

SA 455

SA 455. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . NO FIREARMS FOR FOREIGN FELONS ACT OF 2011.

(a) Short Title.--This section may be cited as the "No Firearms for Foreign Felons Act of 2011".

(b) Definitions.--

(1) Courts.--Section 921(a) of title 18, United States Code, is amended by adding at the end the following: "(JJ) The term 'any court' includes any Federal, State, or foreign court."

(2) Exclusion of certain felonies.--Section 921(a)(20) of title 18, United States Code, is amended--

(A) in subparagraph (A), by striking "any Federal or State offenses" and inserting "any Federal, State, or foreign offenses";

(B) in subparagraph (B), by striking "any State offense classified by the laws of the State" and inserting "any State or foreign offense classified by the laws of that jurisdiction"; and

(C) in the matter following subparagraph (B), in the first sentence, by inserting before the period the following: ", except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States".

(c) Domestic Violence Crimes.--Section 921(a)(33) of title 18, United States Code, is amended--

(1) in subparagraph (A), by striking "subparagraph (C)" and inserting "subparagraph (B)"; and

(2) in subparagraph (B)(ii), by striking "if the conviction has" and inserting the following: "if the conviction-- "(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or "(II) has".

(d) Penalties.--Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended--

(1) by striking "an offense under State law" and inserting "an offense under State or foreign law"; and

(2) by inserting before the semicolon the following: ", except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States".