

Kamala Harris calls for 'assault weapons' ban in Chicago speech

By Haisten Willis

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Vice President Kamala Harris called for an "assault weapons" ban and an end to the "liability shield" for gun manufacturers in a Tuesday evening speech to a teachers union.

Speaking in Chicago, just miles from where the July Fourth Highland Park shooting took place, Harris drew loud cheers for calling on **Congress to ban such guns, "assault weapons" meaning semi-automatic rifles**, as they did in 1994.

"Let's talk about what an assault weapon is assigned to do. An assault weapon is designed to kill a lot of human beings quickly," Harris said, again drawing cheers. "There is no reason that we have weapons of war on the streets of America. We need reasonable gun safety laws. And we need to have **Congress stop protecting those gun manufacturers with the liability shield**. Repeal it! Repeal it! So we cannot be deterred."

"I don't need to tell NEA [National Education Association]: We need to end this horror, we need to stop this violence," she said, "and we must protect our communities from the terror of gun violence. You know, I've said it before: Enough is enough."

The VP Harris video clip is [here](#). To the cheers of the Teachers in the audience.

Protection of Lawful Commerce in Arms Act

The **Protection of Lawful Commerce in Arms Act (PLCAA)** is a U.S law, passed in 2005, that protects firearms manufacturers and dealers from being held liable when crimes have been committed with their products. Both arms manufacturers and dealers can still be held liable for damages resulting from defective products, breach of contract, criminal misconduct, and other actions for which they are directly responsible. They may also be held liable for negligent entrustment when they have reason to know a gun is intended for use in a crime.

The PLCAA is codified at 15 U.S.C. §§ 7901–7903.

Legislative history

The act was introduced in the midst of a large number of lawsuits filed by anti-gun advocates and city governments claiming that gun manufacturers were creating a “public nuisance” by selling guns.^{[12][13]}

The act was passed by the U.S. Senate on July 29, 2005, by a vote of 65–31.^[14] On October 20, 2005, it was passed by the House of Representatives with 283 in favor and 144 opposed.^[15]

The final bill passed only after adding an amendment that mandated safety locks on handguns, and after preventing the renewal of the assault weapons ban from being added.^[citation needed]

It was signed into law on October 26, 2005, by President George W. Bush and became Public Law 109–92.^[16] Wayne LaPierre of the National Rifle Association thanked President Bush for signing the Act, for which it had lobbied, describing it as "... the most significant piece of pro-gun legislation in twenty years into law".^{[17][18][19]}

Criticisms

A 2007 report in the American Journal of Public Health states that the PLCAA is potentially dangerous to the public health because it removes both regulation and litigation as incentives for firearm companies to make their products safer.^[59]

This viewpoint is contended by certain circles, including the libertarian think tank Cato Institute, which noted that the "PLCAA's purpose was to curb efforts by gun-control advocates to circumvent state legislatures and attack Second Amendment rights through a never-ending series of lawsuits against manufacturers and retailers of firearms to hold them financially responsible for crimes committed using the weapons they make and sell."^[60]

However, there is disagreement among lower Federal courts about whether or not the second amendment extends to firearm manufacturers and sellers. According to the Harvard Law Review,^[61]

The leading exponent of this theory was the Fourth Circuit panel in United States v. Chafin, which stated there is nothing "that remotely suggests that, at the time of its ratification, the Second Amendment was understood to protect an individual's right to sell a firearm." The Chafin holding is not binding precedent, since the decision was unpublished. Nevertheless, a federal district court in West Virginia adopted and followed Chafin's rule. Likewise, in Montana Shooting Sports Association v. Holder, a federal district court stated (albeit in dicta), "Heller said nothing about extending Second Amendment protection to firearm manufacturers or dealers. If anything, Heller recognized that firearms manufacturers and dealers are properly subject to regulation"

If those who profit from flooding our streets with the *Weapons of War* — also had to shoulder the financial burden those weapons wreak in the homes across America, those sales would come to a halt in VERY short order.

It's time to hit them where it hurts, in their blood-soaked profit margins. Awarded by a jury of their peers. To the cheers and the tears of their victims, from every corner of America ...