mrs. MCBATH. Mr. Speaker, I thank the ranking member for allowing me to share some insight today.

Mr. Speaker, as an American and someone coming from a military family—my father was a dentist in the Army Dental Corps, and I still have

three members of my family today who are currently serving in the military forces—I can tell you that our veterans have given so much of themselves to this country.

We owe them our protection. The Veterans 2nd Amendment Protection Act fails that duty. It does not protect them, and it puts them in danger.

The facts are clear. Veterans are far more likely to die by firearm suicide than the average American. That risk is even higher for veterans assigned a fiduciary when they can no longer manage their own affairs. That is the group that this bill targets. Nearly 100,000 of them would be removed from the background check system with no thought for their safety or the families who love and care for them.

Without red flag laws in most States, and with loosened gun rules and regulations that are flooding our communities, veterans and their families are the ones who are paying the price.

Mr. Speaker, I will tell you what this price looks like.

Ben Miller served his country, coming home not only as a combat vet but as a different man. He was 30 pounds lighter, unable to eat and unable to cope with what he had experienced and seen in war. He was getting help at the VA, but his family could see that he was in crisis. His sister and his father drove from gun store to gun store, showing his photo, begging strangers not to sell him a gun.

However, that wasn't enough. Ben died by suicide. He used a gun that he bought himself at a local store.

There are thousands more stories like Ben's and ones that don't even get talked about in the news. We owe our veterans more than this. It is not about taking away their Second Amendment rights if they are law-abiding gun owners: hunters, gun enthusiasts, and sportsmen. It is not about taking their guns away. It is about making sure that they are protected against harm against themselves or others in their families and their communities.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. TAKANO. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Georgia.

Mrs. MCBATH. Mr. Speaker, I will vote "no" on this egregious bill, and I urge my colleagues to do the same.

Mr. Speaker, if you really care about veterans, then do what is right for them. Do what is right for their safety and their protection.

Mr. BOST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wyoming (Ms. HAGEMAN).

Ms. HAGEMAN. Mr. Speaker, I rise in strong support of H.R. 1041, the Veterans 2nd Amendment Protection Act because I do, in fact, care about our veterans.

For three decades, the Department of Veterans Affairs has abided by the misguided policy that a veteran's fiduciary status alone, absent any judicial order, is grounds to report such a veteran to

the FBI's National Instant Criminal Background Check System.

This policy is wrong. It not only infringes on the Second Amendment rights of our veterans, but it also strips them of their due process protections, which are afforded to every other American citizen.

Fortunately, President Trump and Secretary Collins have taken the lead by halting this policy. It is now up to Congress to ensure this kind of abuse is never witnessed again.

Mr. Speaker, our courageous veterans have made incredible sacrifices to safeguard both our country and our founding freedoms and principles that we cherish every single day. With over 40,000 veterans across Wyoming, ensuring that we are permanently restoring the Second Amendment rights for each of them is of paramount importance to me, and that is precisely what this bill will do.

I am proud to be a cosponsor of this bill. I want to thank Chairman BOST and the House Veterans' Affairs Committee for their tireless leadership on this critical issue, and I urge all my colleagues to support H.R. 1041.

Mr. TAKANO. Mr. Speaker, I yield 4 minutes to the gentlewoman from the great State of Minnesota (Ms. MORRISON). Dr. KELLY MORRISON is my good friend and fellow committee member.

Ms. MORRISON. Mr. Speaker, I rise in strong opposition to H.R. 1041, legislation that would prevent VA from keeping firearms out of the hands of some of the most vulnerable veterans in the VA system.

As a physician and the wife of an Army combat veteran, I care deeply about making sure our veterans receive the care we owe them for their service. Like my colleagues, I am heartbroken and appalled by the scale of veteran suicides in our country, and I remain committed to working with my colleagues to end this epidemic.

Unfortunately, the bill before us today is a step in the wrong direction.

VA's decision to assign a fiduciary to a beneficiary is made based on medical evidence, and there already exist multiple avenues for beneficiaries to appeal VA's decision. In addition, we know that many of these veterans suffer from severe mental illness or impairment and may face an increased risk of death by suicide.

