

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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.

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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

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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,*

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.”.

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