

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 8511

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to require certifications related to the intentional, accidental, or otherwise knowing disclosure of personally identifiable information of persons involved in transactions related to possession of firearms, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2022

Mr. PERRY (for himself, Mr. KELLY of Mississippi, Mr. TIFFANY, and Mr. HIGGINS of Louisiana) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to require certifications related to the intentional, accidental, or otherwise knowing disclosure of personally identifiable information of persons involved in transactions related to possession of firearms, 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. SHORT TITLE.**

4 This Act may be cited as the “Protecting Our Second  
5 Amendment Data Act”.

1 **SEC. 2. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE**  
2 **GRANT PROGRAM.**

3 Section 502(a) of title I of the Omnibus Crime Con-  
4 trol and Safe Streets Act of 1968 (34 U.S.C. 10153(a))  
5 is amended by adding at the end the following:

6 “(7) A certification that during the previous fis-  
7 cal year the applicant has not intentionally, acciden-  
8 tally, or otherwise knowingly disclosed personally  
9 identifiable information of a person involved in a  
10 transaction to register a firearm, apply for a con-  
11 cealed carry permit, apply for an open carry permit,  
12 or apply for a background check related to posses-  
13 sion of a firearm.”.

14 **SEC. 3. DISCRETIONARY GRANTS.**

15 (a) GRANTS TO PUBLIC AGENCIES.—Section 517 of  
16 title I of the Omnibus Crime Control and Safe Streets Act  
17 of 1968 (34 U.S.C. 10181) is amended—

18 (1) in paragraph (3), by striking “and” at the  
19 end;

20 (2) in paragraph (4), by striking the period at  
21 the end and inserting “; and”; and

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

23 “(5) certifies that during the previous fiscal  
24 year the applicant has not intentionally, accidentally,  
25 or otherwise knowingly disclosed personally identifi-  
26 able information of a person involved in a trans-

1       action to register a firearm, apply for a concealed  
2       carry permit, apply for an open carry permit, or  
3       apply for a background check related to possession  
4       of a firearm.”.

5       (b) GRANTS TO PRIVATE ENTITIES.—Section 519(b)  
6       of title I of the Omnibus Crime Control and Safe Streets  
7       Act of 1968 (34 U.S.C. 10191(b)) is amended by inserting  
8       before the period at the end the following: “, including  
9       a certification that the organization has not used, dissemi-  
10      nated, or facilitated the use or dissemination of personally  
11      identifiable information of a person involved in a trans-  
12      action to register a firearm, apply for a concealed carry  
13      permit, apply for an open carry permit, or apply for a  
14      background check related to possession of a firearm”.

15      (c) COPS GRANTS.—Section 1701 of title I of the  
16      Omnibus Crime Control and Safe Streets Act of 1968 (34  
17      U.S.C. 10381) is amended by adding at the end the fol-  
18      lowing:

19      “(n) CERTIFICATION.—In awarding grants under  
20      this subchapter, the COPS Director and the BJA Director  
21      shall require States, units of local government, and Indian  
22      tribes to submit a certification that during the previous  
23      fiscal year the State, unit of local government, or Indian  
24      tribe has not intentionally, accidentally, or otherwise  
25      knowingly disclosed personally identifiable information of

1 a person or persons involved in a transaction to register  
2 a firearm, apply for a concealed carry permit, apply for  
3 an open carry permit, or apply for a background check  
4 related to the possession of a firearm. Such certification  
5 shall be made in a form acceptable to the COPS Director  
6 and the BJA Director.”.

7 **SEC. 4. DEFINITIONS.**

8 Section 901(a) of the Omnibus Crime Control and  
9 Safe Streets Act of 1968 (34 U.S.C. 10251(a)) is amend-  
10 ed—

11 (1) in paragraph (27), by striking “and” at the  
12 end;

13 (2) in paragraph (28), by striking the period at  
14 the end and inserting a semicolon; and

15 (3) by inserting after paragraph (28) the fol-  
16 lowing:

17 “(29) the term ‘firearm’ has the meaning given  
18 such term in section 921 of title 18, United States  
19 Code; and

20 “(30) the term ‘personally identifiable informa-  
21 tion’ means information that can be used to distin-  
22 guish or trace an individual’s identity, such as the  
23 name, Social Security number, date and place of  
24 birth, biometric records, home or other phone num-

1       bers, or other demographic, medical, or financial in-  
2       formation.”.

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