According to the National Alliance on Mental Illness, 46 percent of people who die by suicide suffered from a known mental health condition. In addition, a recent VA estimate suggested that veterans are 57 percent more likely to die by suicide than nonveterans.

All told, we lose more than 17 veterans per day to suicide, 13 of them using a firearm, which is completely unacceptable.

While mental illness and impairment do not lead to suicide on their own, we must be cognizant of veterans who might be at a greater risk than the general population.

As public health and suicide prevention experts will tell you, Mr. Speaker,

putting time and distance between a firearm and a person experiencing a mental health crisis is essential to preventing a successful suicide attempt.

Preventing VA from reporting to the NICS background check system risks putting more firearms in the hands of a population of veterans who are already at an increased risk of death by suicide.

When we considered this legislation in the Veterans' Affairs Committee, I offered an amendment that would have made a carve-out for veterans suffering from severe conditions, such as schizophrenia, dementia, Alzheimer's, and other mental conditions with psychotic features.

Unfortunately, the bill my Republican colleagues decided to bring to the floor today fails to include even the most basic safeguards for veterans suffering from these severe impairments.

While no silver bullet that will eradicate veteran suicide, making it easier for veterans suffering from severe mental illness or impairment to obtain a gun is not the answer.

H.R. 1041 creates serious risks for a group of veterans who are already in a vulnerable position, and I cannot support it.

Instead of considering this partisan legislation that puts more veterans at risk, we should be working together to advance solutions that will help us fight veteran suicide, like improving access to timely mental health care, protecting crisis intervention resources such as the Veterans Crisis Line, and ensuring VA has the resources and staffing it needs to give our veterans the outstanding care they deserve.

Mr. Speaker, I urge my colleagues to vote "no" on this legislation. For this reason, at the appropriate time I will offer a motion to recommit this bill back to committee. If the House rules permitted, I would have offered the motion with an important amendment to this bill.

My amendment would ensure this legislation does not take effect until the VA Secretary certifies that it will not lead to an increase in veteran suicide using a firearm.

If my Republican colleagues are so confident that this legislation won't risk increasing the rate of veteran suicide, then this should be an easy measure for them to support.

Mr. Speaker, I ask unanimous consent to insert the text of this amendment into the RECORD immediately prior to the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

Ms. MORRISON. I hope my colleagues will join me in voting for the motion to recommit.

Mr. BOST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want you to listen to what the previous speaker just said.

She explained that if someone has a mental health condition or someone

has these other concerns, that she would offer an amendment to that. However, let me explain to you that if we grant them their constitutional rights, Mr. Speaker, they already have that ability.

□ 1300

They already have that ability and their constitutional rights would be treated exactly the same as a person that does not serve in the military and does not go to the VA.

Someone can see that if they had a problem, then they could take and raise that before a judge, not before a bureaucrat.

Let me explain this again. This is not about gun rights. This is not about dealing with our veterans that might commit suicide or anyone else that might commit suicide. This is about the constitutional right of a veteran who has fought for those rights that a bureaucrat has the power to take away their ability to have that Second Amendment, which is in the Constitution.

Now, they might not agree with that Second Amendment and that has been debated here several times. But now to continue to carry on and use this law to take away the rights of people who fought for their rights, how ridiculous is that? How ridiculous is it going to be to go back for Memorial Day and tell their veterans, I was there for you. We took away your rights. I think that is ridiculous.

Mr. Speaker, I yield 2½ minutes to the gentleman from North Carolina (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I appreciate the chance to speak on this bill and I certainly appreciate Chairman BOST's leadership on this important matter.

Mr. Speaker, I rise in strong support of H.R. 1041, the Veterans 2nd Amendment Protection Act.

This bill is about basic fairness and restoring a standard that respects both our veterans and the Constitution. Under current practice, a veteran who simply needs help managing their VA benefits can be reported to the FBI's background check system and lose their Second Amendment rights without ever appearing before a judge.

