

111TH CONGRESS
1ST SESSION

H. R. 1750

To provide for the use of information in the National Directory of New Hires in enforcing sex offender registration laws.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2009

Mrs. BACHMANN (for herself, Mr. PENCE, Mr. SHIMKUS, Mrs. BLACKBURN, Mr. GINGREY of Georgia, Mr. FORTENBERRY, Mrs. SCHMIDT, and Mr. PITTS) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, 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

A BILL

To provide for the use of information in the National Directory of New Hires in enforcing sex offender registration laws.

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. SHORT TITLE.**

4 This Act may be cited as the “Tracking Registered
5 And Convicted Known (TRACK) Sex Offenders Act”.

1 **SEC. 2. USE OF INFORMATION IN THE NATIONAL DIREC-**
2 **TORY OF NEW HIRES IN ENFORCING SEX OF-**
3 **FENDER REGISTRATION LAWS.**

4 Section 453(j) of the Social Security Act (42 U.S.C.
5 653(j)) is amended by adding at the end the following:

6 “(12) INFORMATION COMPARISONS AND DIS-
7 CLOSURE TO ASSIST IN ENFORCING SEX OFFENDER
8 REGISTRATION LAWS.—

9 “(A) IN GENERAL.—If, for purposes of en-
10 forcing a Federal or State law requiring the
11 registration of sex offenders, the Federal Bu-
12 reau of Investigations (FBI) transmits to the
13 Secretary the names and social security account
14 numbers of individuals, the Secretary shall dis-
15 close to the FBI information on the individuals
16 and their employers maintained in the National
17 Directory of New Hires, subject to this para-
18 graph, and the FBI is authorized to disclose
19 this information to state or local law enforce-
20 ment agencies for the same purposes.

21 “(B) CONDITION ON DISCLOSURE BY THE
22 SECRETARY.—The Secretary shall make a dis-
23 closure under subparagraph (A) only to the ex-
24 tent that the Secretary determines that the dis-
25 closure would not interfere with the effective
26 operation of the program under this part.

1 “(C) USE AND DISCLOSURE OF INFORMA-
2 TION BY THE FEDERAL BUREAU OF INVESTIGA-
3 TIONS.—

4 “(i) IN GENERAL.—The FBI may not
5 use or disclose information provided under
6 this paragraph except for the purposes de-
7 scribed in subparagraph (A).

8 “(ii) INFORMATION SECURITY.—The
9 FBI shall have in effect data security and
10 control policies that the Secretary finds
11 adequate to ensure the security of informa-
12 tion obtained under this paragraph and to
13 ensure that access to the information is re-
14 stricted to authorized persons for purposes
15 of authorized uses and disclosures.

16 “(iii) PENALTY FOR MISUSE OF IN-
17 FORMATION.—An officer or employee of
18 the FBI who fails to comply with this sub-
19 paragraph shall be subject to the sanctions
20 under subsection (1)(2).

21 “(D) PROCEDURAL REQUIREMENTS.—The
22 FBI shall adhere to uniform procedures estab-
23 lished by the Secretary governing information
24 requests and data matching under this para-
25 graph.

1 “(E) REIMBURSEMENT OF COSTS.—The
2 FBI shall reimburse the Secretary, in accord-
3 ance with subsection (k)(3), for the costs in-
4 curred by the Secretary in furnishing the infor-
5 mation requested under this paragraph.”.

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