

113TH CONGRESS  
2D SESSION

# S. 2640

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

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## IN THE SENATE OF THE UNITED STATES

JULY 22, 2014

Mr. CARPER (for himself and Mr. COBURN) 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 44, United States Code, to require information on contributors to Presidential library fundraising organizations, 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 “Presidential Library  
5 Donation Reform Act of 2014”.

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:

1       “(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGA-  
2 NIZATION REPORTING REQUIREMENT.—

3               “(1) DEFINITIONS.—In this subsection:

4                       “(A) CONTRIBUTION.—The term ‘contribu-  
5 tion’ means a contribution or contributions  
6 made by an individual or entity to a Presi-  
7 dential library fundraising organization totaling  
8 not less than \$200 (whether monetary or in-  
9 kind) in a single calendar quarter.

10                      “(B) PRESIDENTIAL LIBRARY FUND-  
11 RAISING ORGANIZATION.—The term ‘Presi-  
12 dential library fundraising organization’ means  
13 an organization established to raise funds to  
14 create, maintain, expand, or conduct activities  
15 at—

16                               “(i) a Presidential archival depository;

17                               or

18                               “(ii) any facility relating to a Presi-  
19 dential archival depository.

20               “(2) REPORTING REQUIREMENT.—

21                       “(A) IN GENERAL.—During the period be-  
22 ginning on the date of enactment of this sub-  
23 section, and ending on the date described in  
24 subparagraph (B), and not later than 15 days  
25 after the end of each calendar quarter, each

1 Presidential library fundraising organization  
2 shall submit to the Archivist, in a searchable  
3 and sortable electronic format, information on  
4 each contribution made during that quarter,  
5 which shall include—

6 “(i) the amount or value of the con-  
7 tribution;

8 “(ii) the source of the contribution,  
9 including the address of the individual or  
10 entity that is the source of the contribu-  
11 tion;

12 “(iii) if the source of the contribution  
13 is an individual, the occupation of the indi-  
14 vidual; and

15 “(iv) the date of the contribution.

16 “(B) DURATION OF REPORTING REQUIRE-  
17 MENT.—The date described in this subpara-  
18 graph is the later of—

19 “(i) the date on which the Archivist  
20 accepts, takes title to, or enters into an  
21 agreement to use any land or facility for  
22 the Presidential archival depository for the  
23 President for whom the Presidential li-  
24 brary fundraising organization was estab-  
25 lished; and

1           “(ii) the date on which the President  
2           whose archives are contained in the Presi-  
3           dential archival depository for whom the  
4           Presidential library fundraising organiza-  
5           tion was established no longer holds the  
6           Office of President.

7           “(C) INFORMATION REQUIRED TO BE PUB-  
8           LISHED.—Not later than 30 days after each  
9           submission under subparagraph (A), the Archi-  
10          vist shall publish the information submitted on  
11          the website of the National Archives and  
12          Records Administration, without a fee or other  
13          access charge, in a searchable, sortable, and  
14          downloadable format.

15          “(3) PROHIBITION ON THE SUBMISSION OF  
16          FALSE MATERIAL INFORMATION.—

17                 “(A) INDIVIDUAL.—

18                         “(i) PROHIBITION.—It shall be unlaw-  
19                         ful for any person who makes a contribu-  
20                         tion to knowingly and willfully submit ma-  
21                         terially false information or omit material  
22                         information with respect to the contribu-  
23                         tion.

24                         “(ii) PENALTY.—Any person who  
25                         commits an offense described in clause (i)

1 shall be punished as provided under section  
2 1001 of title 18, United States Code.

3 “(B) ORGANIZATION.—

4 “(i) PROHIBITION.—It shall be unlaw-  
5 ful for any Presidential library fundraising  
6 organization to knowingly and willfully  
7 submit materially false information or omit  
8 material information required to be sub-  
9 mitted under paragraph (2)(A).

10 “(ii) PENALTY.—Any Presidential li-  
11 brary fundraising organization that com-  
12 mits an offense described in clause (i) shall  
13 be punished as provided under section  
14 1001 of title 18, United States Code.

15 “(4) PROHIBITION ON CERTAIN CONTRIBU-  
16 TIONS.—

17 “(A) IN GENERAL.—It shall be unlawful  
18 for any person to knowingly and willfully—

19 “(i) make a contribution in the name  
20 of another person;

21 “(ii) allow the name of the person to  
22 be used by another person to effect a con-  
23 tribution; or

1           “(iii) accept a contribution that is  
2           made by 1 person in the name of another  
3           person.

4           “(B) PENALTY.—Any person who commits  
5           an offense described in subparagraph (A) shall  
6           be punished as provided under section 309(d) of  
7           the Federal Election Campaign Act of 1971 (2  
8           U.S.C. 437g(d)) in the same manner as if the  
9           offense were a violation of section 316(b)(3) of  
10          such Act (2 U.S.C. 441b(b)(3)).

11          “(5) REGULATIONS.—The Archivist shall pro-  
12          mulgate regulations for the purpose of carrying out  
13          this subsection.”.

14          (b) APPLICABILITY OF AMENDMENTS.—

15                 (1) DEFINITIONS.—In this subsection:

16                         (A) CONTRIBUTION.—The term “contribu-  
17                         tion” has the same meaning given that term in  
18                         section 2112(h) of title 44, United States Code  
19                         (as added by subsection (a)).

20                         (B) PRESIDENTIAL LIBRARY FUNDRAISING  
21                         ORGANIZATION.—The term “Presidential li-  
22                         brary fundraising organization” has the same  
23                         meaning given that term in section 2112(h) of  
24                         title 44, United States Code (as added by sub-  
25                         section (a)).

1           (2) APPLICABILITY.—Section 2112(h) of title  
2           44, United States Code (as added by subsection (a))  
3           shall apply—

4                   (A) to Presidential library fundraising or-  
5                   ganization established before, on, or after the  
6                   date of enactment of this Act; and

7                   (B) with respect to a contribution made  
8                   after the date of enactment of this Act.

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