

US Judge Affirms IMBRA: Americans Must Have Criminal Checks Before Contacting Foreigners on Internet

A new federal law that makes it a crime for Americans to communicate with foreigners on dating websites without criminal background checks is upheld by a federal judge.

Washington, DC (PRWeb) April 2, 2007 -- On March 26, 2007, a new federal law restricting Americans from contacting foreigners through internet dating sites was upheld by a federal court after a Constitutional challenge by an internet dating company. In *European Connections v. Alberto Gonzales*, 1:06-CV-0426-CC, Judge Clarence Cooper of the US District Court for the Northern District of Georgia dismissed a lawsuit by European Connections which claimed that the law violated the right to freedom of speech contained in the First Amendment to the United States Constitution. The plaintiff had failed to challenge the law based on the First Amendment right to assemble.

According to Tristan Laurent, President of the advocacy group Online Dating Rights, "We will now have to take legal action from the point of view of the users of online dating sites. The whole idea that it is now a crime for American men to send emails to women in other countries is so preposterous it is beyond belief. The judge's ruling that there is no Constitutional violation in forcing Americans to divulge all sorts of highly personal information to a complete stranger or scammer abroad before the American can even say hello or know to whom he is writing is only exceeded in foolishness by Congress in making the law."

The law was originally called the International Matchmaker Regulation Act, but it did not pass Congress in previous years by that name and it was later named the International Marriage Broker Regulation Act (IMBRA) before it passed on December 17th, 2005. The law, which was attached to the reauthorization of the Violence Against Women Act (VAWA) was apparently not debated in public and Mr. Laurent says that no dating company or dating site user was invited to a closed-door Senate hearing in July 2004.

IMBRA makes it a felony for an internet dating company, that primarily focuses on introducing Americans to foreigners, to allow any American to communicate with any person of foreign nationality without first subjecting that American to a criminal background check, a sex offender check and without first having the American certify any previous convictions or arrests, any previous marriages or divorces any children and all states of residence since 18. Match.com is excluded from the law, and the judge found that this exception posed no challenge to the Fifth Amendment equal protection clause because American women are supposedly not abused by American men that they meet on the internet, and thus are not in need of protection.

The law was sponsored by Sen. Sam Brownback, R-KS and Sen. Maria Cantwell, D-WA and was championed by key women's groups. The law was passed after these groups made claims that foreign women who marry American men are subjected to higher rates of abuse than are American women. However, the only study that addresses this issue was done by the INS in 1999 and it found that the rate of abuse in such international marriages is one-seventh the rate of abuse in domestic marriages. See

http://www.online-dating-rights.com/index.php?ind=downloads&op=entry_view&iden=24

Online Dating Rights Director of Public Relations Jim Peterson said of the judge's ruling: "It is a sad day for freedom in our country when an American has to have a criminal background check before he can say 'Hello' to a foreigner through the internet." He also said that "America is the only country in the world that regulates communication between two consenting adults seeking to communicate via internet, with the possible exceptions of China and North Korea. Without new email technology, IMBRA could not have been even feasible because people generally sent paper letters to each other's home addresses just a few years ago. Is it right for the US government to make a form of communication illegal when it was the only form of communication possible just a few years ago?"

The law has been attacked in a bipartisan fashion by prominent feminist Wendy McElroy <http://www.ifeminists.net/introduction/editorials/2006/0111.html> and by men's rights supporter David Usher http://capitolhillcoffeeshouse.com/more.php?id=2444_0_1_0_M and by immigration attorney Gary Bala http://www.online-dating-rights.com/index.php?ind=downloads&op=entry_view&iden=21

Mr. Laurent says that his organization has undertaken a fundraising drive to raise \$100,000 for a class-action suit against the government on behalf of all the men who can no longer contact women in Canada, England, Germany, Russia and the Philippines due to this law. Contributors are asked to visit the website at www.online-dating-rights.com.

Both Mr. Laurent and Mr. Peterson are available for media interviews but since both have to work for a living and do not receive federal taxpayer funding, arrangements for telephone interviews should be made by email if possible. Contact Mr. Laurent at onlinedatingrights@yahoo.com and Mr. Peterson at veterans@veteransabroad.com

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