

Democrats and Republicans must come together to pass a robust economic recovery package that includes tax relief to middle class families so we can begin to relieve the pressure that they feel every time they pay a bill.

Madam Speaker, the American people are looking to us for help and for help to jump start this economy. Let's go to work.

THE NEED FOR BIPARTISANSHIP IN THIS ECONOMIC CRISIS

(Mr. ADLER of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. ADLER of New Jersey. Madam Speaker, last year, our economy experienced the weakest employment growth since the Great Depression, causing more and more families across the country to feel financially strapped. The U.S. economy lost hundreds of thousands of jobs in the first eleven months of 2008, and we heard bad news this morning about December's reports. The employment rate last year reached the highest level since 1993, and it could get worse, and those who managed to keep their jobs are experiencing stagnant and falling wages.

Americans are concerned about their futures as debts continue to mount, as bills pile up and as parents worry that their children won't have the same opportunities they had. Small businesses are an integral part of getting this economy moving again. We must ensure that we take appropriate action to assist small businesses and to restore our economic engine of growth. Small businesses represent the backbone of this country and of America's unwavering entrepreneurial spirit.

Madam Speaker, we must address our economic challenges quickly, and we must work in a strong bipartisan fashion to relieve the financial strain Americans feel every day. We must work immediately to pass an economic recovery package.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 7, 2009.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 6, 2009, at 5:13 p.m.:

That the Senate agreed to S. Res. 2.
That the Senate agreed to S. Con. Res. 1.
That the Senate agreed to S. Con. Res. 2.
With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

PROVIDING FOR A JOINT SESSION TO COUNT ELECTORAL VOTES

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 8th day of January 2009, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter 'A'; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR CONTINUATION OF JOINT COMMITTEE TO MAKE INAUGURATION ARRANGEMENTS

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That effective from January 6, 2009, the joint committee created by Senate Concurrent Resolution 67 (110th Congress), to make the necessary arrangements for the inauguration, is hereby continued with the same power and authority provided for in that resolution.

SEC. 2. Effective from January 6, 2009, the provisions of Senate Concurrent Resolution 68 (110th Congress), to authorize the rotunda of the United States Capitol to be used in connection with the proceedings and ceremonies for the inauguration of the President-elect and the Vice President-elect of the United States, are continued with the same power and authority provided for in that resolution.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

REAPPOINTMENT AS MEMBERS OF JOINT COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore. Pursuant to Senate Concurrent Resolution 2,

111th Congress, and the order of the House of January 6, 2009, the Chair announces the Speaker's reappointment of the following Members of the House to the Joint Congressional Committee on Inaugural Ceremonies:

Ms. PELOSI, California
Mr. HOYER, Maryland
Mr. BOEHNER, Ohio

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

PRESIDENTIAL RECORDS ACT AMENDMENTS OF 2009

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 35) to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 35

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 Records Act Amendments of 2009".

SEC. 2. PROCEDURES FOR CONSIDERATION OF CLAIMS OF CONSTITUTIONALLY BASED PRIVILEGE AGAINST DISCLOSURE.

(a) IN GENERAL.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following:

“§ 2208. Claims of constitutionally based privilege against disclosure

“(a)(1) When the Archivist determines under this chapter to make available to the public any Presidential record that has not previously been made available to the public, the Archivist shall—

“(A) promptly provide notice of such determination to—

“(i) the former President during whose term of office the record was created; and

“(ii) the incumbent President; and

“(B) make the notice available to the public.

“(2) The notice under paragraph (1)—

“(A) shall be in writing; and

“(B) shall include such information as may be prescribed in regulations issued by the Archivist.

“(3)(A) Upon the expiration of the 20-day period (excepting Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist provides notice under paragraph (1)(A), the Archivist shall make available to the public the record covered by the notice, except any record (or reasonably segregable part of a record) with respect to which the Archivist receives from a former President or the incumbent President notification of a claim of constitutionally based

privilege against disclosure under subsection (b).

“(B) A former President or the incumbent President may extend the period under subparagraph (A) once for not more than 20 additional days (excepting Saturdays, Sundays, and legal public holidays) by filing with the Archivist a statement that such an extension is necessary to allow an adequate review of the record.

“(C) Notwithstanding subparagraphs (A) and (B), if the period under subparagraph (A), or any extension of that period under subparagraph (B), would otherwise expire after January 19 and before July 20 of the year in which the incumbent President first takes office, then such period or extension, respectively, shall expire on July 20 of that year.

“(b)(1) For purposes of this section, any claim of constitutionally based privilege against disclosure must be asserted personally by a former President or the incumbent President, as applicable.

“(2) A former President or the incumbent President shall notify the Archivist, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of a privilege claim under paragraph (1) on the same day that the claim is asserted under paragraph (1).

