



April 9, 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,

109 Members of the Coalition for Gun Industry Accountability

AAPI New Jersey

AAPI Victory Alliance

Action Ridge

Activate America

Adorers of the Blood of Christ US Region JPIC Office

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!
Bay Area Coalition
Brady
Brady Florida
Catholics Vote for Common Good
Ceasefire Oregon
CeaseFirePA
Center for American Progress
Change the Ref
Chicago Survivors Org.
Chicago Survivors Org.
Church Women United in New York State
Colorado Ceasefire Legislative Action
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
Francescos Foundation Incorporated
Franciscan Action Network
Gays Against Guns
GIFFORDS
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 Marin
Indivisible Northern Nevada
Japanese American Citizens League (JAACL)
Jewish Gun Violence Prevention Roundtable
Jewish Women International
Joint Action Committee
Journey4ward
Jr Newtown Action Alliance
Justice4Ellis
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
Sisters of St. Francis of Philadelphia
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
The United Methodist Church — General Board of Church and Society
TY(Tender Youth) Foundation
Upper West Side Action Group
Violent Crime Survivors
Vision Morton Grove
Vision Quilt
WAVE Educational Fund
Women Against Gun Violence