



March 12, 2024

Dear Members of 118th Congress:

We urge you to pass [H.R.4184](#) and [S.2048](#), the Equal Access to Justice for Victims of Gun Violence Act to repeal the Protection of Lawful Commerce in Arms Act (PLCAA) to ensure that the survivors of gun violence will be allowed to have their day in court and the gun manufacturers, sellers and interest groups are not shielded from liability when it acts with negligence and disregard for public safety.

In 2005, Congress passed PLCAA, which provides immunity in state and federal courts from civil liability for manufacturers, distributors, and dealers of firearms, as well as its trade associations, in most negligence and products liability actions. The gun industry enjoys this unique immunity from liability under well-established common law principles that apply to everyone else in society. As a result, gun makers and sellers do not act with the safety of the public in mind. Under the current law, the gun industry cannot be easily sued by consumers who are harmed by their products, unlike virtually every other manufacturer of consumer products. It also allows gun sellers to turn a blind eye to straw purchasers or traffickers who may buy hundreds of weapons to transfer them to others with no background check whatsoever.

Numerous cases across the nation have been dismissed on the basis of PLCAA even when the gun industry actions would qualify as negligent if it involved any other product, and many additional cases have likely not been brought due to the chilling effect of PLCAA's blanket immunity. PLCAA immunizes the gun industry that manufactures, distributes and sells lethal weapons from its fundamental duty to act responsibly in the interest of public safety and empowers the worst actors to act with impunity.

- Ten Sandy Hook families filed a lawsuit against the manufacturer and distributor of the AR-15 used to kill 20 children and six educators. The PLCAA law was used as a barrier in their pursuit of justice however the gun manufacturer's insurers settled the lawsuit with the families when the lawsuit moved forward with the protections provided by the Connecticut Unfair Trade Practices Act (CUTPA) which prohibits unfair competition and unfair and deceptive acts.
- In another case of injustice, Sandy and Lonnie Phillips filed a lawsuit against Lucky Gunner, the online company that sold ammunition to the gunman who murdered their daughter Jessica, along with 11 others, in an Aurora movie theater shooting tragedy. The judge dismissed the case due to the PLCAA law and a Colorado immunity law. In addition, the judge ordered the Phillips to pay the \$203,000 of the defendant's legal costs based on Colorado's law HB 000-208.

It's long past time to repeal PLCAA to allow civil cases to go forward against irresponsible actors in state and federal courts, just as they would if they involved any other product. Letting courts hear these cases would provide victims of gun violence their day in court and the Equal Access to Justice for Victims of Gun Violence Act would promote responsible business practices that would reduce gun deaths and injuries.

Sincerely,

**Members of the Coalition for Gun Industry Accountability**

*AAPI New Jersey*

*AAPI Victory Alliance*

*Action Ridge*

*Activate America*

*Advocates For Change*

*American Federation of Teachers*

*American Medical Women's Association*

*Amnesty International USA*

Andy's Fight  
 Asian American Christian Collaborative  
 Ban Assault Weapons NOW!  
 Brady  
 Brady Florida  
 Catholics Vote for Common Good  
 CeaseFirePA  
 Center for American Progress  
 Change the Ref  
 Church Women United in New York State  
 Commission on Social Action of Reform Judaism  
 Connecticut Violence Intervention and Prevention Inc  
 CT Against Gun Violence  
 Culver 878  
 Delaware Coalition Against Gun Violence  
 Enough of Gun Violence  
 Equality California  
 Faith Leaders for Ending Gun Violence  
 Falmouth Gun Safety Coalition  
 Franciscos Foundation Incorporated  
 Franciscan Action Network  
 Gays Against Guns  
 Global Exchange  
 Grandmothers Against Gun Violence MA  
 Grandparents Uniting for Gun Safety  
 Gun Violence Prevention Center of Utah  
 Gun Violence Prevention PAC  
 GunControlToday  
 Guns Down America  
 GVPedia, Inc.  
 Holy Spirit Missionary Sisters, USA-JPIC  
 Hometown Advocacy  
 Indivisible Northern Nevada  
 Japanese American Citizens League (JACL)  
 Jewish Gun Violence Prevention Roundtable  
 Jewish Women International  
 Journey4ward  
 Jr Newtown Action Alliance  
 Lives Robbed  
 March for Our Lives  
 Marylanders to Prevent Gun Violence  
 Massachusetts Coalition to Prevent Gun Violence  
 MomsRising  
 Monmouth Center For World Religions and Ethical Thought  
 NACCE  
 National Council of Asian Pacific Americans (NCAPA)

National Council of Jewish Women  
 National Council of Jewish Women, Essex County NJ  
 Nationla Council of Jewish Women, Maryland State  
 Policy Advocacy Network  
 NCJW CNS  
 Newtown Action Alliance  
 No Future Without Today  
 North American Climate, Conservation and Environment(NACCE)  
 Nuns Against Gun Violence  
 OnCall4Kids  
 One Aim Illinois  
 Orange Ribbons For Gun Safety  
 Oregon Alliance for Gun Safety  
 Oregonizers  
 Pamlico Progressives  
 Pax Christi USA  
 People for a Safer Society  
 People Power United  
 Physicians for the Prevention of Gun Violence  
 Prevent Gun Violence Florida  
 Remembering Darien Victims Foundation  
 Report the Ripple  
 Rocky Mountain Hye Advocates  
 Sacred Ground Ministries  
 Safer California PAC  
 Safer Country  
 San Diegans for Gun Violence Prevention  
 Secure Elections Network  
 Sisters of Mercy of the Americas Justice Team  
 Social Justice Committee, Congregation Beth Israel  
 St. Mark's Episcopal Capitol Hill  
 Survivors Empowered  
 Survivors Lead  
 Teachers Unify to End Gun Violence Action  
 The Campaign to Keep Guns Off Campus  
 The Ethan Miller Song Foundation  
 The Joint Action Committee  
 TY(Tender Youth) Foundation  
 Upper West Side Action Group  
 Violent Crime Survivors  
 Vision Morton Grove  
 WAVE Educational Fund  
 Women Against Gun Violence