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## *House of Representatives*

### INTERNATIONAL MEGAN'S LAW, H.R. 5138

**Mr. SMITH of New Jersey**  
(Excerpts, edited)

This is a bipartisan bill and, hopefully, it will become law for one reason: to protect children.

Mr. Speaker, our national and various State versions of Megan's Law have revolutionized how we deal with child predators. Maureen and Richard Kanka of my hometown wrote the book on neighborhood notification and protection of children and families through information. We all owe an enormous debt to Maureen and Richard for taking a horrific tragedy, the sexual abuse and murder of their 7-year-old daughter, Megan, back in 1994, and turning it into the noble cause of protecting children throughout the United States.

But now it's imperative that we take the lessons learned on how to protect our children from known child sex predators within our borders and expand those protections globally.

Child predators, Mr. Speaker, thrive on secrecy and lack of any meaningful accountability. The secrecy they thrive on allows them to commit heinous

crimes, crimes against children, and to do so with impunity. Megan's Law, with its emphasis on notification and knowing who is doing what and where, not only protects American children, but it also will protect children worldwide.

Just last month, Mr. Speaker, the GAO issued a deeply disturbing report entitled "Current Situation Results in Thousands of Passports Issued to Registered Sex Offenders." The GAO found that at least 4,500 U.S. passports were issued to known registered sex offenders in fiscal year 2008 alone. The GAO emphasized that this number is probably understated due to the limitations of the data that it was able to analyze and to access.

Let me also remind—we all know it—passports last for 10 years, so, again, this number would grow every year.

What is even more disturbing are the details about 30 of those sex offenders, passport recipients the GAO selected for further investigation. One registered sex offender solicited trips to Mexico to find and prey on young boys. The FBI found cameras in a medical bag with a Spanish

language flyer advertising lice removal for children, a procedure that requires children to undress. This offender, who is currently serving a prison sentence for possession of child pornography, applied for a passport because he plans to live in Mexico after he serves his sentence to avoid registering as a sex offender.

Another sex offender in the GAO report has multiple convictions for sexual contact with 11-year-olds. The offender had traveled to the Philippines, a known child sex tourism destination, as well as to Germany and France, since receiving his passport. He was recently indicted for possession of child pornography and for attempting to have sex with a two-year-old little girl.

Several of the registered sex offenders used their passports to travel to known child sex tourism destinations, including Mexico, the Philippines and the Caribbean islands. The victims of several of these offenders range from the ages of 7 to 11 years old.

Mr. Speaker, the ILO estimates that there are about 1.8 million children who are victims of commercial sexual exploitation around the world each year. The GAO's report confirms that American sex offenders are a significant part of this outrage.

According to the Immigration and Customs Enforcement, ICE, each year about 10,000 sex offenders covered by the bill before us travel internationally. We have information and the technology at our disposal to determine what constitutes a high-risk registered sex offender and to ensure that appropriate government officials are noticed in a timely fashion. And, frankly, if the country wants to say, "you don't get a visa, you don't come," or "if you do

come, our law enforcement will keep an eye on you," that's what we hope will happen if this becomes law.

Mr. Speaker, H.R. 5138 would establish the legal framework that is required to accomplish this very achievable goal of noticing. Pursuant to the bill, registered sex offenders would notify our law enforcement 30 days before they travel, allowing experts in the newly created international sex offender travel center, led by ICE, to ascertain whether the individual poses a high risk of sexually exploiting children in the destination country. If the answer is in the affirmative, our law enforcement would be able to notify officials in that country who could either monitor the activities when he enters or prevent him from entering all together.

The legislation would also establish sex offender registries at U.S. diplomatic missions for U.S. child sex offenders who reside in other countries. This foreign registration system would allow U.S. law enforcement to track the location of sex offenders and to better ascertain if and when they re-enter the United States.

Clearly, the goals of this legislation do not stop at protecting children overseas from U.S. predators. Sex offenders from around the world are now able to cross borders and oceans to carry out their nefarious activity under the cloak of anonymity and disappear before a child is willing or able to reveal the terrible crime.

The International Megan's Law would establish the model needed for the Administration to pressure other countries to take action to stop child sex tourism originating within their borders

and threatening children in the United States and everywhere else.

I have finally, Mr. Speaker, had so many conversations with people from other countries, foreign dignitaries who have asked me when the United States Congress is going to do something about American sex offenders traveling to their countries to rape their children. The International Megan's Law is the answer to that question, and I hope my colleagues will support it.

...Mr. Speaker, the International Megan's Law is the culmination of over 3 years of extensive negotiations and research by multiple parties. Mr. Payne and I are deeply grateful to all who have helped craft this legislation.

I want to thank the majority leader, Steny Hoyer, for scheduling this legislation today and for his commitment to mitigating the crime, the heinous crime, of human trafficking. He and I have worked on that for years. And the International Megan's Law, which is a corollary to the trafficking work, has as its singular goal the protection of children from sex predators.

Special thanks to Chairman Berman and Ileana Ros-Lehtinen for their strong support for International Megan's Law, for helping to shepherd it through the committee, and for their staffs for being so helpful in terms of words and phrases, as well as important concepts in the bill.

I would also like to thank Chairman Payne and Ranking Member Lamar Smith and Bobby Scott for their support and their recommendations that are included in the bill as well.

I would especially like to thank the gentleman from California (Mr. Daniel E. Lungren), former Attorney General, now Congressman, an expert on Megan's Law, for his enormous contribution because he was at the forefront in his State in implementing the Megan's Law; and Ted Poe, who is the co-chairman of the Victims' Rights Caucus, for his work and for his compassion for those who are victimized by any number of crimes, including the crimes that we are talking about today.

I also would like to thank Sheri Rickert, Kristin Wells, and Janice Kaguyutan, staffers who have really done yeoman's work on this legislation. I am very, very grateful for that. And the NGOs that have also collaborated with us, the National Center for Missing and Exploited Children, who have endorsed the bill, the Covenant House, which has done a petition drive, and World Vision, and my distinguished friend from Nevada (Ms. Berkley), I thank her for her leadership as well.