

May 10 / Administration of William J. Clinton, 1995

## Message to the Congress Transmitting Proposed Legislation To Amend the Gun-Free School Zones Act of 1990

May 10, 1995

*To the Congress of the United States:*

Today I am transmitting for your immediate consideration and passage the “Gun-Free School Zones Amendments Act of 1995.” This Act will provide the jurisdictional element for the Gun-Free School Zones Act of 1990 required by the Supreme Court’s recent decision in *United States v. Lopez*.

In a 5–4 decision, the Court in *Lopez* held that the Congress had exceeded its authority under the Commerce Clause by enacting the Gun-Free School Zones Act of 1990, codified at 18 U.S.C. 922(q). The Court found that this Act did not contain the jurisdictional element that would ensure that the firearms possession in question has the requisite nexus with interstate commerce.

In the wake of that decision, I directed Attorney General Reno to present to me an analysis of *Lopez* and to recommend a legislative solution to the problem identified by that decision. Her legislative recommendation is presented in this proposal.

The legislative proposal would amend the Gun-Free School Zones Act by adding the requirement that the Government prove that the firearm has “moved in or the possession of such firearm otherwise affects interstate or foreign commerce.”

The addition of this jurisdictional element would limit the Act’s “reach to a discrete set of firearm possessions that additionally have an explicit connection with or effect on interstate commerce,” as the Court stated in *Lopez*, and thereby bring it within the Congress’ Commerce Clause authority.

The Attorney General reported to me that this proposal would have little, if any, impact

on the ability of prosecutors to charge this offense, for the vast majority of firearms have “moved in . . . commerce” before reaching their eventual possessor.

Furthermore, by also including the possibility of proving the offense by showing that the possession of the firearm “otherwise affects interstate or foreign commerce,” this proposal would leave open the possibility of showing, under the facts of a particular case, that although the firearm itself may not have “moved in . . . interstate or foreign commerce,” its possession nonetheless has a sufficient nexus to commerce.

The Attorney General has advised that this proposal does not require the Government to prove that a defendant had knowledge that the firearm “has moved in or the possession of such firearm otherwise affects interstate or foreign commerce.” The defendant must know only that he or she possesses the firearm.

I am committed to doing everything in my power to make schools places where young people can be secure, where they can learn, and where parents can be confident that discipline is enforced.

I pledge that the Administration will do our part to help make our schools safe and the neighborhoods around them safe. We are prepared to work immediately with the Congress to enact this legislation. I urge the prompt and favorable consideration of this legislative proposal by the Congress.

WILLIAM J. CLINTON

The White House,  
May 10, 1995.

## Exchange With Reporters Prior to a Meeting With Opposition Leaders in Moscow

May 11, 1995

Q. Good morning, Mr. President.

*The President.* Good morning. How are you?

Q. Very good, sir. Does President Yeltsin have any reason to be upset at this meeting you're having this morning?

*The President.* I don't think so. I'm looking forward to this breakfast. I want to have this opportunity mostly just to listen to all these leaders talk about the conditions here in Russia, what the people are going through. It's an opportunity for me to learn and to reemphasize that I came on this trip because, first, I wanted to express the feelings of the United States on the 50th anniversary of the end of World War II and to finally acknowledge the enormous sacrifice of the Russian people and, secondly, because I am trying to increase the security of the people of America and the people of Russia in this partnership. So I'm glad to have a chance to have this meeting.

Q. What are you going to tell them?

*The President.* Just what I told you just now. I'm going to listen. I'm going to listen.

Q. Do you think you have—you've been emphasizing the security aspect of your trip. Do you think you've succeeded?

*The President.* Yes. We're in better shape than we were before I got here. It was a good trip.

[At this point, one group of reporters left the room, and another group entered.]

Q. [Inaudible]—did you run today, Mr. President? Did you run today?

*The President.* I didn't. I ran yesterday, and I was—

Q. What about today?

*The President.* —in the gym this morning. I ran away from the weather. I worked out in the gymnasium at the hotel. I was weak today. I gave in to the weather.

NOTE: The exchange began at 8:45 a.m. at Spaso House. A tape was not available for verification of the content of this exchange.

## Remarks on Arrival in Kiev, Ukraine May 11, 1995

President Kuchma, Mrs. Kuchma, distinguished members of the government: It is a great honor for me and for our party to be in one of Europe's oldest nations and youngest democracies.

This trip, which follows my stopover here in January of 1994 and President Kuchma's trip to Washington last fall, will give us an opportunity to continue the tremendous progress we have made in building strong and productive ties between our countries.

This week in Washington, Moscow, and now Kiev, we celebrated an alliance that turned back the forces of fascism 50 years ago. Our victory was shared. But its cost to the people of the former Soviet Union was unique. On this land alone, more than 5 million Ukrainians lost their lives to the war.

Now, the tremendous will the Ukrainian people brought to the war effort is building a great future for this nation. The United States has an important stake in that future. A secure, stable, and prosperous Ukraine can become a hub of democracy for Central Europe and an important political and economic partner for the United States.

Already, we have seen what such a partnership can accomplish. Ukraine chose to give up nuclear weapons when the former Soviet Union dissolved. Your decision has made the Ukrainian people, the American people, and the entire world much safer and more secure. On behalf of the United States, I want to thank you for that brave and wise decision.

We have also been heartened by the bold steps Ukraine has taken over the past several