

109TH CONGRESS
2D SESSION

S. 2786

To amend title 5, United States Code, to permit access to databases maintained by the Federal Emergency Management Agency for purposes of complying with sex offender registry and notification laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2006

Mr. VITTER introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend title 5, United States Code, to permit access to databases maintained by the Federal Emergency Management Agency for purposes of complying with sex offender registry and notification laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REQUIREMENT FOR ACCESS TO FEMA DATA-**
4 **BASES TO COMPLY WITH SEX OFFENDER**
5 **REGISTRY AND NOTIFICATION LAWS.**

6 Section 552a(b) of title 5, United States Code, is
7 amended—

1 (1) in paragraph (11), by striking “or” at the
2 end;

3 (2) in paragraph (12), by striking the period at
4 the end and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(13) disclosure of a record—

7 “(A) contained in a system of records
8 maintained by the Federal Emergency Manage-
9 ment Agency regarding assistance provided to
10 individuals in connection with a major disaster
11 or emergency (as those terms are defined in
12 section 102 of the Robert T. Stafford Disaster
13 Relief and Emergency Assistance Act (42
14 U.S.C. 5122)); and

15 “(B) for purposes of disclosure to another
16 government agency or to an instrumentality of
17 any governmental jurisdiction within or under
18 the control of the United States for purposes of
19 complying with a Federal or State sex offender
20 registry or notification law.”.

1 **SEC. 2. DISCLOSURE OF RECORDS MAINTAINED BY NON-**
 2 **GOVERNMENTAL ORGANIZATIONS PRO-**
 3 **VIDING EVACUATION ASSISTANCE.**

4 Title III of the Robert T. Stafford Disaster Relief
 5 and Emergency Assistance Act (42 U.S.C. 5141 et seq.)
 6 is amended by adding at the end the following:

7 **“SEC. 326. DISCLOSURE OF RECORDS MAINTAINED BY NON-**
 8 **GOVERNMENTAL ORGANIZATIONS PRO-**
 9 **VIDING EVACUATION ASSISTANCE.**

10 “(a) IN GENERAL.—As a condition of receipt of Fed-
 11 eral funds under this Act for services related to evacuating
 12 individuals from an area in response to a hazard (as that
 13 term is defined in section 602) or threat of a hazard, a
 14 nongovernmental organization shall provide assurances
 15 satisfactory to the President that the organization shall
 16 disclose to the Federal Government or a State or local gov-
 17 ernment, upon written request, records maintained by the
 18 organization in connection with such services, if the pur-
 19 pose of the disclosure is to permit the Federal Government
 20 or a State or local government to comply with a Federal
 21 or State sex offender registry or notification law.

22 “(b) LIABILITY PROTECTION.—

23 “(1) IN GENERAL.—Notwithstanding any other
 24 provision of law and except as provided in paragraph
 25 (2), a civil action against an organization or any em-
 26 ployee of an organization for damages related to the

1 disclosure of a record to the Federal Government or
2 a State or local government under subsection (a)
3 may not be brought in any Federal or State Court.

4 “(2) FALSE INFORMATION.—Paragraph (1)
5 shall not apply if—

6 “(A) the information disclosed is false; and

7 “(B) the person providing the information
8 knew that the information was false.”.

○