That is an extraordinary outcome for something as routine as appointing a fiduciary. No other American loses a constitutional right because of an administrative decision about their finances, and our veterans should not be that exception.

H.R. 1041 corrects that imbalance. It restores the principle that should have guided this process from the beginning: Only a court of law can determine whether someone poses a danger to themselves or others. That is the due process standard our system is built on, and it is the only standard appropriate when a constitutional right is at stake.

It safeguards both due process and the constitutional freedoms our veterans fought to defend. By reaffirming

that these determinations must be made through proper legal channels, the bill ensures veterans are treated with the same fairness and dignity as every other American.

It also brings clarity and consistency to a process that has too often been confusing, unevenly applied, and out of step with the protections guaranteed to all citizens. Our veterans stood in defense of the Constitution and they deserve nothing less than its full protection in return. H.R. 1041 honors that commitment.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. TAKANO. Mr. Speaker, I reserve the balance of my time.

Mr. BOST. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. CRANK).

Mr. CRANK. Mr. Speaker, I thank the distinguished chairman for yielding to me.

Mr. Speaker, I rise today in strong support of the Veterans 2nd Amendment Protection Act. I am proud to represent El Paso County and the 100,000 veterans and Active-Duty servicemembers who live there. These heroes committed their lives in service to the Nation and in protection of our Constitution. They served with the promise that when their military career ended, the VA would be there to provide the benefits they earned and to advocate for their best interests. Unfortunately, as we all know, too often, the VA fails in this mission.

For 30 years, veterans have had their Second Amendment rights stripped by the VA simply for the crime of receiving help managing their benefits. For the past three decades, if the VA assigned a veteran a fiduciary, a benefit they have rightfully earned, they would automatically report that veteran to the National Instant Criminal Background Check System as a prohibited person.

This unconstitutional practice blacklisted over a quarter million veterans from the right to purchase or possess a firearm. This malicious VA rule treats our veterans as second-class citizens and deters our heroes from seeking the care they earned in service to their Nation out of fear their Second Amendment rights will be taken away.

What would my colleagues on the other side, who so flippantly say veterans can be denied their Second Amendment rights, what would they say if we were somehow denying their First Amendment rights: their right to free speech, their right to religion, or their right to peaceably assemble? They wouldn't stand for it.

They will only stand for it because it denies a right that they disagree with. That is not what the Constitution is about.

I thank Chairman BOST for introducing this important legislation and to finally bring an end to this practice. I was proud to cosponsor it.

I am thankful that the Trump administration has already acted to right this wrong through agency directive.

Mr. TAKANO. Mr. Speaker, I reserve the balance of my time.

Mr. BOST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. BOEBERT).

Ms. BOEBERT. Mr. Speaker, I rise today in strong support of H.R. 1041, the Veterans 2nd Amendment Protection Act.

Our veterans answered the call when this Nation needed them most. They fought to defend the very Constitution that guarantees every American the right to keep and bear arms. I thank every veteran for their sacrifice. We see them. We honor them, and we have got their backs.

How do we repay our Nation's heroes? Right now, bureaucratic overreach allows the VA to strip away a veteran's constitutional right just because they ask for help managing their benefits. If you use a fiduciary, the system flags you. It is wrong, and it ends now.

Chairman BOST's commonsense bill stops the VA from automatically feeding veterans' names into the background check system. It protects the Second Amendment rights of the men and women who fought for ours. The radical left loves to say they support the troops until it is time to actually protect their constitutional rights.

The Second Amendment is not optional, and our veterans have the right to exercise it fully. No more treating men and women who defended this country like second-class citizens. We will restore and protect the constitutional freedoms of our veterans and every American.

Mr. Speaker, I urge my colleagues to pass H.R. 1041. Honor our warriors by restoring their rights. God bless our veterans.

Mr. BOST. Mr. Speaker, I am ready to close, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am obviously frustrated with what I have heard here today. There has been a lot of lip-service to the concept of due process from my colleagues, which is particularly interesting considering they do not share this same passion for the application of this right elsewhere at VA.

