

United States Senate

WASHINGTON, DC 20510

August 7, 2015

The Honorable Carolyn Colvin
Acting Commissioner of Social Security
Social Security Administration
6401 Security Boulevard
Woodlawn, MD 21207

Dear Acting Commissioner Colvin:

We were disappointed to learn, through press reports rather than direct contact from the Social Security Administration (SSA) with Congress, that SSA is currently in the planning stages of implementing a new policy to report certain Social Security beneficiaries to the National Instant Criminal Background Check System (NICS) used by the government to prevent gun sales to individuals who are felons, drug addicts, illegal or unlawful immigrants, and others.

As far as we know, nothing in the NICS presupposes adverse risk associated with individuals who are recipients of Social Security benefits and who also utilize representative payees. Yet, SSA's intention to implement screening of all such individuals seems to improperly presume that such a risk exists. It is not at all clear how this misguided intention is intended to be carried out or how SSA will serve as adjudicator of risks posed by beneficiaries utilizing its representative payee system.

The representative payee system is vital for beneficiaries who need assistance managing their own finances. Millions of responsible seniors and people with disabilities rely on a representative payee. As SSA explains to beneficiaries: "There can be many reasons why Social Security decides someone needs a payee. However, it is usually because we have information that indicated you need help managing your money and meeting your current needs." This description does not seem to suggest that beneficiaries using representative payees are deemed to be a danger to others or to themselves. Indeed, it would be inappropriately presumptive to decide that such dangers exist merely because an individual participates in the representative payee system, even when participation is based on mental-health related reasons. Mental health conditions are varied, and SSA's intentions to report beneficiaries utilizing the representative payee system runs the risk of increasing stigma for beneficiaries with mental health conditions and unfairly judging them to be unfit to avail themselves of their Second Amendment rights.

In light of SSA's perennial complaints about lack of funding to administer its programs, it is disappointing to learn that allegedly scarce administrative resources are being devoted to an effort to deny certain beneficiaries of their rights. Those resources would

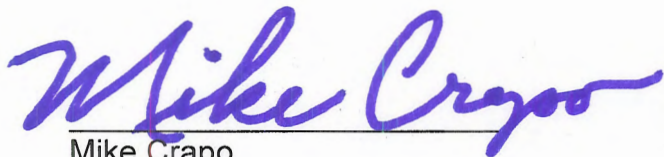
more effectively be used improving service for Social Security beneficiaries, updating Social Security's dated criteria for administering its Disability Insurance program, reducing numerous service backlogs, or even improving the workings of the representative payee system currently in place, which the Government Accountability Office recently identified as "a major SSA management challenge."

We urge you to suspend further efforts to develop your plan to report old-age and disability benefit recipients in Social Security programs to NICS and to provide a detailed report to us on the basis for SSA's intention to develop such a plan.

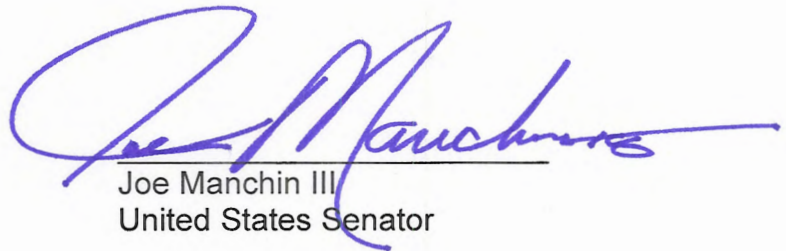
Old age or a disability does not make someone a threat to society. Having a representative payee should not be grounds to revoke constitutional rights. We strongly urge you to halt any steps to provide information on Social Security beneficiaries or Supplemental Security Income recipients to the NICS.

We look forward to your prompt response.

