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114TH CONGRESS
1ST SESSION

S. 558

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2015

Mr. CARPER (for himself, Mr. JOHNSON, and Ms. AYOTTE) 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Presidential Library Donation Reform Act of 2015''.

SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following:

"(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION REPORTING REQUIREMENT.—

"(1) DEFINITIONS.—In this subsection:

"(A) CONTRIBUTION.—The term 'contribution' means a contribution or contributions made by an individual or entity to a Presidential library fundraising organization totaling not less than $200 (whether monetary or in-kind) in a single calendar quarter.

"(B) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION.—The term 'Presidential library fundraising organization' means an organization established to raise funds to create, maintain, expand, or conduct activities at—

"(i) a Presidential archival depository; or

"(ii) any facility relating to a Presidential archival depository.

"(2) REPORTING REQUIREMENT.—

"(A) IN GENERAL.—During the period beginning on the date of enactment of this subsection, and ending on the date described in subparagraph (B), and not later than 15 days after the end of each calendar quarter, each

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

"(i) the amount or value of the contribution;

"(ii) the source of the contribution, including the address of the individual or entity that is the source of the contribution;

"(iii) if the source of the contribution is an individual, the occupation of the individual; and

"(iv) the date of the contribution.

"(B) DURATION OF REPORTING REQUIREMENT.—The date described in this subparagraph is the later of—

"(i) the date on which the Archivist accepts, takes title to, or enters into an agreement to use any land or facility for the Presidential archival depository for the President for whom the Presidential library fundraising organization was established; and

"(ii) the date on which the President whose archives are contained in the Presidential archival depository for whom the Presidential library fundraising organization was established no longer holds the Office of President.

"(C) INFORMATION REQUIRED TO BE PUBLISHED.—Not later than 30 days after each submission under subparagraph (A), the Archivist shall publish the information submitted on the website of the National Archives and Records Administration, without a fee or other access charge, in a searchable, sortable, and downloadable format.

"(3) PROHIBITION ON THE SUBMISSION OF FALSE MATERIAL INFORMATION.—

"(A) INDIVIDUAL.—

"(i) PROHIBITION.—It shall be unlawful for any person who makes a contribution to knowingly and willfully submit materially false information or omit material information with respect to the contribution.

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

shall be punished as provided under section 1001 of title 18.

"(B) ORGANIZATION.—

"(i) PROHIBITION.—It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit materially false information or omit material information required to be submitted under paragraph (2)(A).

"(ii) PENALTY.—Any Presidential library fundraising organization that commits an offense described in clause (i) shall be punished as provided under section 1001 of title 18.

"(4) PROHIBITION ON CERTAIN CONTRIBUTIONS.—

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

"(i) make a contribution in the name of another person;

"(ii) allow the name of the person to be used by another person to effect a contribution; or

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

"(B) PENALTY.—Any person who commits an offense described in subparagraph (A) shall be punished as provided under section 309(d) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)) in the same manner as if the offense were a violation of section 316(b)(3) of such Act (52 U.S.C. 30118(b)(3)).

"(5) REGULATIONS.—The Archivist shall promulgate regulations for the purpose of carrying out this subsection.".

(b) APPLICABILITY OF AMENDMENTS.—

(1) DEFINITIONS.—In this subsection, the terms "contribution" and "Presidential library fundraising organization" have the meanings given those terms in section 2112(h) of title 44, United States Code (as added by subsection (a)).

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

(A) to a Presidential library fundraising organization established before, on, or after the date of enactment of this Act; and

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

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