



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

February 25, 2019
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 8 – Bipartisan Background Checks Act of 2019

(Rep. Thompson, D-CA, and 232 cosponsors)

H.R. 1112 – Enhanced Background Checks Act of 2019

(Rep. Clyburn, D-SC, and 15 cosponsors)

The Administration opposes H.R. 8 because it would impose burdensome requirements on certain firearm transactions. H.R. 8 would require that certain transfers, loans, gifts, and sales of firearms be processed by a federally licensed importer, manufacturer, or dealer of firearms. H.R. 8 would therefore impose permanent record-keeping requirements and limitless fees on these everyday transactions. H.R. 8 contains very narrow exemptions from these requirements, and these exemptions would not sufficiently protect the Second Amendment right of individuals to keep and bear arms. For example, unless an exemption applies, both the act of leaving a weapon in the temporary care of a neighbor while traveling and the act of later retrieving that weapon would require processing by a licensed entity under H.R. 8. Also, unless such an exemption applies, domestic violence victims would be prohibited from borrowing a firearm for self-defense without first having the transaction go through such a licensed entity. The extensive regulation required by H.R. 8 is incompatible with the Second Amendment's guarantee of an individual right to keep arms.

By overly extending the minimum time that a licensed entity is required to wait for background check results, H.R. 1112 would unduly impose burdensome delays on individuals seeking to purchase a firearm. For this reason, the Administration opposes the legislation. H.R. 1112 would require a federally licensed firearms importer, manufacturer, or dealer that initiates a mandatory background check on an individual seeking to purchase a firearm to wait ten business days on results before processing the transaction. If the Federal Government fails to complete the background check within this window of time, the individual seeking to purchase the firearm may petition the Government for permission to proceed with the transfer. Under H.R. 1112, the licensed entity would be required to wait an additional ten business days after such a petition is filed before it is allowed to proceed with processing the transaction. Currently, such background checks are considered invalid 30 calendar days after the date the licensed entity initiated them.

As the bill is written, therefore, an individual must file their petition on the earliest day possible. If they fail to do so, H.R. 1112 would effectively prohibit some firearms purchases from being processed because the initiated background check would be considered invalid before the end of the second ten-business-day waiting period. Allowing the Federal Government to restrict firearms purchases through bureaucratic delay would undermine the Second Amendment's

guarantee that law-abiding citizens have an individual right to keep and bear arms.

If H.R. 8, or H.R. 1112, are presented to the President, his advisors would recommend he veto the bill.

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