

Calendar No. 413

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

**H. R. 577**

[Report No. 107–160]

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2002

Received; read twice and referred to the Committee on Governmental Affairs

JUNE 11, 2002

Reported by Mr. LIEBERMAN, without amendment

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## **AN ACT**

To amend title 44, United States Code, to require any organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository to disclose the sources and amounts of any funds raised, 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,*

1 **SECTION 1. REQUIREMENT TO DISCLOSE SOURCES AND**  
2 **AMOUNTS OF FUNDS RAISED FOR PRESI-**  
3 **DENTIAL ARCHIVAL DEPOSITORY.**

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

7 “(h)(1) Any organization that is established for the  
8 purpose of raising funds for creating, maintaining, ex-  
9 panding, or conducting activities at a Presidential archival  
10 depository or any facilities relating to a Presidential archi-  
11 val depository, shall submit to the Administration, the  
12 Committee on Government Reform of the House of Rep-  
13 resentatives, and the Committee on Governmental Affairs  
14 of the Senate on an annual basis, by not later than the  
15 applicable date specified in paragraph (2), information  
16 with respect to every contributor who, during the year—

17 “(A) with respect to a Presidential archival de-  
18 pository of a President who currently holds the Of-  
19 fice of President or for which the Archivist has not  
20 accepted, taken title to, or entered into an agree-  
21 ment to use any land or facility, gave the organiza-  
22 tion a contribution or contributions (whether mone-  
23 tary or in-kind) totaling \$200 or more for the year;  
24 or

25 “(B) with respect to a Presidential archival de-  
26 pository of a President who no longer holds the Of-

1        fice of President and for which the Archivist has ac-  
2        cepted, taken title to, or entered into an agreement  
3        to use any land or facility, gave the organization a  
4        contribution or contributions (whether monetary or  
5        in-kind) totaling \$5000 or more for the year.

6        “(2) For purposes of paragraph (1), the applicable  
7        date—

8                “(A) with respect to information required under  
9        paragraph (1)(A), shall be January 31 of each year;  
10       and

11               “(B) with respect to information required under  
12       paragraph (1)(B), shall be May 31 of each year.

13       “(3) As used in this subsection, the term ‘informa-  
14       tion’ means the following:

15               “(A) The amount or value of each contribution  
16       made by a contributor referred to in paragraph (1)  
17       in the year covered by the submission.

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

21               “(C) If the source of such a contribution is an  
22       individual, the occupation of the individual.

23               “(D) The date of each such contribution.

24       “(4) The Archivist shall make available to the public  
25       through the Internet (or a successor technology readily

1 available to the public) any information that is submitted  
2 in accordance with paragraph (1).

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

8 “(B) The penalties described in section 1001 of title  
9 18, United States Code, shall apply with respect to a viola-  
10 tion of subparagraph (A) in the same manner as a viola-  
11 tion described in such section.

12 “(6)(A) It shall be unlawful for any organization de-  
13 scribed in paragraph (1) to knowingly and willfully submit  
14 false material information or omit material information  
15 under such paragraph.

16 “(B) The penalties described in section 1001 of title  
17 18, United States Code, shall apply with respect to a viola-  
18 tion of subparagraph (A) in the same manner as a viola-  
19 tion described in such section.

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

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

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

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

4       “(B) The penalties set forth in section 309(d) of the  
5       Federal Election Campaign Act of 1971 (2 U.S.C.  
6       437g(d)) shall apply to a violation of subparagraph (A)  
7       in the same manner as if such violation were a violation  
8       of section 316(b)(3) of such Act.

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

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

13           (1) shall apply to an organization established  
14      for the purpose of raising funds for creating, main-  
15      taining, expanding, or conducting activities at a  
16      Presidential archival depository or any facilities re-  
17      lating to a Presidential archival depository before,  
18      on, or after the date of the enactment of this Act;  
19      and

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

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