



AMERICANS FOR TAX REFORM

LEGISLATIVE ALERT

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Support the Second Amendment from Frivolous Lawsuits

Today the House will vote on H.R. 1036, the Protection of Lawful Commerce in Arms Act. Currently, gun control advocates, unable to convince democratically elected legislators that removing guns from the hands of law abiding citizens will reduce crime, are attempting to use the courts to impose their views on a skeptical public. The legislation introduced by Representative Cliff Stearns (R-FL), with 215 cosponsors, puts and end to these types of lawsuits. **Americans for Tax Reform (ATR) Strongly supports H.R. 1036, the Protection of Lawful Commerce in Arms Act.**

The Second Amendment guarantees the rights of individuals to keep and bear firearms for lawful purposes, however over the past several years, over 30 cities and counties, as well as individuals, across the country have sued the gun industry. These municipalities have been represented by some of the same law firms that sued the tobacco industry, however the plaintiffs have targeted the firearms and ammunition industries for damages and injuries resulting from guns being used during the criminal acts of third parties. **H.R.1036 will stem the tide of these frivolous lawsuits.**

Through numerous court cases, exorbitant court costs, and the threat of ruinous judgments, anti-gun activists are attempting to bankrupt a lawful industry. On average, the gun industry makes only about \$200 million in profit, one large judgment, such as the \$400 million sought in the city of Chicago's lawsuit, could bankrupt the entire industry.

Contrary to the arguments presented by the gun control lobby, **if the municipalities were really concerned about public safety, they would be encouraging gun ownership.** Citizens use guns in self-defense between 800,000 and 3.6 million times annually. This exceeds the total number of firearm crimes — 483,000 reported in 1996. Thus, the net economic benefits from defensive gun uses can range from between \$1 billion to nearly \$39 billion annually.

The only thing these lawsuits have been successful in is wasting taxpayer dollars. Of the thirty-three municipal suits that have been filed to date, ten have been dismissed by the courts, with six of these cases being fully and finally adjudicated. Every appellate court that has decided a municipal firearms case has ruled in favor of the industry including three state supreme courts and the United States Supreme Court. **These lawsuits continue the dangerous trend of denying the concept of personal responsibility.**

ATR WILL RATE THIS VOTE IN OUR ANNUAL CONGRESSIONAL RATINGS