If it wasn't already clear that my colleagues are only here to put on a show, I will remind everyone that even if this bill were to be signed into law today, it would have no effect whatsoever on the processes and procedures at VA.

Why you may ask? This is because in its infinite wisdom, the Department of Justice and VA, have decided to ignore Congress, once again, and unilaterally interpret the Brady Handgun Violence Prevention Act so as not to apply to VA.

VA isn't even doing the things the majority is accusing them of doing anymore, but sadly, my colleagues have decided it is worth continuing to sow mistruths, distortions, and risk endangering veterans and civilian lives

alike by messaging on the backs of beneficiaries who need treatment, not weapons.

□ 1310

Mr. Speaker, we must be steadfast in providing meaningful support to our veterans, not using them as props for political gain as this bill does.

As the chairman said, this is not about gun rights. This is not about gun rights. I would suggest that what this is about is politics.

We must do anything and everything we can to protect the most vulnerable veterans in the VA system and not inject more risk of harm.

For those reasons and many more, I strongly oppose this bill, and I urge my colleagues to vote against it.

Mr. Speaker, I yield back the balance of my time.

Mr. BOST. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, House Democrats claim that H.R. 1041, as amended, would harm vulnerable veterans. That is simply false, but just don't take my word for it. Organizations who represent millions of veterans and their families support this. In fact, the bill is supported by The American Legion, the Vietnam Veterans of America, the National Association of County Veterans Service Officers, Mission Roll Call, the Black Veterans Empowerment Council. All of these groups, and countless others, veterans organizations across this Nation support this piece of legislation, including the Veterans of Foreign Wars and many others. Why? It is because they understand that this is about the rights of the men and women who stood in the gap to make sure you can keep yours.

This bill is also supported by Second Amendment groups, including: Gun Owners of America, the National Rifle Association, the National Association for Gun Rights, the National Shooting Sports Foundation. Importantly, H.R. 1041, as amended, is supported by the civil liberties groups and organizations who advocate for the elderly and those with disabilities, including the American Civil Liberties Union, not necessarily a conservative group, the National Disability Rights Network, the Bazelon Center for Mental Health Law, the Association of Mature American Citizens Action, the Autistic Self Advocacy Network, and the Disability Rights, Education & Defense Fund.

Mr. Speaker, I am sure you would agree, and even Ranking Member TAKANO can admit that it is not every day that many of these groups come united together, especially probably the NRA and the ACLU. Their support shows how discriminatory the practice that the VA has been doing for over the last three decades has been by reporting to the next unit anyone who seeks fiduciary help from the VA.

Mr. Speaker, most of the people who have spoken on the Democrat side of the aisle would carry other laws that would take away your Second Amendment right.

Mr. Speaker, I am not arguing the gun law here, though I would. I am arguing the rights of our veterans for due process, the same as someone who never raised their hand. Why should someone have their rights improperly and without due process be taken away because they chose to stand up for this Nation?

I am going to tell you this wasn't for political purposes. I have been carrying this bill for a long time. This weekend, you are going to have to go back to your districts, and you are going to have to talk about the fact that: I am there for you, my veterans. Thank you. I am there for you, but I don't think you are worth your constitutional rights, even though you served to defend them.

Mr. Speaker, this is a situation that has wrongly occurred in this Nation for way too long. I thank the administration for getting it straightened out. We are not saying that someone that is a veteran and is a danger to themselves or a danger to other people can't go through the process like everybody else and say, okay, we do need to go ahead and look over their ability to have that Second Amendment right. That is why we have the NICS list. But whenever the NICS list is overburdened, matter of fact, with our veterans at the percentage that it is, something is wrong. Something is wrong. This bill has been a longtime coming.

Mr. Speaker, I include in the RECORD letters of support from many of those organizations that I mentioned previously: The American Legion, National Disability Rights Network, National Rifle Association of America, Vietnam Veterans of America, and American Civil Liberties Union.

THE AMERICAN LEGION,
OFFICE OF THE NATIONAL COMMANDER,
Washington, DC, April 29, 2025.

