Extent

13 folders, approximately 1,248 pages

Summary

Alfonso Lopez was indicted by a grand jury of violating the Gun-Free School Zones Act of 1990, which forbids “any individual knowingly to possess a firearm within 1000 feet of a school zone,” 18 U.S.C. 922(q). Lopez argued that the Section 922(q) was unconstitutional and moved to dismiss his indictment. The Supreme Court struck down the Gun Free School Zones Act, in a 5-4 opinion, as unconstitutional. This collection consists of copies of excerpts from the Supreme Court hearings, copies and excerpts from house and senate bills, publications of the “Law Week” and the “Congressional Monitor”, correspondence, email, memos, reports, statements, news articles, and press releases.

Scope and Content Note

The materials in FOIA 2014-0164-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. Alfonso Lopez was a senior at Edison High School in San Antonio, Texas. On March 10, 1992 he brought a .38 caliber hand gun, together with five bullets to his school. When he was confronted by school officials Lopez told them that he had been paid to deliver the gun to someone who planned to use it in what he described as a “gang war”. Lopez was indicted by a grand jury of violating the Gun-Free School Zones Act of 1990, which forbids “any individual knowingly to possess a firearm within 1000 feet of a school zone,” 18 U.S.C. 922(q). Lopez argued that the Section 922(q) was unconstitutional and moved to dismiss his indictment. The district court denied the motion and Lopez was sentenced to six months in prison followed by two years of supervised release, which he appealed. The Supreme Court struck down the Gun Free School Zones Act as unconstitutional in a 5-4 opinion. The issue in the case was whether the Commerce Clause authorizes Congress to enact a statute that

made it a crime to possess a gun in or near a school. The court held that the Act exceeded Congress's authority to regulate interstate commerce under the Commerce Clause. The core of the Court's holding is that the Gun Free School Zones Act, which created a federal offense for possession of a firearm within 1,000 feet of a school, regulates an activity that does not have a substantial effect on interstate commerce. The court of appeals therefore rescinded Lopez's conviction. FOIA 2014-0164-F consists of copies of excerpts from the Supreme Court hearings, copies and excerpts from house and senate bills, publications of the "Law Week" and the "Congressional Monitor", correspondence, email, memos, reports, statements, news articles, and press releases. The correspondence contains material from the Department of Education regarding state and local responsibilities on gun safety laws, H.R. 3 "Taking Back Our Streets Act of 1995", teen drug use, and material on other cases sighting the United States v Lopez case. The memos and reports contain analysis, recommendations, and proposals regarding the case and Uniform Crime Reports 1995 Preliminary Report. The statements relate to the Senate Subcommittee on Youth Violence "Guns in Schools: A Federal Rule", hearings. There are also materials on the Anti-Gang and Youth Violence Control Act of 1996 and charts on Adult and Juvenile Murder Arrest Rates 1980-1995. Email contains weekly reports, press and correspondence concerning amendments to the 1990 Gun-free Zone Act.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in these collection areas – Clinton Presidential Records: White House Staff and Office Files and Clinton Presidential Records: Automated Records Management System [Email]. Staff and Office Files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. Staff and Office files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not

wholly responsive to the subject area. The Automated Records Management System (ARMS) is a database that contains email records of the Executive Office of the President. This system maintained unclassified Presidential email. The ARMS database is comprised of six sub-series of email records called "buckets." The buckets generally represent a specific White House office. The buckets are titled: NPR for National Performance Review, OPD for Office of Policy Development, POTUS for President of the United States, WHO for White House Office, CEA for Council of Economic Advisers, and Default for emails not associated with an office. The OPD bucket contains email created or received by an individual with an Office of Policy Development (OPD) White House user account. The WHO bucket contains email created or received by individual with an Executive Office of the President White House user account not identified as CEA, NPR, or OPD. The Default bucket contains email created or received by unknown or un-recognized email accounts. Email found within the Default bucket often includes email created or received by offices or individuals outside the Executive Office of the President. ARMS email are arranged by topic, there-under by bucket, and there-under chronologically by creation date.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 U.S.C. Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 U.S.C. 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 U.S.C. Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archives Specialist, 2013. Previously restricted materials are added as they are released.

Last Modified Date

2015-09-02

Container List

The following is a list of documents and folders processed in response to FOIA 2014-0164-F:
Box 1
Clinton Presidential Records: White House Staff and Office Files
Counsel’s Office
Letter, Doug
Lopez [OA/ID 8292]
Sloan, Cliff
United States v. Lopez [1] [OA/ID 4579]
United States v. Lopez [2] [OA/ID 4579]
United States v. Lopez [3] [OA/ID 4579]
United States v. Lopez [4] [OA/ID 4579]
Domestic Policy Council
Burke, Dennis
Gun Free Schools Lopez [1] [OA/ID 9828]
Gun Free Schools Lopez [2] [OA/ID 9828]
Gun Free Schools Lopez [3] [OA/ID 9828]
Box 2
Gun Free Schools Lopez [4] [OA/ID 9828]

Gun Free Schools Lopez [5] [OA/ID 9828]
Clinton Presidential Records: Automated Records Management System [Email]
OPD [OA/ID 250000]
[Gun Free School Zones]
[05/28/1995 – 05/09/1996]
WHO [OA/ID 500000]
[Gun Free School Zones]
[04/26/1995 – 09/16/1997]
Default [OA/ID 1100000]
[Gun Free School Zones]
[04/27/1995]