NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
11250 WAPLES MILL ROAD
FAIRFAX, VIRGINIA 22030

Office of the Executive Director
CHRIS W. COX

The Honorable Paul Ryan
Speaker of the House
1233 Longworth House Office Bldg
Washington, DC 20515

The Honorable Nancy Pelosi
House Minority Leader
233 Cannon H.O.B.
Washington, DC 20515

Dear Speaker Ryan and Minority Leader Pelosi:

I am writing on behalf of the National Rifle Association Institute for Legislative Action (NRA-ILA) to urge you to vote yes on H.J.Res. 40. This measure is a joint resolution to disapprove, under the Congressional Review Act, a Social Security Administration (SSA) rule that would result in hundreds of thousands of law-abiding Americans permanently losing their Second Amendment rights.

SSA claims its rule was mandated by the NICS Improvement Amendments Act of 2007 (NIAA), as interpreted by the Obama administration's Department of Justice. The supposed intent of the rule is for SSA to identify disability or Supplementary Security Income beneficiaries who qualify as prohibited "mental defectives" under the Gun Control Act (GCA) and report them to the National Instant Criminal Background Check System (NICS).

NICS came online nearly 20 years ago, but at no point before this new regulation did SSA consider its own operations or decisions as somehow implicated by the prohibitions in the GCA. Clearly this was not provoked because of the NIAA or because of changes in the SSA's own procedures, but because of the anti-gun politics of the Obama administration. President Obama made clear that if Congress would not support his desire for increased gun control, he would act on his own. That's why he issued this proposal in the final days of his administration.

The SSA received over 91,000 comments in response to its proposed rule, the overwhelming majority of them in opposition. Comments submitted by NRA-ILA explained in detail how the rule misread the underlying statutes; ignored binding case law; targeted harmless individuals who do not pose a risk of harm; violated due process; and hijacked the SSA's legitimate functions for political purposes.

Our opposition was joined by mental health professionals and advocates for the mentally ill, who argued that the proposal was not supported by evidence or science; added to the stigma of mental illness; and created disincentives for mentally ill persons to seek help and benefits to which they are entitled.

Reporting law-abiding, non-dangerous individuals to NICS and forcing them, as a condition of removal, to prove they are not a threat to society is inconsistent with the GCA, the Second Amendment and basic due process.

For these reasons, the NRA strongly supports H.J.Res. 40. Because of the importance of this issue to NRA members and gun owners throughout the country, votes on H.J.Res. 40 will be considered in future candidate evaluations and we will notify our members accordingly.

Sincerely,

Chris W. Cox

Tel: (703) 267-1140 • www.nraila.org • Fax: (703) 267-3973