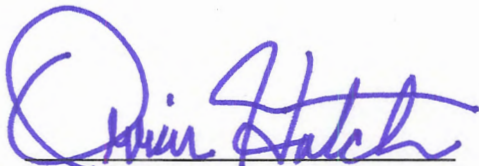
Sincerely,



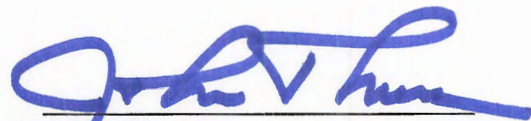
Mike Crapo
United States Senator



Joe Manchin III
United States Senator



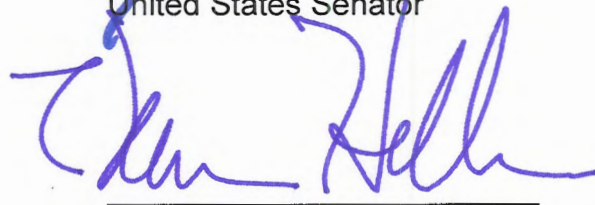
Orrin Hatch
United States Senator



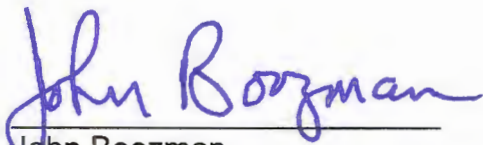
John Thune
United States Senator



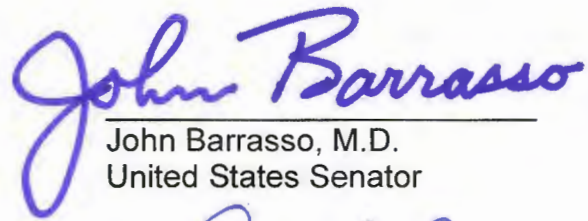
Tom Cotton
United States Senator



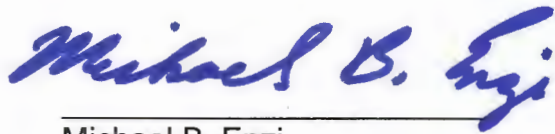
Dean Heller
United States Senator



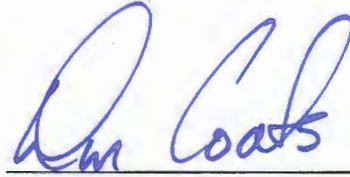
John Boozman
United States Senator



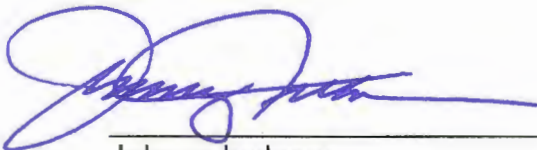
John Barrasso, M.D.
United States Senator



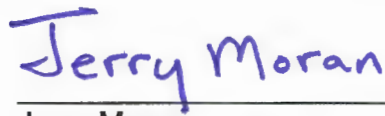
Michael B. Enzi
United States Senator



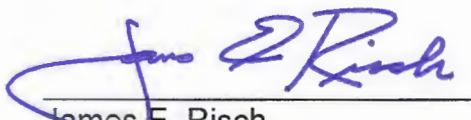
Dan Coats
United States Senator



Johnny Isakson
United States Senator



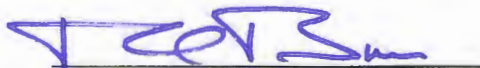
Jerry Moran
United States Senator



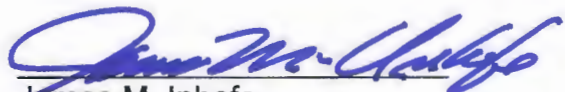
James E. Risch
United States Senator



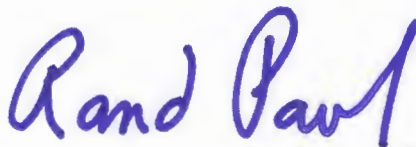
David Vitter
United States Senator



Richard Burr
United States Senator



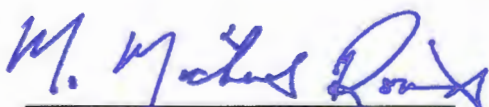
James M. Inhofe
United States Senator



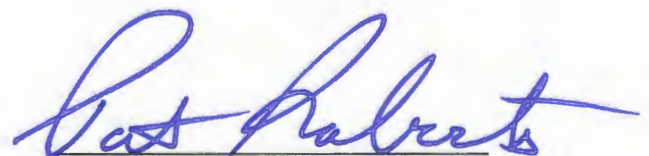
Rand Paul, M.D.
United States Senator



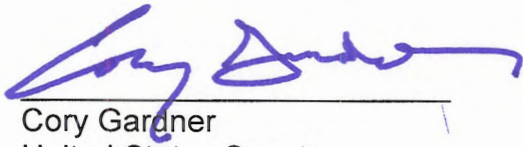
Jeff Sessions
United States Senator



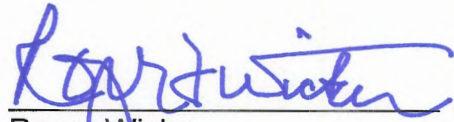
M. Michael Rounds
United States Senator



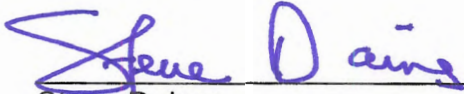
Pat Roberts
United States Senator



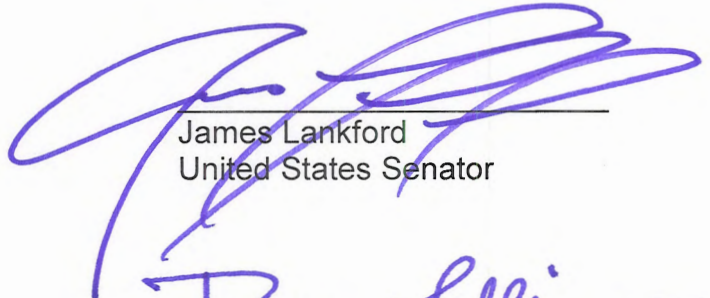
Cory Gardner
United States Senator



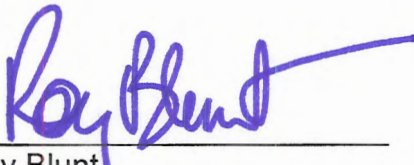
Roger Wicker
United States Senator



Steve Daines
United States Senator



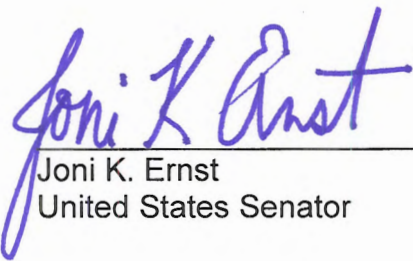
James Lankford
United States Senator



Roy Blunt
United States Senator



Dan Sullivan
United States Senator



Joni K. Ernst
United States Senator