

Chapter 4 Constitutional Law – Case Problem

Explanations

Case – US v. Guzman

1. Explain - Although it rejected all of Appellees' other challenges to SORNA, the district court held that the underlying registration requirements of 42 U.S.C. § 16913 exceed the authority of Congress to regulate interstate commerce

David Hall moved to dismiss his indictment on five grounds and of the five, U.S.C. 42 § 16913 was the only one that the district court saw had merit. U.S.C. 42 § 16913 require sex offenders to register themselves in each jurisdiction in which they live, work, or attend school. Hall believed that Congress exceeded its authority in regards to interstate commerce and alleged that by trying to indict him for not registering with SORNA, was unenforceable

2. Explain - However, we disagree with the district court's holding that 42 U.S.C. § 16913 exceeds congressional power pursuant to the Commerce Clause of the United States Constitution and therefore reverse the rulings of the district court and reinstate the indictments

After the court of appeals reexamined U.S.C. 42 § 16913, it determined that the district court made a mistake in regards to the law and reinstated the indictments. The court of appeals stated that the Attorney General has the authority to regulate SORNA in their state, regardless if the state has implemented SORNA or not. The district court thus made a mistake on their verdict and the court of appeals ordered Hall to be indicted.

3. Explain - Because § 16913 requires registration when changing address, employment, or student status, without regard to state lines, the district court determined that the section was sustainable only if it regulated an activity substantially affecting interstate commerce -

Court requires sex offenders to notify of any major changes like a change of address, employment, or student statues when moving outside the state line or within the state, because there is an annual document sent that must be filled out and returned to the court.

4. Explain - The current framework for approaching questions of the scope of congressional authority to regulate interstate commerce derives from the Supreme Court's opinion in *United States v. Lopez*, 514 U.S. 549, 115 S.Ct. 1624, 131 L.Ed.2d 626 (1995). *Lopez* broke down the Commerce Clause inquiry into three categories of congressional regulatory authority: [to] regulate the use of the channels of interstate commerce"; (2) "to (1) regulate and protect the instrumentalities of interstate commerce, or (2) persons or things in interstate commerce, even though the threat may (3) come only from intrastate activities"; and (3) "to regulate those activities having a substantial relation to interstate commerce." /

As his dependent Lopez broke down the cause into three different parts. Regulate the ways to move from state to state whether it be via train, highway, pipeline system, harbor etc. Regulate and protect interstate traveling or transferring of people or things. Even if the threat comes from things being done outside the state and not from interstate commerce of way of items and person. To regulate the reasons of why the person is leaving the state.