

105TH CONGRESS
1ST SESSION

H. R. 1228

To amend title 18, United States Code, to permanently prohibit the possession of firearms by persons who have been convicted of a felony, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 1997

Mr. ACKERMAN (for himself, Mrs. MORELLA, Mrs. MCCARTHY of New York, Mr. BARRETT of Wisconsin, Mr. BOEHLERT, Mr. BROWN of California, Ms. CHRISTIAN-GREEN, Mr. EVANS, Mr. FARR of California, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Ms. FURSE, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KENNEDY of Massachusetts, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. McDERMOTT, Mrs. MALONEY of New York, Mr. MANTON, Mr. MARKEY, Mr. NADLER, Ms. NORTON, Mr. PORTER, Mr. RANGEL, Mr. ROMERO-BARCELÓ, Mr. SCHUMER, Mr. STARK, Mr. UNDERWOOD, Mr. YATES, Ms. LOFGREN, Mr. BLUMENAUER, and Mr. ROTHMAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to permanently prohibit the possession of firearms by persons who have been convicted of a felony, and for other purposes.

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 “Stop Arming Felons
5 (SAFe) Act”.

1 **SEC. 2. DENIAL OF ADMINISTRATIVE RELIEF FROM CER-**
2 **TAIN FIREARMS AND EXPLOSIVES PROHIBI-**
3 **TIONS.**

4 (a) IN GENERAL.—(1) Section 925(c) of title 18,
5 United States Code, is amended—

6 (A) in the first sentence by inserting “(other
7 than a natural person)” before “who is prohibited”;

8 (B) in the fourth sentence—

9 (i) by inserting “person (other than a nat-
10 ural person) who is a” before “licensed im-
11 porter”; and

12 (ii) by striking “his” and inserting “the
13 person’s”; and

14 (C) in the fifth sentence, by inserting “(i) the
15 name of the person, (ii) the disability with respect
16 to which the relief is granted, (iii) if the disability
17 was imposed by reason of a criminal conviction of
18 the person, the crime for which and the court in
19 which the person was convicted, and (iv)” before
20 “the reasons therefor”.

21 (2) Section 845(b) of title 18, United States Code,
22 is amended—

23 (A) in the first sentence by inserting
24 “(other than a natural person)” before “may
25 make application to the Secretary”; and

1 (B) in the second sentence by inserting
 2 “(other than a natural person)” before “who
 3 makes application for relief”.

4 (b) APPLICABILITY.—The amendments made by sub-
 5 section (a) shall apply to—

6 (1) applications for administrative relief and ac-
 7 tions for judicial review that are pending on the date
 8 of enactment of this Act; and

9 (2) applications for administrative relief filed,
 10 and actions for judicial review brought, after the
 11 date of enactment of this Act.

12 **SEC. 3. PERMANENT FIREARM PROHIBITION FOR CON-**
 13 **VICTED VIOLENT FELONS AND SERIOUS**
 14 **DRUG OFFENDERS.**

15 Section 921(a)(20) of title 18, United States Code,
 16 is amended—

17 (1) in the first sentence—

18 (A) by inserting “(A)” after “(20)”; and

19 (B) by redesignating subparagraphs (A)
 20 and (B) as clauses (i) and (ii), respectively;

21 (2) in the second sentence, by striking “What”
 22 and inserting the following:

23 “(B) What”; and

24 (3) by striking the third sentence and inserting
 25 the following new subparagraph:

1 “(C) A conviction shall not be considered to be a con-
2 viction for purposes of this chapter if—

3 “(i) the conviction is reversed or set aside based
4 on a determination that the conviction is invalid;

5 “(ii) the person has been pardoned, unless the
6 authority that grants the pardon expressly states
7 that the person may not ship, transport, possess, or
8 receive firearms; or

9 “(iii) the person has had civil rights restored, or
10 the conviction is expunged, and—

11 “(I) the authority that grants the restora-
12 tion of civil rights or expungement expressly au-
13 thorizes the person to ship, transport, receive,
14 and possess firearms and expressly determines
15 that the circumstances regarding the conviction
16 and the person’s record and reputation are such
17 that the person is not likely to act in a manner
18 that is dangerous to public safety, and that the
19 granting of the relief is not contrary to the pub-
20 lic interest; and

21 “(II) the conviction was for an offense
22 other than a serious drug offense (as defined in
23 section 924(e)(2)(A)) or violent felony (as de-
24 fined in section 924(e)(2)(B)).”.

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