

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

As passed by the House of Representatives on February 28, 2019

Millions of Dollars				Spending Subject to Appropriation
	Direct Spending	Revenues	Net Deficit Effect	
2019	0	0	0	0
2019-2024	0	0	0	*
2019-2029	0	0	0	n.a.
Pay-as-you-go procedures apply?	No	Mandate Effects		
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No	
		Contains private-sector mandate?	Yes, Under Threshold	
n.a. = not applicable; * = between zero and \$500,000.				

For most sales of firearms, current law requires federally licensed firearms dealers to request background checks on buyers through the Federal Bureau of Investigation (FBI). If the FBI does not confirm a buyer's eligibility within 3 business days, the dealer may sell that buyer the firearm. H.R. 1112 would increase the minimum waiting period from 3 to 10 business days if an initial check is inconclusive. Under the act's provisions, the buyer could then petition the FBI to review the request; if an additional 10 days elapsed without confirmation of eligibility, the dealer could sell the firearm to that buyer.

Under current procedures, the FBI continues to pursue its background check investigations even if 3 business days had elapsed after the initial request. CBO expects that practice to continue under the act's provisions. Thus, CBO estimates that implementing H.R. 1112 would have no significant cost.

H.R. 1112 would impose a private-sector mandate, as defined in the Unfunded Mandates Reform Act (UMRA), on firearms dealers by increasing the minimum waiting period before a sale can be completed without confirmation of a buyer's eligibility. A longer waiting period could prevent certain firearm sales from proceeding. The cost of the mandate would include the loss of revenues by firearms dealers from such forgone sales. Using information from the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives, CBO expects that only a small number of sales would be prohibited and thus that the cost of the mandate would not exceed the private-sector threshold established in UMRA (\$164 million in 2019, adjusted annually for inflation).

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs) and Andrew Laughlin (for mandates). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.