

DAMA Subcommittee
Testimony of Dr. Wayne Reynolds
Treasurer, Vietnam Veterans of America
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Mr. Chairman, Mr. Ranking Member, and distinguished Members of the Subcommittee,

Thank you for the opportunity to testify today on behalf of Vietnam Veterans of America (VVA). My name is Dr. Wayne Reynolds, and I am the Treasurer of the VVA. I am also a Vietnam veteran, a lifelong advocate for veterans' rights, and a proud American who believes deeply in the values of our Constitution.

Today, I bring to you not only my professional expertise but also my personal story—a story shared by thousands of my fellow veterans—to shed light on the injustices perpetuated by the VA fiduciary program and its unconstitutional impact on veterans' lives.

Specifically, I want to highlight the program's flawed practice of linking financial incompetency with dangerousness and the devastating consequences this can have on veterans' rights, livelihoods, and dignity.

Financial Incompetency Does Not Equal Dangerousness

Under the VA fiduciary program, a veteran may be deemed "mentally incompetent" if the VA determines they cannot manage their financial benefits.

This determination—often made without judicial oversight—triggers an automatic reporting of the veteran to the National Instant Criminal Background Check System (NICS), barring them from purchasing or owning firearms. The justification is that financial incompetency equates to dangerousness. But where is the proof?

I've spent decades working in education and finance. As a professional in these fields, I can unequivocally say that financial struggles or mismanagement do not correlate with a propensity for violence or dangerous behavior.

Financial incompetency is a bureaucratic judgment, not a psychological diagnosis. And yet, veterans subjected to this program are stripped of their Second Amendment rights without any evidence that they pose a threat to themselves or others.

This is not only unfair; it is unconstitutional.

A Personal Perspective: The Consequences of Unjust Policies

Allow me to speak from my own experience as a 78-year-old Vietnam veteran. When I returned from Vietnam, I was like many of my brothers and sisters in arms: struggling with the invisible scars of war, grappling with PTSD, and trying to find my footing in a society that did not yet understand the complexities of mental health in veterans.

On top of that, I faced significant financial challenges. I had little to no savings, and my job prospects were uncertain.

Had the VA fiduciary program's standards been applied to me at that time, I could have been deemed financially incompetent. My PTSD and limited finances might have been used as grounds to report me to NICS, branding me as a potential danger and barring me from certain opportunities.

This designation would have devastated my career path.

You see, my life's work has been in education and finance—fields that require extensive background checks. If I had been reported to NICS, I likely would have been disqualified from working in those fields.

The unjust stigma attached to being labeled "mentally incompetent" would have overshadowed my capabilities and aspirations. My contributions to society—as an educator, as a financial professional, and as a leader within the VVA—might never have come to fruition.

But more than that, this process would have stripped me of my dignity. Like so many veterans, I took an oath to serve and protect this nation. To come home and have my rights stripped away by a faceless bureaucracy would have been a betrayal of the values I fought to defend.

The Fiduciary Program's Constitutional Violations

The VA fiduciary program is rife with constitutional violations:

- **Second Amendment:** Veterans are unjustly stripped of their right to bear arms based on financial assessments, not evidence of dangerousness.
- **Fifth Amendment:** Veterans lose their rights without due process. They are not given proper notice, hearings, or appeals before being reported to NICS.
- **Fourteenth Amendment:** Veterans are treated unequally compared to non-veterans, deprived of equal protection and fundamental fairness.

These violations are not just legal abstractions; they have real and devastating consequences. They undermine trust in the VA, discourage veterans from seeking help, and perpetuate the stigma surrounding mental health and financial struggles.

A Call to Action

Mr. Chairman, Mr. Ranking Member, and Members of the Subcommittee, I urge you to act swiftly to reform the VA fiduciary

program. We must ensure that no veteran loses their rights without due process, and we must decouple financial incompetency from dangerousness.

Veterans who have served this nation with honor deserve better than to be subjected to unconstitutional and dehumanizing policies.

I close with a simple question: If we do not stand up for the rights of those who stood up for us, what does that say about us as a nation?

Thank you for your time and attention. I look forward to your questions.