

117TH CONGRESS
1ST SESSION

S. 1916

To prohibit the President and the Secretary of Health and Human Services from declaring certain emergencies or disasters for the purpose of imposing gun control.

IN THE SENATE OF THE UNITED STATES

MAY 27, 2021

Mr. BRAUN (for himself, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Ms. ERNST, Mr. HAWLEY, Mr. HOEVEN, Mrs. HYDE-SMITH, Ms. LUMMIS, Mr. MARSHALL, Mr. MORAN, Mr. RISCH, Mr. ROUNDS, Mr. SCOTT of Florida, Mr. THUNE, Mr. TILLIS, Mr. WICKER, Mr. YOUNG, Mr. LANKFORD, Mr. CRUZ, and Mr. SCOTT of South Carolina) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the President and the Secretary of Health and Human Services from declaring certain emergencies or disasters for the purpose of imposing gun control.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting the Right
5 To Keep and Bear Arms Act of 2021”.

1 **SEC. 2. LIMITATION ON DECLARATIONS BY PRESIDENT.**

2 The President (or any designee thereof) shall not, for
 3 the purpose of imposing gun control, declare an emergency
 4 pursuant to the National Emergencies Act (50 U.S.C.
 5 1601 et seq.) or an emergency or major disaster pursuant
 6 to the Robert T. Stafford Disaster Relief and Emergency
 7 Assistance Act (42 U.S.C. 5121 et seq.).

8 **SEC. 3. LIMITATION ON DECLARATIONS BY HHS.**

9 The Secretary of Health and Human Services shall
 10 not, for the purpose of imposing gun control, declare a
 11 public health emergency pursuant to section 319 of the
 12 Public Health Service Act (42 U.S.C. 247d).

13 **SEC. 4. FIREARMS POLICIES.**

14 Section 706(a) of the Robert T. Stafford Disaster Re-
 15 lief and Emergency Assistance Act (42 U.S.C. 5207(a))
 16 is amended—

17 (1) in paragraph (3) by striking “; or” and in-
 18 serting a semicolon;

19 (2) in paragraph (4) by striking the period and
 20 inserting a semicolon; and

21 (3) by adding at the end the following:

22 “(5) prohibit the manufacturing, sale, or trans-
 23 fer of firearms; or

24 “(6) prohibit the manufacturing, sale, or trans-
 25 fer of ammunition.”.