

117TH CONGRESS
1ST SESSION

S. 1338

To repeal the Protection of Lawful Commerce in Arms Act, and provide for the discoverability and admissibility of gun trace information in civil proceedings.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2021

Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. DURBIN, Ms. DUCKWORTH, Ms. WARREN, Mr. REED, Mr. SANDERS, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. MARKEY, Mr. CARPER, Mr. BOOKER, Mr. CARDIN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. PADILLA, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. KAINE, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To repeal the Protection of Lawful Commerce in Arms Act, and provide for the discoverability and admissibility of gun trace information in civil proceedings.

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 “Equal Access to Jus-
5 tice for Victims of Gun Violence Act”.

1 **SEC. 2. REPEAL OF CERTAIN PROVISIONS OF THE PROTEC-**
2 **TION OF LAWFUL COMMERCE IN ARMS ACT.**

3 Sections 2 through 4 of the Protection of Lawful
4 Commerce in Arms Act (15 U.S.C. 7901–7903) are re-
5 pealed.

6 **SEC. 3. DISCOVERABILITY AND ADMISSIBILITY OF GUN**
7 **TRACE INFORMATION IN CIVIL PRO-**
8 **CEEDINGS.**

9 The contents of the Firearms Trace System database
10 maintained by the National Trace Center of the Bureau
11 of Alcohol, Tobacco, Firearms and Explosives shall not be
12 immune from legal process, shall be subject to subpoena
13 or other discovery, shall be admissible as evidence, and
14 may be used, relied on, or disclosed in any manner, and
15 testimony or other evidence may be permitted based on
16 the data, on the same basis as other information, in a civil
17 action in any State (including the District of Columbia)
18 or Federal court or in an administrative proceeding.

○