“(c)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by a former President until the expiration of the 20-day period (excluding Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist is notified of the claim.

“(2) Upon the expiration of such period the Archivist shall make the record publicly available unless otherwise directed by a court order in an action initiated by the former President under section 2204(e).

“(d)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by the incumbent President unless—

“(A) the incumbent President withdraws the privilege claim; or

“(B) the Archivist is otherwise directed by a final court order that is not subject to appeal.

“(2) This subsection shall not apply with respect to any Presidential record required to be made available under section 2205(2)(A) or (C).

“(e) The Archivist shall adjust any otherwise applicable time period under this section as necessary to comply with the return date of any congressional subpoena, judicial subpoena, or judicial process.”

(b) RESTRICTIONS.—Section 2204 of title 44, United States Code (relating to restrictions on access to presidential records) is amended by adding at the end the following new subsection:

“(f) The Archivist shall not make available any original presidential records to any individual claiming access to any presidential record as a designated representative under section 2205(3) if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.”

(c) CONFORMING AMENDMENTS.—(1) Section 2204(d) of title 44, United States Code, is amended by inserting “, except section 2208,” after “chapter”.

(2) Section 2207 of title 44, United States Code, is amended in the second sentence by inserting “, except section 2208,” after “chapter”.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following:

“2208. Claims of constitutionally based privilege against disclosure.”

SEC. 3. EXECUTIVE ORDER OF NOVEMBER 1, 2001. Executive Order No. 13233, dated November 1, 2001 (66 Fed. Reg. 56025), shall have no force or effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in order to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. Madam Speaker, I yield myself such time as I may consume.

H.R. 35, the Presidential Records Act Amendments of 2009, will restore public access to Presidential records. Identical legislation was introduced in the last Congress and passed the House with strong bipartisan support.

The Presidential Records Act of 1978 established that the records of the President belong to the American people, not to the President. It also ensured that these records would be released to historians and to the public in a timely manner.

In an executive order issued in November 2001, President Bush reversed the presumption of disclosure in the Presidential Records Act. The order gave Presidents and former Presidents the ability to delay the public release of records even long after their own deaths. For the first time, it gave former Presidents the ability to assert privilege over their own records.

Today's legislation restores the intent of the Presidential Records Act. It makes clear that only Presidents and former Presidents, not former Vice Presidents or the descendants of Presidents, can make assertions of privilege over records. It gives former Presidents the authority to assert privilege over their own records, but it requires a sitting President or a court to agree with the assertions in order for those records to be withheld from the public, and it sets strict deadlines for the President and former Presidents to review records before they release them to the public. This legislation will prevent former Presidents from withholding embarrassing records, and will allow historians to tell a complete story about Presidential administrations.

I would like to thank the ranking member, of course, from California, Mr. ISSA, for his cooperation in moving this measure to the floor very quickly. I would like to thank him for that. I know that we share the same goals of making government more open and less wasteful, and we plan to work together on those goals in a bipartisan manner.

I also thank the previous chairman, Congressman WAXMAN, for his work in

the last Congress, who did a marvelous job. Of course, that's the reason why we are able to move very quickly, because of some of the work that he was able to do in the last Congress.

Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

The new chairman and I both are assuming these positions after a long period of time of serving in lesser positions on Government Reform, and we come to it, I think, equally with the same vigor, with a vigor to make this committee a bipartisan committee, a committee that works openly between the majority and minority for the purpose of making sure that government works openly for the people who we serve.

□ 1030

I want to thank the chairman today because as we bring three votes from our committee, each of these was shared with the other in consultation, each of them was agreed were necessary and could be moved in a timely fashion today. Each of them will be presented to our conferences as non-controversial, and in fact, ones that should pass unanimously or near unanimously. This is a great start.

I'm particularly pleased with the chairman and myself to be able to offer the first pieces of legislation of the 111th Congress because I expect that this committee will be the most productive committee of the Congress. It is the committee that has the greatest responsibility, as President-elect Obama has said, to make government accountable. We are that committee.

I look forward to it. As the chairman said, this piece of legislation does restore a balance. It is not a balance that's without controversy, but it is a balance that I believe is appropriate.

Additionally, to what is in the language of the bill, which the chairman did a good job of explaining, there is, in fact, a final holdback which is any President asserting some Presidential secret or particular current damage to the government would be able to overcome this legislation, but it will be the burden of the current President, and as the chairman said, the burden of the previous President to make a case for why records should not be made public rather than the other way around.

I look forward to a floor vote on this on a bipartisan basis and urge passage of this bill.

I yield back the balance of my time. Mr. TOWNS. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Thank you very much, Mr. Chairman.

I look forward to working with you in this upcoming session of Congress and working with Mr. ISSA.

