



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

June 8, 2006

H.R. 5013
Disaster Recovery Personal Protection Act of 2006

*As ordered reported by the House Committee on Transportation and Infrastructure
on May 17, 2006*

H.R. 5013 would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit federal employees, any entities (including state and local governments) that receive federal assistance, and other relief workers from confiscating, requiring the registration of, or prohibiting possession of firearms during a disaster or an emergency if those firearms are legally possessed under current federal or state laws. CBO estimates that implementing H.R. 5013 would have no significant impact on the federal budget. Enacting H.R. 5013 would not affect direct spending or revenues.

H.R. 5013 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would preempt, during a major disaster or an emergency, some local gun-control ordinances that are more strict than state or federal law. Individuals would be able to possess firearms that are legal under state and federal law even though such possession would otherwise be prohibited under local ordinances. CBO estimates that local governments would incur no direct cost as a result of that preemption; therefore, the annual threshold established in UMRA would not be exceeded (\$64 million in 2006, adjusted annually for inflation). The bill contains no private-sector mandates as defined in UMRA.

This bill also would impose new restrictions on state and local governments that receive federal assistance. It would prohibit those governments from confiscating firearms, requiring registration of firearms, or in any way regulating the possession of firearms during a major disaster or an emergency if those firearms are legally possessed under state or federal law. This prohibition would prevent state and local governments from issuing emergency regulations, such as banning firearms in shelters or evacuation vehicles, unless there is an explicit state law prohibiting such possession.

The CBO staff contacts for this estimate are Matthew Pickford (for federal costs) and Melissa Merrell (for the state and local impact). This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.