

# *Correcting* **MISTAKEN BELIEFS ABOUT THE VA CONFISCATING VETERANS' GUNS**

**FAST FACTS**

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## **CORRECTING THE MISTAKEN BELIEF THAT THE VA CONFISCATES VETERANS' GUNS**

Many veterans hold a common misconception that seeking mental health care or other treatments from the Department of Veterans Affairs (VA) would lead to their guns being confiscated. This belief, though widespread, is mistaken.

The following information aims to clarify the facts about veterans' health care, disability claims, and gun ownership rights. It offers an understanding about these issues in hopes of leading to better mental health outcomes, greater financial benefits, preventing suicides and knowing one's rights.

## **CAN A VETERAN'S GUNS BE TAKEN AWAY FOR SEEKING VA HEALTH CARE OR CONTACTING THE VETERANS CRISIS LINE?**

**No, they cannot.** Seeking mental health or physical health care from the VA or reaching out to the Veterans Crisis Line does

not cause a veteran's guns to be confiscated.

## **CAN THE VA SUBMIT A VETERAN'S NAME TO THE CRIMINAL BACKGROUND CHECK SYSTEM BECAUSE THEY SOUGHT VA HEALTH CARE OR CONTACTED THE VETERANS CRISIS LINE?**

**No, the VA does not report** a veteran to the National Instant Criminal Background Check System (NICS) for engaging in VA health care or contacting the Veterans Crisis Line.

## **DOES THE VA REPORT A VETERAN TO NICS WHO APPLIES FOR VA SERVICE-CONNECTED DISABILITY BENEFITS AND IS ASSIGNED A FIDUCIARY?**

Previously, veterans who applied for disability benefits and were determined to need a fiduciary to manage their finances were automatically reported to NICS. However, this policy has since been changed. Now, veterans applying for disability benefits and assigned a fiduciary are only added to the NICS database if a judicial authority determines they pose a danger to themselves or

others. If a veteran is assigned a fiduciary but not deemed to be a danger, the VA sends the veteran a letter informing them of the potential legal risks associated with their possessing firearms.

## **CAN A VETERAN'S NAME BE REPORTED TO NICS DUE TO INVOLUNTARILY HOSPITALIZATION OR COURT-ORDERED OUTPATIENT TREATMENT?**

**Yes, federal law mandates** that all U.S. healthcare facilities notify NICS when someone is involuntarily hospitalized or placed in involuntary outpatient treatment. However, this requirement does not apply to individuals in mental health facilities for voluntary admission or observation.

## **A VETERAN'S HEALTH AND WELLBEING CAN BE IMPROVED KNOWING THE FACTS.**

**No veteran should go without mental health care** or forego filing for disability benefits because they heard false

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information that the government can take away their guns if they do so. Veterans who are eligible for VA health care should get the help they need.

When having an honest conversation about suicide risk, acknowledging gun ownership can save a veteran's life.

Veterans in crisis should always seek immediate help by contacting the Veterans Crisis Line by calling 988, and then pressing "1."

The VCL also has chat and text options. Since the VCL was created in 2007, it has made more than 1,500,000 referrals to VA suicide prevention coordinators.

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Please note: According to law and regulation, it is illegal for an individual to come onto federal property or enter federal buildings possessing firearms, other dangerous weapons, or explosives, except for official purposes.

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NSSF®, The Firearm Industry Trade Association, and its member companies proudly support America's military service veterans. In the interest of helping veterans make decisions based on accurate information about how their personal firearms might be affected when seeking VA-provided care for mental health, suicide prevention or other health needs, NSSF and other organizations are disseminating the following fact sheet. Misinformation should never prevent veterans from obtaining the healthcare they are eligible for. The views expressed are those of the author and do not necessarily reflect the views of the National Shooting Sports Foundation, Inc.

