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**Raúl E. Burciaga**  
*Director  
Legislative Council Service  
New Mexico  
Staff Chair, NCSL*

**William T. Pound**  
*Executive Director*

March 21, 2017

The Honorable Bob Goodlatte  
Chair, House Judiciary Committee  
2138 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable John Conyers  
Ranking Member, House Judiciary Committee  
B351 Rayburn House Office Building  
Washington, D.C. 20515

RE: H.R. 1188, the "Adam Walsh Reauthorization Act of 2017"

Dear Chairman Goodlatte and Ranking Member Conyers:

On behalf of the National Conference of State Legislatures (NCSL), I write to express concern to the consideration of H.R. 1188, the "Adam Walsh Reauthorization Act of 2017." While creating a national sex offender registry is a laudatory goal, the Sex Offender Registration and Notification Act (SORNA) provisions of the Adam Walsh Act do not achieve that goal. NCSL believes that SORNA should be amended in consultation with state policymakers and implementers to include greater state flexibility in implementation. NCSL also supports removal of the Byrne JAG penalty provision that takes away important state funding that is used toward vital crime reduction programs.

Since the law's enactment in 2006, only 17 states have been able to comply with SORNA's stringent and inflexible requirements. The Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART Office), as the implementing agency of SORNA, has done its best to provide state flexibility through guidance language, but is also constrained by the rigidity of the underlying law. Since SORNA's passage, states have modified their laws to conform with federal requirements in varying degrees, based on fiscal and substantive feasibility. NCSL has done significant tracking of state laws in this area and has created a [Sex Offender Enactments Database](#) of all post-SORNA state sex offender legislation.

NCSL is troubled by the process and speed with which this markup has been scheduled. There has been no committee consultation with state stakeholder groups such as NCSL. NCSL welcomes the opportunity to work with congressional staff to create a meaningful and implementable SORNA going forward. I respectfully request that the markup of H.R. 1188 be delayed until these changes to SORNA can be made.

Sincerely,

William Pound  
Executive Director, NCSL