Hon. MIKE BOST,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN BOST: On behalf of the American Legion 1.5 million dues paying members, I write to express our full support for H.R. 1041, the Veterans 2nd Amendment Protection Act, as amended.

This legislation is a necessary step toward restoring the constitutional rights of countless veterans who, despite having honorably served our nation, have been unjustly denied their Second Amendment rights. For far too long, veterans who required the assistance of a fiduciary for managing VA benefits—often due to physical or age-related issues—were reported to the National Instant Criminal Background Check System (NICS) without any due process or judicial review. These individuals were wrongfully categorized as mentally defective, not based on a court ruling, but simply on administrative decisions by the Department of Veterans Affairs.

H.R. 1041 corrects this miscarriage of justice by prohibiting the VA from transmitting personally identifiable information to the Department of Justice for inclusion in NICS unless a judge or magistrate has determined the individual to be a danger to themselves or others. This preserves the fundamental principle of due process—an essential safeguard for any constitutional right, especially one as central as the right to keep and bear arms.

The bill rightly recognizes that being assigned a fiduciary does not equate to being a danger to oneself or others and therefore should not serve as grounds to restrict firearm ownership. Importantly, this legislation requires the Secretary of Veterans Affairs to notify the Attorney General that the basis for all prior reporting of veterans to NICS solely due to fiduciary status does not apply or no longer applies. This notification will, in turn, trigger the FBI to update the NICS database accordingly ensuring that those who were wrongfully reported will be removed. It is critical to note that veterans who are on the NICS list for other legitimate legal reasons, such as a state court finding dangerousness, will remain unaffected by this correction.

This bill does not jeopardize public safety. Instead, it upholds the balance between protecting communities and respecting the rights of those who served our country with courage and sacrifice. The assumption that a veteran is incapable or dangerous simply because they require fiduciary assistance is not only unfounded—it is deeply disrespectful and discriminatory.

We urge members of Congress to support and pass the Veterans 2nd Amendment Protection Act to ensure that no veteran is stripped of their rights without a fair and impartial judicial process.

For God and Country,

JAMES A. LACOURSIERE,
National Commander.

NATIONAL DISABILITY RIGHTS NETWORK,
Washington, DC, March 3, 2025.

Hon. MIKE BOST,
Chairman, House Veterans Affairs Committee,
Washington, DC.

CHAIRMAN BOST: The National Disability Rights Network (NDRN) thanks you for introducing, and supports passage of, H.R. 1041, the Veterans Second Amendment Protection Act. This legislation 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.

NDRN has long advocated for the inclusion of necessary protections and due process in any system (like guardianship or conservatorship) 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.

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 do not 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. This bill also 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.

Again, thank you for your work on this issue and we support the passage of this legislation from the Veterans Committee and look forward to enacting this bill into law.

Sincerely,

MARLENE SALLO,
Executive Director.

NATIONAL RIFLE ASSOCIATION OF
AMERICA, INSTITUTE FOR LEGISLA-
TIVE ACTION,

Fairfax, Virginia, May 18, 2026.

Chairman MIKE BOST,
House Committee on Veterans' Affairs,
Washington, DC.

DEAR CHAIRMAN BOST: On behalf of the millions of NRA members nationwide, I write today to support H.R. 1041, the Veterans 2nd Amendment Protection Act, and urge a resounding "yes" vote for its swift passage.

This important legislation would reverse a decades-long practice that has been used by the Department of Veterans Affairs (VA) to violate the constitutionally protected Second Amendment rights of hundreds of thousands of veterans—all without a shred of due process. From 1998 until recently, VA had been reporting the names of veterans who have been assigned a fiduciary to help manage their benefits to the FBI National Instant Criminal Background Check System (NICS), thereby ending their legal right to own or possess a firearm.

