

111TH CONGRESS  
1ST SESSION

# H. R. 36

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IN THE SENATE OF THE UNITED STATES

JANUARY 8, 2009

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

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## 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))—

