

**Calendar No. 532**113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2640****[Report No. 113-245]**

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

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## IN THE SENATE OF THE UNITED STATES

JULY 22, 2014

Mr. CARPER (for himself and Mr. COBURN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

AUGUST 26, 2014

Reported, under authority of the order of the Senate of August 5 (legislative day, August 1), 2014, by Mr. CARPER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Presidential Library  
3 Donation Reform Act of 2014”.

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:

8 “(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGA-  
9 NIZATION REPORTING REQUIREMENT.—

10 “(1) DEFINITIONS.—In this subsection:

11 “(A) CONTRIBUTION.—The term ‘contribu-  
12 tion’ means a contribution or contributions  
13 made by an individual or entity to a Presi-  
14 dential library fundraising organization totaling  
15 not less than \$200 (whether monetary or in-  
16 kind) in a single calendar quarter.

17 “(B) PRESIDENTIAL LIBRARY FUND-  
18 RAISING ORGANIZATION.—The term ‘Presi-  
19 dential library fundraising organization’ means  
20 an organization established to raise funds to  
21 create, maintain, expand, or conduct activities  
22 at—

23 “(i) a Presidential archival depository;

24 or

25 “(ii) any facility relating to a Presi-  
26 dential archival depository.

1           “(2) REPORTING REQUIREMENT.—

2                   “(A) IN GENERAL.—During the period be-  
3           ginning on the date of enactment of this sub-  
4           section, and ending on the date described in  
5           subparagraph (B), and not later than 15 days  
6           after the end of each calendar quarter, each  
7           Presidential library fundraising organization  
8           shall submit to the Archivist, in a searchable  
9           and sortable electronic format, information on  
10          each contribution made during that quarter,  
11          which shall include—

12                   “(i) the amount or value of the con-  
13           tribution;

14                   “(ii) the source of the contribution,  
15           including the address of the individual or  
16           entity that is the source of the contribu-  
17           tion;

18                   “(iii) if the source of the contribution  
19           is an individual, the occupation of the indi-  
20           vidual; and

21                   “(iv) the date of the contribution.

22                   “(B) DURATION OF REPORTING REQUIRE-  
23           MENT.—The date described in this subpara-  
24           graph is the later of—

1           “(i) the date on which the Archivist  
2           accepts, takes title to, or enters into an  
3           agreement to use any land or facility for  
4           the Presidential archival depository for the  
5           President for whom the Presidential li-  
6           brary fundraising organization was estab-  
7           lished; and

8           “(ii) the date on which the President  
9           whose archives are contained in the Presi-  
10          dential archival depository for whom the  
11          Presidential library fundraising organiza-  
12          tion was established no longer holds the  
13          Office of President.

14          “(C) INFORMATION REQUIRED TO BE PUB-  
15          LISHED.—Not later than 30 days after each  
16          submission under subparagraph (A), the Archi-  
17          vist shall publish the information submitted on  
18          the website of the National Archives and  
19          Records Administration, without a fee or other  
20          access charge, in a searchable, sortable, and  
21          downloadable format.

22          “(3) PROHIBITION ON THE SUBMISSION OF  
23          FALSE MATERIAL INFORMATION.—

24          “(A) INDIVIDUAL.—

1           “(i) PROHIBITION.—It shall be unlaw-  
2 ful for any person who makes a contribu-  
3 tion to knowingly and willfully submit ma-  
4 terially false information or omit material  
5 information with respect to the contribu-  
6 tion.

7           “(ii) PENALTY.—Any person who  
8 commits an offense described in clause (i)  
9 shall be punished as provided under section  
10 1001 of title 18; ~~United States Code~~.

11           “(B) ORGANIZATION.—

12           “(i) PROHIBITION.—It shall be unlaw-  
13 ful for any Presidential library fundraising  
14 organization to knowingly and willfully  
15 submit materially false information or omit  
16 material information required to be sub-  
17 mitted under paragraph (2)(A).

18           “(ii) PENALTY.—Any Presidential li-  
19 brary fundraising organization that com-  
20 mits an offense described in clause (i) shall  
21 be punished as provided under section  
22 1001 of title 18; ~~United States Code~~.

23           “(4) PROHIBITION ON CERTAIN CONTRIBU-  
24 TIONS.—

1           “(A) IN GENERAL.—It shall be unlawful  
2 for any person to knowingly and willfully—

3                   “(i) make a contribution in the name  
4 of another person;

5                   “(ii) allow the name of the person to  
6 be used by another person to effect a con-  
7 tribution; or

8                   “(iii) accept a contribution that is  
9 made by 1 person in the name of another  
10 person.

11           “(B) PENALTY.—Any person who commits  
12 an offense described in subparagraph (A) shall  
13 be punished as provided under section 309(d) of  
14 the Federal Election Campaign Act of 1971 (2  
15 U.S.C. 437g(d)) in the same manner as if the  
16 offense were a violation of section 316(b)(3) of  
17 such Act (2 U.S.C. 441b(b)(3)).

18           “(5) REGULATIONS.—The Archivist shall pro-  
19 mulgate regulations for the purpose of carrying out  
20 this subsection.”.

21 (b) APPLICABILITY OF AMENDMENTS.—

22           (1) DEFINITIONS.—In this subsection:

23                   (A) CONTRIBUTION.—The term “contribu-  
24 tion” has the same meaning given that term in

1 section 2112(h) of title 44, United States Code  
2 (as added by subsection (a)).

3 (B) PRESIDENTIAL LIBRARY FUNDRAISING  
4 ORGANIZATION.—The term “Presidential li-  
5 brary fundraising organization” has the same  
6 meaning given that term in section 2112(h) of  
7 title 44, United States Code (as added by sub-  
8 section (a)).

9 (2) APPLICABILITY.—Section 2112(h) of title  
10 44, United States Code (as added by subsection (a))  
11 shall apply—

12 (A) to *a* Presidential library fundraising  
13 organization established before, on, or after the  
14 date of enactment of this Act; and

15 (B) with respect to a contribution made  
16 after the date of enactment of this Act.

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