

111TH CONGRESS
1ST SESSION

H. R. 36

IN THE SENATE OF THE UNITED STATES

JANUARY 8, 2009

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

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Presidential Library
3 Donation Reform Act of 2009”.

4 **SEC. 2. PRESIDENTIAL LIBRARIES.**

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

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

14 “(2) For purposes of paragraph (1)—

15 “(A) the entities to which information shall be
16 submitted under that paragraph are the Administra-
17 tion, the Committee on Oversight and Government
18 Reform of the House of Representatives, and the
19 Committee on Homeland Security and Governmental
20 Affairs of the Senate;

21 “(B) the dates by which information shall be
22 submitted under that paragraph are April 15, July
23 15, October 15, and January 15 of each year and
24 of the following year (for the fourth quarterly filing);

1 “(C) the requirement to submit information
2 under that paragraph shall continue until the later
3 of the following occurs:

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

7 “(ii) The President whose archives are con-
8 tained in the depository no longer holds the Of-
9 fice of President and a period of four years has
10 expired (beginning on the date the President
11 left the Office).

12 “(3) In this subsection:

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

17 “(i) a Presidential archival depository; or

18 “(ii) any facilities relating to a Presidential
19 archival depository.

20 “(B) The term ‘information’ means the fol-
21 lowing:

22 “(i) The amount or value of each contribu-
23 tion made by a contributor referred to in para-
24 graph (1) in the quarter covered by the submis-
25 sion.

1 “(ii) The source of each such contribution,
2 and the address of the entity or individual that
3 is the source of the contribution.

4 “(iii) If the source of such a contribution
5 is an individual, the occupation of the indi-
6 vidual.

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

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

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

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

24 “(6)(A) It shall be unlawful for any Presidential li-
25 brary fundraising organization to knowingly and willfully

1 submit false material information or omit material infor-
2 mation under paragraph (1).

3 “(B) The penalties described in section 1001 of title
4 18, United States Code, shall apply with respect to a viola-
5 tion of subparagraph (A) in the same manner as a viola-
6 tion described in such section.

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

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

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

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

16 “(B) The penalties set forth in section 309(d) of the
17 Federal Election Campaign Act of 1971 (2 U.S.C.
18 437g(d)) shall apply to a violation of subparagraph (A)
19 in the same manner as if such violation were a violation
20 of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

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

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

Passed the House of Representatives January 7,
2009.

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