I want to thank you for bringing this bill forward. If we truly have government of the people, then there has to be transparency. And not only must

Presidents be accountable, but former Presidents must be accountable. And a system of transparency will ensure accountability, particularly with respect to Presidential records.

Now this legislation will make it impossible for Presidential records to be buried. It's going to set strict time frames in which information has to be released to the public. It is not going to permit former Presidents to have unlimited, broad authority to be able to claim through the existing President executive privilege, and it is not going to enable designees of Presidents to assert claims of executive privilege after the death of a former President.

So this is a very important moment where transparency in government trumps the assertion of executive privilege. That can only be good for democracy.

I want to thank once again Mr. TOWNS for his leadership in bringing this forward as one of the first bills of the 111th Congress.

Mr. TOWNS. Madam Speaker, I yield 1 minute to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. I thank the chairman for yielding.

I look forward to working with Chairman TOWNS, the new Chair of the Oversight and Government Reform Committee, as well as the ranking member, Mr. ISSA.

Let me also say, as an original cosponsor of H.R. 35 and chairman of the Oversight Subcommittee, I am pleased to see the measure presented for consideration by the House today.

Introduced by Chairman TOWNS, this bipartisan bill is intended to promote the timely release of Presidential records under the Presidential Records Act of 1978 by rescinding Executive Order 13233. Issued by President Bush in November 2001, the executive order granted new authority to Presidents, former Presidents, their heirs and designees, and Vice Presidents, allowing them to withhold information from public view unilaterally and indefinitely.

Executive Order 13233 undermines the Presidential Records Act by removing discretion from the archivists of the United States and delaying the release of records that are necessary to give historians and the public a full picture of a President's tenure.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TOWNS. I yield the gentleman 2 additional minutes.

Mr. CLAY. I thank the chairman for yielding.

Madam Speaker, the American people value the importance of transparency and having an open government. Citizens have a right to know how and why important decisions are made at the highest level of government. This straightforward and bipartisan legislation would ensure that this will be the case by requiring Presidential records to be treated as the property of the American people.

I urge all of my colleagues to support the bill.

Mr. TOWNS. Madam Speaker, as we begin a new Congress and a new Presidency, it is time to move away from the policy of secrecy. The President-elect has spoken of a desire for more openness in government. We in Congress share that goal, and this bill is an important step towards a more transparent White House.

I want to thank my colleague from California and his staff and my staff for the work that they've done on this bill. I urge all of my colleagues to support this bill because this is definitely good government, and I think that we need to be about good government because we cannot afford the luxury of waste, fraud, and abuse.

Madam Speaker, I ask all of my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, let me congratulate you for your reelection as Speaker of the House. It is an honor that you have served with great distinction and verve. I look forward to more of your continued leadership in the 111th Congress.

Madam Speaker, I rise today in support of H.R. 35, the Presidential Records Act Amendments, which amends chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

H.R. 35 provides that when the Archivist determines to make available to the public any Presidential record that has not previously been made available to the public, and that is not subject to any claim of constitutionally based privilege against disclosure, the Archivist should provide notice of the determination to the former President during whose term of office the record was created, the incumbent President, and make the notice available to the public. The notice must also be in writing. These amendments strengthen the underlying bill.

The Presidential Records Act itself governs the official records of Presidents and Vice Presidents created or received after January 20, 1981, and mandates the preservation of all Presidential records. The act changed the legal ownership of the official records of the President from private to public, and established a new statutory structure under which the President must manage their records.

Specifically, the Presidential Records Act:

Defines and states public ownership of the records.

Places the responsibility for the custody and management of incumbent Presidential records with the President.

Allows the incumbent President to dispose of records that no longer have administrative, historical, informational, or evidentiary value, once he has obtained the views of the Archivist of the United States on the proposed disposal.

Requires that the President and his staff take all practical steps to file personal records separately from Presidential records.

Establishes a process for restriction and public access to these records. Specifically, the PRA allows for public access to Presidential records through the Freedom of Information Act (United States), FOIA, beginning

five years after the end of the Administration, but allows the President to invoke as many as six specific restrictions to public access for up to 12 years. The PRA also establishes procedures for Congress, courts, and subsequent administrations to obtain special access to records that remain closed to the public, following a 30-day notice period to the former and current Presidents.

Requires that Vice-Presidential records are to be treated in the same way as Presidential records.

This bill is important. It was under the Bush administration that the e-mail controversy surfaced in 2007. During that controversy which involved the dismissal of eight U.S. attorneys, congressional requests for administration documents while investigating the dismissals of the U.S. attorneys required the Bush administration to reveal that not all internal White House e-mails were available, because they were sent via a non-government domain hosted on an e-mail server not controlled by the Federal Government. Conducting general government business in this manner possibly implicates the Presidential Records Act. The Bush administration e-mail controversy highlights the need for these amendments and for the bill.