NRA-ILA was proud to support your effort to end this practice in H.R. 4366, the Consolidated Appropriations Act of 2024, when language was included to prohibit VA from using appropriated funds to submit names to NICS simply for having an assigned fiduciary. And NRA-ILA has been gratified to see that prohibition remain in place in subsequent appropriations bills, including the Military Construction and Department of Veterans Affairs bill the U.S. House passed last week. While we applaud your critical oversight over VA's NICS reporting practices, we understand that a permanent fix, such as that offered by the Veterans 2nd Amendment Protection Act, is necessary to close this shameful chapter in VA history, once and for all. Once passed, this legislation will mark a key turning point in rebuilding trust and confidence between VA and the veterans it serves.

We thank you for your continued attention to this crucial issue and all you do for our great nation's veterans.

Sincerely,

JOHN COMMERFORD,
Executive Director, NRA-ILA.

VIETNAM VETERANS OF AMERICA,
Silver Spring, MD, April 15, 2025.

Hon. MIKE BOST,
Washington, DC.

CHAIRMAN BOST: I am writing to express my strong support for the Veterans 2nd Amendment Protection Act, which seeks to amend Title 38 of the United States Code to prohibit the Secretary of Veterans Affairs from transmitting certain information to the Department of Justice for use by the National Instant Criminal Background Check System (NICS).

Our main reason for supporting this legislation is to ensure a level of fairness for veterans concerning the current VA fiduciary process, particularly as it relates to the reporting of veterans to NICS without due process. Veterans, who have dedicated their lives to serving our country, deserve to be treated with dignity and respect. The existing process can lead to unjust consequences where veterans may lose their Second Amendment rights based solely on a determination made by the Secretary without judicial oversight.

This legislation is a critical step in protecting the rights of veterans. It ensures that before any personal information is transmitted that could impact their ability to exercise their rights, there is a requirement for judicial determination that they pose a danger to themselves or others. This not only upholds the principles of due process but also prevents potential misuse of sensitive information that could unfairly label

veterans as threats without proper evidence or evaluation.

By passing the Veterans 2nd Amendment Protection Act, we send a clear message that our nation values the rights and well-being of our veterans. It is essential that we provide them with the protection they deserve, especially when it comes to their civil liberties without eliminating the protection of veterans and the community.

Thank you for considering my views on this important matter. I urge all members to support the Veterans 2nd Amendment Protection Act to ensure fairness for all veterans in our country.

Sincerely,

JACK MCMANUS,
National President.

AMERICAN CIVIL LIBERTIES UNION,
NATIONAL POLITICAL ADVOCACY
DEPARTMENT,
Washington, DC, May 20, 2026.

VOTE YES FOR THE VETERANS 2ND AMENDMENT
PROTECTION ACT (H.R. 1041)

DEAR REPRESENTATIVE: On behalf of the American Civil Liberties Union, we urge you to vote in favor of H.R. 1041, the Veterans 2nd Amendment Protection Act, as amended, when it comes to the House floor for a vote. We support this legislation because it ends a government practice that discriminates against, stigmatizes, and harms veterans with mental disabilities. For this reason, we will score this vote.

The Department of Veterans Affairs (VA) assigns a fiduciary to veterans who are unable to manage their VA benefits. The VA does so upon a showing of clear and convincing medical evidence that the veteran, because of injury or disease, lacks the mental capacity to contract or to manage his or her own affairs. It was, until recently, the Department's practice to report all veterans who have been determined to be "mentally incompetent," pursuant to this process, to the National Instant Criminal Background Check System (NICS). This referral makes it unlawful for the veteran to possess a firearm. While the VA has paused this process of referrals voluntarily, it retains authority to resume referrals at any time.

The Veterans Second Amendment Protection Act would prohibit the automatic referral of veterans with fiduciaries unless there has been a separate judicial finding or order that the veteran is "a danger to themselves or others." It would also require the Attorney General to remove the veterans currently on the NICS who were placed there by the VA solely because they were assigned a fiduciary.

We urge Members to vote for this legislation because it combats the false and misguided, but unfortunately pervasive, belief that people with mental disabilities, a vast and diverse group of citizens, are violent and therefore should not own a firearm. There is simply no data to support a connection between a propensity towards gun violence and needing help to manage one's VA benefits because of disability. Opponents of the bill report that the most common disabilities among veterans assigned a fiduciary are post-traumatic stress disorder, traumatic brain injury, schizophrenia, bipolar disorder, and dementia. But these conditions are not evidence of dangerousness to self or others, and they should not be used as the sole basis for denying veterans a constitutional right.

