

Testimony by Representative Christopher Murphy  
Thursday, January 21, 2010  
Subcommittee on Crime, Terrorism and Homeland Security  
H.R. 3695, the Help Find the Missing Act (Billy's Law)

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Thank you Chairman Scott and Ranking Member Gohmert, as well as the Members of the Subcommittee, for holding today's hearing on H.R. 3695, the *Help Find the Missing Act*, or *Billy's Law*.

The picture I have to paint for you today is admittedly grim. Every year thousands of Americans go missing, often never to be seen by their loved ones again. In fact, according to the Bureau of Justice Statistics, there are over 100,000 unsolved missing persons cases open at any given time. Approximately 4,400 unidentified human remains are also found in an average year. Those numbers are too high, but just as intolerable are the roadblocks that family members face when trying to help law enforcement find a missing love one.

This legislation is named after Billy Smolinski of Waterbury, Connecticut. He went missing on August 24, 2004 at the age of 31. I will let Billy's mother, Jan, share her family's experience with you today. The Smolinskis story is tragic, but this family's pursuit of justice, and desire to change the system for the better, is nothing less than heroic. You'll hear their story straight from Jan, but I can tell you this: no one should ever have to face the systematic failures, frustrations, and heartbreak that the Smolinskis have endured in their search to find Billy.

H.R. 3695, which I was proud to introduce with a great champion of the issue of missing persons, Congressman Ted Poe, tackles three major problems with our nation's missing persons system.

First, many local law enforcement agencies, medical examiners, and coroners don't have the resources to report missing adults and unidentified remains. In fact, according to a Bureau of Justice Statistics census of medical examiner and coroners' offices, 80 percent of those surveyed reported rarely or never using the FBI's unidentified remains database.

Second, there is no central database to report missing persons or unidentified remains. Instead, there is a myriad of *unconnected* federal, state, local, and non-profit databases. This means that a missing persons report may be entered into one database, while the person's remains may be listed in another.

Third, many local law enforcement personnel do not know about the federal missing persons databases or how to best handle these cases.

*Billy's Law* addresses these three problems.

First, the legislation for the first time provides statutory authorization for the National Missing and Unidentified Persons System. Also known as NamUs, the web-based database was created in July 2007 by the Department of Justice. It is the only federal missing persons and unidentified

remains database that the public can access and contribute to and yet it is currently not a Congressionally authorized program.

Second, the bill connects NamUs with the FBI's database. This will create a more comprehensive database and streamline the reporting process for law enforcement.

Third, it creates a competitive grants program to incentivize reporting to the connected FBI/NamUs databases. Funds could be used to develop and implement training on how to use the databases and respond to these cases.

Finally, the legislation requires the Department of Justice to issue information about the databases and best practices for responding to these cases.

*Billy's Law* is supported by 19 bipartisan cosponsors and a host of organizations including the National Center for Missing and Exploited Children, the National Organization of Police Associations, and the National Association of Medical Examiners. Most important, it is supported by countless families throughout the country who have hit brick wall after brick wall in attempting to locate a missing loved one.

I am so grateful to you, Chairman Scott, for your prompt and enthusiastic response to the introduction of this legislation. Its passage will fulfill the wishes of the Smolinskis' and thousands of other families who want to make sure that their personal nightmares are never repeated.

Thank you and I look forward to answering any questions you may have.