I urge my colleagues to support this bill.

Mr. WAXMAN. Madam Speaker, I thank Representative TOWNS for bringing this bill to the floor. The outgoing Bush administration has an obsession with secrecy that has led it to weaken many of this country's open government laws. Our consideration of H.R. 35, the Presidential Records Act Amendments of 2009, is one important step toward undoing that damage. The bill revokes a Bush executive order, issued in November 2001, which gave broad new authority to Presidents and former Presidents to prevent the release of Presidential records. The order gave former Presidents the ability to pick and choose the records viewed by historians and to shape their legacy through the selective withholding of information.

Under the Presidential Records Act of 1978, these records belong to the American people, not to the president who created them. Today's legislation restores the original intent of the Act and will lead to greater openness and improved understanding of presidential decision-making.

This is not a partisan issue. Similar legislation was first introduced in 2001 by Rep. BURTON. And two years ago, I introduced H.R. 1255 with Reps. BURTON, TOWNS, and PLATTS. I thank them for working with me. The House passed that bill with a strong bipartisan majority. I urge all of my colleagues to support this bill today.

Mr. VAN HOLLEN. Madam Speaker, today, the House considers a bill that amends the Presidential Records Act. This important piece of bi-partisan legislation will help preserve open government, by reversing an executive order issued in the early days of the Bush administration that cut off access to Presidential records for historians and the American public.

Under that executive order, former Presidents and their heirs were given unprecedented authority to withhold or, indefinitely delay, access to documents from the public. And, for the first time, the order extended the authority to assert "executive privilege" to former Vice Presidents.

This legislation reverses that order by stating clearly that only current and former Presidents may assert "executive privilege." The bill also grants current Presidents discretion over whether to support a former President's assertion of privilege and places strict time limits for the current and former President to review records before they are released.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 35.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TOWNS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2009

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 36) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 36

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 2009".

SEC. 2. PRESIDENTIAL LIBRARIES.

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

"(h)(1) Any Presidential library fundraising organization shall submit on a quarterly basis, in accordance with paragraph (2), information with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

"(2) For purposes of paragraph (1)—

"(A) the entities to which information shall be submitted under that paragraph are the Administration, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate;

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

"(C) the requirement to submit information under that paragraph shall continue until the later of the following occurs:

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

"(ii) The President whose archives are contained in the depository no longer holds the Office of President and a period of four years has expired (beginning on the date the President left the Office).

"(3) In this subsection:

"(A) The term 'Presidential library fundraising organization' means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

"(i) a Presidential archival depository; or

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

"(B) The term 'information' means the following:

"(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

"(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

"(iii) If the source of such a contribution is an individual, the occupation of the individual.

"(iv) The date of each such contribution.

"(4) The Archivist shall make available to the public through the Internet (or a successor technology readily available to the public) as soon as is practicable after each quarterly filing any information that is submitted under paragraph (1). The information shall be made available without a fee or other access charge, in a searchable, sortable, and downloadable database.

"(5)(A) It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

"(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

"(6)(A) It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

"(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

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

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

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

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

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

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

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

(1) shall apply to an organization 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 before, on or after the date of the enactment of this Act; and

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. I yield myself as much time as I may consume.

Madam Speaker, H.R. 36, the Presidential Library Donation Reform Act, will require organizations raising money to build Presidential libraries and their affiliated institutions to disclose the identities of their donors and the amount of their donations. Like the records bill just considered, an identical version of this bill was considered in the 110th Congress and passed the House with strong bipartisan support.

Presidential libraries are becoming increasingly expensive, and fundraising for their construction begins during a President's term. These are broad campuses with museums, conference centers, and other institutions, some of which are entirely separate from the federally run libraries.

According to press reports, it cost more than \$80 million to build George H.W. Bush's library and \$165 million to build the Clinton library. Press reports have suggested that the fundraising target for President Bush's library is \$500 million.

Under current law, individuals, corporations and even foreign interests can make anonymous, unlimited donations to these organizations. Such donations can be made while the President is still in office. There is enormous potential for abuse in this system. Special interests could make multi-million dollar donations to a Presidential library foundation in an effort to influence the President, and the public would remain completely unaware.

In order to prevent real abuse, as well as the perception of abuse, H.R. 36 would require Presidential library foundations to divulge information about their donors while the President is in office and for the several years after the President's term has ended.

I again thank the ranking member, Mr. ISSA from California, for his cooperation on this bill and thank the previous chairman, Mr. WAXMAN, for his work in this as well.

Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I join with the chairman in recommending swift passage through the House for at least the third time. This bill has passed under