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JANICE MAYS,
MINORITY CHIEF COUNSEL

July 21, 2015

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

Dear Acting Commissioner Colvin:

It has come to our attention that the Social Security Administration is considering a policy to provide the names of Social Security beneficiaries who have a "representative payee" to the National Instant Criminal Background Check System (NICS) in an effort to limit 2nd Amendment rights. This would be a dangerous overreach, and we urge you to abandon any such plan.

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. Simply using this system does not mean beneficiaries are a risk to themselves or others.

Providing information on individuals who have a representative payee to the NICS is a broad overreach of authority and violates beneficiaries' constitutional rights. This policy runs counter to the aims of the Americans with Disabilities Act (ADA) – the 25th anniversary of which we will celebrate this week – and would stigmatize seniors and people with disabilities and isolate them from society at large.

In a January 11, 2013 letter to Vice President Biden, the National Council on Disability stated its firm opposition to this policy: "Whatever merits such a proposal might seem to present, such benefits are outweighed by the inaccurate and discriminatory inference that would result: equating the need for assistance in managing one's finances with a presumption of incapacity in other areas of life."

Old age or a disability doesn't 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.

Please provide your response in regards to whether you will continue to pursue this misguided policy by no later than Friday, July 31st, 2015. If you have any questions, please contact Ted McCann, Staff Director at the Social Security Subcommittee, at (202) 225-9263, or Susan Ross, Clerk for the House Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies at (202) 225-3508.

Sincerely,

PAUL RYAN
Chairman

SAM JOHNSON
Chairman
Subcommittee on Social Security

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Member of Congress

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Member of Congress

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