

111TH CONGRESS  
1ST SESSION

# H. R. 434

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Mr. POE of Texas introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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,*

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

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

6 (1) by striking “or” at the end of paragraph  
7 (11);

8 (2) by striking the period at the end of para-  
9 graph (12) and inserting “; or”; and

10 (3) by adding at the end the following new  
11 paragraph:

12 “(13) disclosure of a record contained in a sys-  
13 tem of records maintained by the Federal Emer-  
14 gency Management Agency on assistance provided to  
15 individuals in connection with a major disaster or  
16 emergency, for purposes of disclosure to another  
17 agency or to an instrumentality of any governmental  
18 jurisdiction within or under the control of the  
19 United States for purposes of complying with a Fed-  
20 eral or State sex offender registry or notification  
21 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. 5121 et seq.)  
 6 is amended by adding at the end the following:

7 **“SEC. 327. 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 or threat  
 13 of a hazard, a nongovernmental organization shall provide  
 14 assurances satisfactory to the President that the organiza-  
 15 tion will disclose to a jurisdiction, upon written request,  
 16 records maintained by the organization in connection with  
 17 such services if the purpose of the disclosure is to permit  
 18 the jurisdiction to comply with a Federal or State sex of-  
 19 fender registry or notification law.

20 “(b) LIABILITY PROTECTION.—Notwithstanding any  
 21 other provision of law, no organization or any employee  
 22 thereof disclosing a record to a jurisdiction pursuant to  
 23 an assurance made under subsection (a) shall be held, by  
 24 reason of making the disclosure, to be liable in damages  
 25 under any law of the United States or of any State (or  
 26 political subdivision thereof) unless the information dis-

- 1 closed is false and the person providing the information
- 2 knew that the information was false.”.