The few research studies cited to support the placement of veterans with fiduciaries on NICS are too speculative to support widespread curtailment of rights. Indeed, one study acknowledges that previous studies on this issue did not examine veterans with fiduciaries and did not directly assess the

issue in question: the risk that a veteran with a fiduciary would misuse a firearm.

Instead of acknowledging this lack of evidence, some have concluded that the fiduciary process serves as an adequate proxy for a determination of dangerousness. We strongly disagree and urge you to reject this assertion. It is discriminatory to assume that veterans with mental illness or other disabilities who need help managing their benefits are a danger to themselves and others. Every veteran has the right to be judged on her individual capabilities, not the characteristics and capabilities that are sometimes attributed (often mistakenly) to any group or class to which they belong. A disability must not constitute grounds for the automatic per se denial of any right or privilege, including gun ownership.

Additionally, relying on assumptions rooted in harmful stereotypes does not advance the safety goals—for veterans themselves, their loved ones, and the general public—we all share. Indeed, it is possible that a substantial number of veterans who were not assigned a fiduciary are a danger to themselves or others and those who do have a fiduciary are, in fact, not a danger to themselves or others.

We recognize the grave concerns members of Congress, and many others, have expressed about both the impact of gun violence in our communities and the imperative to reduce access to some firearms. But the policy at issue here is the wrong approach. It scapegoats and stereotypes veterans with disabilities who need help with their VA benefits without evidence that they are a danger to themselves or others. Gun violence prevention should not be advanced by perpetuating discrimination against people with disabilities.

There are few, if any, issues with more universal support than providing our veterans with the tools and resources they need to minimize the risk of self-harm and prevent suicide. Their courage and sacrifice deserve nothing less. Congress should continue its attention to that urgent task, but with tailored solutions that directly address the problem rather than discriminatory proxies.

We urge Members to vote for this legislation.

Sincerely,

MIKE ZAMORE,
National Director of
Policy & Govern-
ment Affairs.

VANIA LEVIELLE,
Senior Legislative
Counsel.

Mr. BOST. Mr. Speaker, my message to all Members is really clear: Support this bill. Support the constitutional rights of those people who fought for those constitutional rights for you.

As I said, this has gone on long enough. I think that a person who knows and understands this issue will stand up for their veterans and support this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HARIDOPOLOS). All time for debate has expired.

Pursuant to House Resolution 1300, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. MORRISON. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Morrison of Minnesota moves to recommit the bill H.R. 1041 to the Committee on Veterans' Affairs.

The material previously referred to by Ms. MORRISON is as follows:

Ms. Morrison moves to recommit the bill H.R. 1041 to the Committee on Veterans' Affairs with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end (before the long title amendment) the following:

SEC. 5. EFFECTIVE DATE.

Section 5501B of title 38, United States Code, as added by section 2, section 5501C of such title, as added by section 3, and section 5501D of such title, as added by section 4, shall take effect on the date on which the Secretary of Veterans Affairs submits to the Committees on Veterans' Affairs of the Senate and House of Representatives certification in writing that the implementation of such sections will not lead an increase in the rate of death by suicide using a firearm among beneficiaries for whom the Secretary pays benefits to a fiduciary for the use and benefit of the beneficiary under section 5502 of title 38, United States Code.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BOST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

**SMITHSONIAN AMERICAN
WOMEN'S HISTORY MUSEUM ACT**

Mr. STEIL. Mr. Speaker, pursuant to House Resolution 1300, I call up the bill (H.R. 1329) to permit the Smithsonian American Women's History Museum to be located within the Reserve of the National Mall, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1300, the amendment in the nature of a substitute recommended by the Committee on House Administration, printed in this bill, modified by the amendment printed in part B of House Report 119-653, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1329

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smithsonian American Women's History Museum Act".