H. R. 1063

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2019

Mr. CUMMINGS (for himself and Mr. MEADOWS) introduced the following bill; which was referred to the Committee on Oversight and Reform

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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 2019".

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) PRESIDENTIAL LIBRARY FUNDRAISING ORGA-

2 NIZATION REPORTING REQUIREMENT.—

3   "(1) REPORTING REQUIREMENT.—Not later

4   than 15 days after the end of a calendar quarter

5   and until the end of the requirement period de-

6   scribed in paragraph (2), each Presidential library

7   fundraising organization shall submit to the Archi-

8   vist information for that quarter in an electronic

9   searchable and sortable format with respect to every

10   contributor who gave the organization a contribution

11   or contributions (whether monetary or in-kind) total-

12   ing $200 or more for the quarterly period.

13   "(2) DURATION OF REPORTING REQUIRE-

14   MENT.—The requirement to submit information

15   under paragraph (1) shall continue until the later of

16   the following occurs:

17   "(A) The Archivist has accepted, taken

18   title to, or entered into an agreement to use any

19   land or facility for the Presidential archival de-

20   pository for the President for whom the Presi-

21   dential library fundraising organization was es-

22   tablished.

23   "(B) The President whose archives are

24   contained in the deposit no longer holds the Of-

25   fice of President.

1 "(3) INFORMATION REQUIRED TO BE PUB-

2 LISHED.—The Archivist shall publish on the website

3 of the National Archives and Records Administra-

4 tion, within 30 days after each quarterly filing, any

5 information that is submitted under paragraph (1),

6 without a fee or other access charge in a download-

7 able database.

8 "(4) SUBMISSION OF FALSE MATERIAL INFOR-

9 MATION PROHIBITED.—

10 "(A) INDIVIDUAL.—

11 "(i) PROHIBITION.—It shall be unlaw-

12 ful for any person who makes a contribu-

13 tion described in paragraph (1) to know-

14 ingly and willfully submit false material in-

15 formation or omit material information

16 with respect to the contribution to an orga-

17 nization described in such paragraph.

18 "(ii) PENALTY.—The penalties de-

19 scribed in section 1001 of title 18, United

20 States Code, shall apply with respect to a

21 violation of clause (i) in the same manner

22 as a violation described in such section.

23 "(B) ORGANIZATION.—

24 "(i) PROHIBITION.—It shall be unlaw-

25 ful for any Presidential library fundraising

1 organization to knowingly and willfully

2 submit false material information or omit

3 material information under paragraph (1).

4 "(ii) PENALTY.—The penalties de-

5 scribed in section 1001 of title 18, United

6 States Code, shall apply with respect to a

7 violation of clause (i) in the same manner

8 as a violation described in such section.

9 "(5) PROHIBITION ON CONTRIBUTION.—

10 "(A) IN GENERAL.—It shall be unlawful

11 for a person to knowingly and willfully—

12 "(i) make a contribution described in

13 paragraph (1) in the name of another per-

14 son;

15 "(ii) permit his or her name to be

16 used to effect a contribution described in

17 paragraph (1); or

18 "(iii) accept a contribution described

19 in paragraph (1) that is made by one per-

20 son in the name of another person.

21 "(B) PENALTY.—The penalties set forth in

22 section 309(d) of the Federal Election Cam-

23 paign Act of 1971 (2 U.S.C. 437g(d)) shall

24 apply to a violation of subparagraph (A) in the

25 same manner as if such violation were a viola-

1 tion of section 316(b)(3) of such Act (2 U.S.C.

2 441b(b)(3)).

3 ''(6) REGULATIONS REQUIRED.—The Archivist

4 shall promulgate regulations for the purpose of car-

5 rying out this subsection.

6 ''(7) DEFINITIONS.—In this subsection:

7 ''(A) INFORMATION.—The term 'informa-

8 tion' means the following:

9 ''(i) The amount or value of each con-

10 tribution made by a contributor referred to

11 in paragraph (1) in the quarter covered by

12 the submission.

13 ''(ii) The source of each such con-

14 tribution, and the address of the entity or

15 individual that is the source of the con-

16 tribution.

17 ''(iii) If the source of such a contribu-

18 tion is an individual, the occupation of the

19 individual.

20 ''(iv) The date of each such contribu-

21 tion.

22 ''(B) PRESIDENTIAL LIBRARY FUND-

23 RAISING ORGANIZATION.—The term 'Presi-

24 dential library fundraising organization' means

25 an organization that is established for the pur-

1 pose of raising funds for creating, maintaining,

2 expanding, or conducting activities at—

3 "(i) a Presidential archival depository;

4 or

5 "(ii) any facilities relating to a Presi-

6 dential archival depository.".

7 (b) APPLICABILITY.—Section 2112(h) of title 44,

8 United States Code (as added by subsection (a))—

9 (1) shall apply to an organization established

10 for the purpose of raising funds for creating, main-

11 taining, expanding, or conducting activities at a

12 Presidential archival depository or any facilities re-

13 lating to a Presidential archival depository before,

14 on, or after the date of the enactment of this Act;

15 and

16 (2) shall only apply with respect to contribu-

17 tions (whether monetary or in-kind) made after the

18 date of the enactment of this Act.

19 **SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.**

20 No additional funds are authorized to carry out the

21 requirements of this Act and the amendments made by

22 this Act. Such requirements shall be carried out using

23 amounts otherwise authorized.

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