

JON TESTER, MONTANA  
CHAIRMAN  
PATTY MURRAY, WASHINGTON  
BERNARD SANDERS, VERMONT  
SHERROD BROWN, OHIO  
RICHARD BLUMENTHAL, CONNECTICUT  
MAZIE HIRONO, HAWAII  
JOE MANCHIN III, WEST VIRGINIA  
KYRSTEN SINEMA, ARIZONA  
MAGGIE HASSAN, NEW HAMPSHIRE  
ANGUS S. KING, Jr., MAINE  
TONY McCLAIN, STAFF DIRECTOR

# United States Senate

COMMITTEE ON VETERANS' AFFAIRS  
WASHINGTON, DC 20510

JERRY MORAN, KANSAS  
RANKING MEMBER  
JOHN BOOZMAN, ARKANSAS  
BILL CASSIDY, LOUISIANA  
MIKE ROUNDS, SOUTH DAKOTA  
THOM TILLIS, NORTH CAROLINA  
DAN SULLIVAN, ALASKA  
MARSHA BLACKBURN, TENNESSEE  
KEVIN CRAMER, NORTH DAKOTA  
TOMMY TUBERVILLE, ALABAMA  
DAVID SHEARMAN, STAFF DIRECTOR

March 1, 2024

The Honorable Patty Murray  
Chairman  
Senate Appropriations Committee and  
Military Construction, Veterans Affairs and  
Related Agencies Subcommittee

The Honorable John Boozman  
Ranking Member  
Military Construction, Veterans Affairs and  
Related Agencies Subcommittee

Dear Senators,

I am writing to urge you to retain in conference a provision that would protect veterans' access to legal firearms. It is not right that a DC bureaucrat at the Department of Veterans Affairs (VA) could take away a veteran's legal right to firearms simply because they needed assistance managing their finances.

Senate Amendment 1354, which passed as part of the Military Construction, Department of Veterans Affairs, and Related Agencies Appropriations bill in October 2023, would prohibit federal funds from being used to report a veteran's information to the Department of Justice's (DOJ) National Instant Criminal Background Check System (NICS) without an order from a judge finding the individual is a danger to themselves or others. Reporting a veteran's information to DOJ for use by NICS would prohibit them from passing a background check to purchase a firearm.

Veterans have made it clear that VA's current practice is pushing some veterans away from the mental health care they need. The Veterans of Foreign Wars have previously testified that veterans often refuse to seek mental health care at VA out of fear their firearms will be unjustly taken away. The fact is - as VFW testified - this practice is adding to the stigma around veterans receiving mental health care, and creates a barrier to care for many and it has to change.

Veterans who have honorably served our country should not have their Second Amendment right taken away by federal bureaucrats without their day in court. We need to ensure the government does not infringe on veterans' Second Amendment rights and that they are afforded due process protections. I urge you to retain this language in conference to protect veterans' access to legal firearms and remove a barrier to veterans accessing mental health care at VA.

Sincerely,



Jon Tester  
Chairman