

July 29, 2022

The Honorable Nancy Pelosi  
Speaker of the House  
H-222 US Capitol  
Washington, DC 20515

The Honorable Kevin McCarthy  
Republican Leader  
H-204 US Capitol  
Washington, DC 20515

Dear Speaker Pelosi and Leader McCarthy,

We are writing to you on behalf of the millions of hunter conservationists we represent to express our strong opposition to the Equal Access to Justice for Victims of Gun Violence Act (H.R.2814). This legislation, which was recently reported out of the House Rules Committee, would repeal portions of the Protection of Lawful Commerce in Arms Act (PLCAA) that would do nothing to reduce violent crime, but would have a devastating impact on wildlife and habitat conservation funding and reduce the access and opportunity for hunters and sportsmen and women.

Many of the undersigned organizations wrote your predecessors to express strong support for the PLCAA when it was voted on and overwhelmingly passed in 2005. The reasons we supported the bill then have not changed.

Several independent fact checkers have observed that, despite political rhetoric to the contrary, the PLCAA does not provide “blanket immunity” to the firearm industry from any and all lawsuits. The PLCAA, which passed with broad bipartisan support, is only designed to prevent lawsuits against firearm manufacturers, distributors and retailers that seek to hold them liable for the criminal and unlawful acts of third parties who misuse legal, non-defective firearms that were lawfully sold after a background check. The PLCAA does not block legitimate lawsuits for defective products, unlawful sales, breach of contract or warranty, negligent entrustment or other legitimate causes that are not related to third-party criminal misuse of firearms. Members of the firearm industry ought to be held to the same legal standard as any other industry, but no industry is held liable in America for the criminal and unlawful misuse of their legally sold products. The PLCAA was enacted in direct response to a wave of such lawsuits that threatened to bankrupt and shutter the entire firearm industry. By repealing the PLCAA, H.R.2814 would open up the firearm industry to a new wave of lawsuits and once again threaten the future of the industry. Such a result matters greatly to our organizations and our millions of members.

Bankrupting the firearm industry and driving it out of business through frivolous lawsuits would also have a devastating impact on wildlife and habitat conservation. It would wreak the budgets of state fish and wildlife agencies all across the United States. The 1937 Pittman-Robertson Act provides for a “user pays-public benefits” American System of Conservation Funding. The Act, which directs an excise tax on the sale of firearms, ammunition, and archery equipment, is the primary funding source for state fish and wildlife agencies who utilize the funds to undertake wildlife conservation, provide for hunter and recreational shooter recruitment, public shooting range construction and other activities. Recently, it was announced that the revenue generated

and distributed by this excise tax eclipsed \$15 billion over the lifetime of the program. Just last year alone the firearm and ammunition industry contributed over \$1.1 billion toward conservation. Our members support the Pittman-Robertson excise taxes, in their current form, because we understand the connection between these funds and the ability of the states to maintain healthy wildlife populations and recreational hunting and shooting opportunities. But all people who value wildlife should be concerned about the possible loss of funding that could result if the viability of American firearms manufacturers were placed in jeopardy.

Our nation has a rich tradition and heritage of hunting and recreational target shooting. Our members value and respect the Second Amendment right to keep and bear arms for lawful purposes including hunting and recreational shooting. Repealing the PLCAA and exposing again the firearm industry to frivolous lawsuits will cause great harm to our cherished traditions and heritage. It will diminish our members Second Amendment rights to keep and bear arms for hunting and target shooting, as well as to defend themselves and their families.

In addition, H.R.2814 would provide for the public release of firearm trace data, putting our law enforcement community, witnesses and firearm retailers at risk. The Bureau of Alcohol, Tobacco, Firearms and Explosives has said repeatedly that “the appearance of [dealer] or a first unlicensed purchaser of record in association with a crime gun or in association with multiple crime guns in no way suggests that either the FFL or the first purchaser has committed criminal acts.” Publicly releasing firearm trace data that could include the name of hunters and target shooters who, exercising their constitutional rights lawfully purchased a firearm is deeply concerning.

For these reasons, we are united in our shared opposition to the Equal Access to Justice for Victims of Gun Violence Act (H.R.2814) and respectfully urge that you take the necessary actions to avoid its enactment into law. We encourage Congress to work towards pragmatic bipartisan solutions in a manner that enhances wildlife conservation, benefits the economy, and protects America’s rich hunting and recreational shooting traditions and heritage. Thank you in advance for your consideration of this request.

Sincerely,

Archery Trade Association  
Boone and Crockett Club  
Camp Fire Club of America  
Congressional Sportsmen’s Foundation  
Conservation Force  
Dallas Safari Club  
Delta Waterfowl  
Ducks Unlimited  
Houston Safari Club  
Izaak Walton League of America  
Mule Deer Foundation  
National Deer Association  
National Rifle Association

National Shooting Sports Foundation  
National Wild Turkey Federation  
Rocky Mountain Elk Foundation  
Safari Club International  
Sportsmen's Alliance  
Whitetails Unlimited  
Wild Sheep Foundation  
Wildlife Forever  
Wildlife Management Institute  
Wildlife Mississippi