

Congress, and other federal agencies regarding disability policy, has urged Congress to use the Congressional Review Act to repeal this rule. We urge Congress to act, through the CRA process, to disapprove this new rule and prevent the damage that it inflicts on the disability community.

Sincerely,

JENNIFER MATHIS,  
Director of Policy and Legal Advocacy.

AAPD,  
January 26, 2017.

Hon. PAUL RYAN,  
Speaker of the House,  
Washington, DC.  
Hon. NANCY PELOSI,  
Office of the Democratic Leader,  
Washington, DC.

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: The American Association of People with Disabilities (AAPD) urges you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration (SSA) on December 19, 2016, "Implementation of the NICS Improvement Amendments Act of 2007." This rule would require the Social Security Administration to forward the names of all Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

AAPD is a national disability rights organization that works to improve the lives of people with disabilities by acting as a convener, connector, and catalyst for change, increasing the economic and political power of people with disabilities.

Prior to the issuance of the Final Rule, AAPD conveyed its opposition to the rule to the Obama Administration. We, and many other disability rights organizations, opposed the rule for a number of reasons, including:

The damaging message that may be sent by a SSA policy change, which focused on reporting individuals who receive assistance from representative payees in managing their benefits to the NICS gun database. The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.

The absence of any data suggesting that there is any connection between the need for a representative payee to manage one's Social Security disability benefits and a propensity toward gun violence.

The absence of any meaningful due process protections prior to the SSA's transmittal of names to the NICS database. Although the NICS Improvements Act of 2007 allows agencies to transmit the names of individuals who have been "adjudicated" to lack the capacity to manage their own affairs, SSA's process does not constitute an adjudication and does not include a finding that individuals are broadly unable to manage their own affairs.

AAPD urges Congress to act, through the CRA process, to disapprove this new rule to prevent the damage that it inflicts on the disability community and the extraordinarily damaging message it sends to society that people with mental impairments could should be feared and shunned.

Thank you for taking our position into consideration. If you have any questions or

concerns, please do not hesitate to contact me at (202) 521-4315 or at [hberger@aapd.com](mailto:hberger@aapd.com).

Yours truly,

HELENA R. BERGER,  
President & CEO.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 28—DESIGNATING JANUARY 27, 2017, AS "EARNED INCOME TAX CREDIT AWARENESS DAY"

Ms. BALDWIN (for herself, Mr. BROWN, Mr. COONS, Mr. REED, Mrs. SHAHEEN, Mr. DURBIN, Ms. WARREN, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 28

Whereas the earned income tax credit is a refundable Federal tax credit available to low- and moderate-income working families and individuals;

Whereas the earned income tax credit encourages and rewards work;

Whereas, in 2015, the earned income tax credit lifted approximately 6,500,000 people out of poverty, including approximately 3,300,000 children;

Whereas the earned income tax credit provides substantial economic benefit to local economies; and

Whereas an estimated 20 percent of eligible workers do not claim the earned income tax credit: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates Friday, January 27, 2017, as "Earned Income Tax Credit Awareness Day"; and

(2) calls on Federal, State, and local agencies, community organizations, nonprofit organizations, employers, and other partners to help increase awareness about the earned income tax credit and other refundable tax credits to ensure that all eligible workers have access to the full benefits of the credits.

SENATE RESOLUTION 29—RECOGNIZING JANUARY 28, 2017, AS "NATIONAL DATA PRIVACY DAY"

Mr. DAINES submitted the following resolution; which was referred to the Committee on the Judiciary:

Mr. DAINES. Mr. President, as an engineer who worked at a cloud computing company for 13 years, I have seen firsthand how technology has become an integral part of our everyday lives. Innovative products and services have made it easier than ever to learn, communicate, and to share our data with others.

Personal data has become a form of currency, and the sharing of personal information may compromise privacy if appropriate protective action is not taken. That is why I am proud to recognize January 28, 2017; as National Data Privacy Day. Each year, our Nation recognizes this day as an opportunity for private organizations, governments, and individuals to work together to raise awareness and promote privacy and data protection best practices.

I am pleased to recognize this day and am committed to working with my colleagues to ensure the privacy of individuals is protected.

S. RES. 29

Whereas, on January 28, 2017, National Data Privacy Day is recognized;

Whereas technology has enhanced our ability to communicate, learn, and work and is now a part of our everyday lives;

Whereas personal information has become a form of currency;

Whereas it is easier now than ever before to share personal information with friends, colleagues, and companies;

Whereas the sharing of personal information may compromise the privacy of individuals if appropriate protective action is not taken;

Whereas governments, corporations, and individuals have a role in protecting the privacy of individuals; and

Whereas National Data Privacy Day constitutes a nationwide effort to educate and raise awareness about respecting privacy and safeguarding data: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes January 28, 2017, as "National Data Privacy Day"; and

(2) encourages governments, individuals, privacy professionals, educators, corporations, and other relevant organizations to take steps to protect the privacy of individuals.

The PRESIDING OFFICER. The Senator from Arizona.

PROGRAM

Mr. FLAKE. Mr. President, the Senate is about to adjourn.

Under the standing order, we will convene at 12 noon tomorrow. Following the prayer and pledge, we will proceed to the consideration of the Chao nomination under the previous order. Following disposition of the Chao nomination, we will continue consideration of the Tillerson nomination postcloture.

VOTE ON MOTION TO ADJOURN

Mr. FLAKE. I move to adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion to adjourn.

The motion was agreed to.

ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 10:48 p.m., adjourned until Tuesday, January 31, 2017, at 12 noon.

NOMINATIONS

Executive nomination received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

MICK MULVANEY, OF SOUTH CAROLINA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE SHAUN L. S. DONOVAN.