

Ranking Member Richard Burr

WASHINGTON, D.C. – Good morning, Mr. Chairman. Welcome to all of our witnesses. We have an extensive list of legislation on today's agenda, so I will try to be brief.

Let me start by thanking you, Mr. Chairman, for working with me on legislation to provide assistance to the family caregivers of seriously injured veterans. I want to single out two special North Carolinians, Sarah and Ted Wade, who spent many hours reviewing drafts of the bill before it was introduced. Their unique perspective on the needs of both family caregivers and seriously injured veterans needing full-time care was essential.

I also am proud to join you, Mr. Chairman, on legislation that would create a process under which VA could be provided with a medical care budget one year ahead of time. It is very possible that we'll have two appropriations for VA enacted this year...the first for 2010, the second for 2011. It'll be nice to get VA's budget completed well ahead of time for a change!

I'm pleased to see that legislation I introduced to create a voluntary dental insurance benefit for all veterans and survivors of veterans enrolled for care at VA is on the agenda. The legislation is modeled after the popular Tricare Retiree Dental Program and simply gives veterans the option to pool together and get coverage they may need.

One of the bills on the agenda that I feel passionately about is S. 669, the Veterans' Second Amendment Protection Act. Three other Committee Members have joined me on this bill, along with 12 other Senate colleagues.

The Committee voted to approve this bill last Congress, and I hope to see it enacted this year. As many of you know, if a veteran comes to VA for help and is later determined to need assistance managing benefit payments, their name is sent to the National Instant Criminal Background Check System, known as "NICS", which is a government database that is used to deny individuals their Second Amendment rights.

Over 117,000 names have been sent by VA to this government database since 1998...In contrast, the Social Security Administration sends no names to this government database despite having over 5 million beneficiaries who require assistance managing their finances.

I have three problems with this policy: First, I believe our veterans are being unfairly targeted; second, I believe it's inappropriate for a government employee to be able to make these types of decisions; and, third, the current process doesn't even assess whether these individuals pose a danger to themselves or others.

S. 669 would prohibit VA from sending the names of veterans and others to this government database unless, and I stress this so it is clear to everyone, an appropriate judicial authority makes the determination that these individuals pose a danger to themselves or others.

By simply asking for due process, this bill simply respects protection of constitutional rights. We must provide our veterans with the due process granted to every other citizen.

I wish I knew what the position of the Department of Justice was on this legislation. Mr.

Chairman, you invited the Attorney General or his designee to come and testify; and as you can see, they are not here.

I don't understand the reason for their absence here today. If the current practice is justified then there should be no reluctance to have an Administration official testify about the bill. In my view, this is the second time in less than two weeks that the Administration has tacitly endorsed an effort to unfairly target veterans.

Just last week the Department of Homeland Security released a report titled "Rightwing Extremism", which states that, "Returning veterans possess combat skills and experience that are attractive to rightwing extremists..." without any data to support such vile claim against our nation's veterans.

The report suggests that those veterans who are "disgruntled, disillusioned, or suffering from the psychological effects of war" are more likely to join these groups.

This assessment of our veterans is not only misguided, it is insulting.

In closing, I'd like to submit testimony for the record sent to the Committee by retired Coast Guard Lieutenant Jerri Geer. Lt. Geer came to VA for help in 2002 because she was having problems with her finances. Shortly thereafter she received a letter telling her that she was placed on the government's criminal database used to prevent the purchase of firearms.

What's ironic is that Lt. Geer doesn't even like guns. She was simply offended by the arbitrary manner in which her name was placed on a list with criminals and people who are a threat to themselves or others and by how easily her rights could be violated. I think all of us in this room would be offended as well. I ask my colleagues for their support of S. 669 so we can right this wrong.