

111TH CONGRESS
1ST SESSION

H. R. 36

To amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. TOWNS (for himself, Mr. ISSA, Mr. WAXMAN, Mr. DUNCAN, Mr. CLAY, and Mr. SHERMAN) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations.

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 “Presidential Library
5 Donation Reform Act of 2009”.

6 **SEC. 2. PRESIDENTIAL LIBRARIES.**

7 (a) IN GENERAL.—Section 2112 of title 44, United
8 States Code, is amended by adding at the end the fol-
9 lowing new subsection:

1 “(h)(1) Any Presidential library fundraising organi-
2 zation shall submit on a quarterly basis, in accordance
3 with paragraph (2), information with respect to every con-
4 tributor who gave the organization a contribution or con-
5 tributions (whether monetary or in-kind) totaling \$200 or
6 more for the quarterly period.

7 “(2) For purposes of paragraph (1)—

8 “(A) the entities to which information shall be
9 submitted under that paragraph are the Administra-
10 tion, the Committee on Oversight and Government
11 Reform of the House of Representatives, and the
12 Committee on Homeland Security and Governmental
13 Affairs of the Senate;

14 “(B) the dates by which information shall be
15 submitted under that paragraph are April 15, July
16 15, October 15, and January 15 of each year and
17 of the following year (for the fourth quarterly filing);

18 “(C) the requirement to submit information
19 under that paragraph shall continue until the later
20 of the following occurs:

21 “(i) The Archivist has accepted, taken title
22 to, or entered into an agreement to use any
23 land or facility for the archival depository.

24 “(ii) The President whose archives are con-
25 tained in the depository no longer holds the Of-

1 fice of President and a period of four years has
2 expired (beginning on the date the President
3 left the Office).

4 “(3) In this subsection:

5 “(A) The term ‘Presidential library fundraising
6 organization’ means an organization that is estab-
7 lished for the purpose of raising funds for creating,
8 maintaining, expanding, or conducting activities at—

9 “(i) a Presidential archival depository; or

10 “(ii) any facilities relating to a Presidential
11 archival depository.

12 “(B) The term ‘information’ means the fol-
13 lowing:

14 “(i) The amount or value of each contribu-
15 tion made by a contributor referred to in para-
16 graph (1) in the quarter covered by the submis-
17 sion.

18 “(ii) The source of each such contribution,
19 and the address of the entity or individual that
20 is the source of the contribution.

21 “(iii) If the source of such a contribution
22 is an individual, the occupation of the indi-
23 vidual.

24 “(iv) The date of each such contribution.

1 “(4) The Archivist shall make available to the public
2 through the Internet (or a successor technology readily
3 available to the public) as soon as is practicable after each
4 quarterly filing any information that is submitted under
5 paragraph (1). The information shall be made available
6 without a fee or other access charge, in a searchable, sort-
7 able, and downloadable database.

8 “(5)(A) It shall be unlawful for any person who
9 makes a contribution described in paragraph (1) to know-
10 ingly and willfully submit false material information or
11 omit material information with respect to the contribution
12 to an organization described in such paragraph.

13 “(B) The penalties described in section 1001 of title
14 18, United States Code, shall apply with respect to a viola-
15 tion of subparagraph (A) in the same manner as a viola-
16 tion described in such section.

17 “(6)(A) It shall be unlawful for any Presidential li-
18 brary fundraising organization to knowingly and willfully
19 submit false material information or omit material infor-
20 mation under paragraph (1).

21 “(B) The penalties described in section 1001 of title
22 18, United States Code, shall apply with respect to a viola-
23 tion of subparagraph (A) in the same manner as a viola-
24 tion described in such section.

1 “(7)(A) It shall be unlawful for a person to knowingly
2 and willfully—

3 “(i) make a contribution described in paragraph
4 (1) in the name of another person;

5 “(ii) permit his or her name to be used to effect
6 a contribution described in paragraph (1); or

7 “(iii) accept a contribution described in para-
8 graph (1) that is made by one person in the name
9 of another person.

10 “(B) The penalties set forth in section 309(d) of the
11 Federal Election Campaign Act of 1971 (2 U.S.C.
12 437g(d)) shall apply to a violation of subparagraph (A)
13 in the same manner as if such violation were a violation
14 of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

15 “(8) The Archivist shall promulgate regulations for
16 the purpose of carrying out this subsection.”.

17 (b) APPLICABILITY.—Section 2112(h) of title 44,
18 United States Code (as added by subsection (a))—

19 (1) shall apply to an organization established
20 for the purpose of raising funds for creating, main-
21 taining, expanding, or conducting activities at a
22 Presidential archival depository or any facilities re-
23 lating to a Presidential archival depository before,
24 on or after the date of the enactment of this Act;
25 and

1 (2) shall only apply with respect to contribu-
2 tions (whether monetary or in-kind) made after the
3 date of the enactment of this Act.

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