



H.R. 36 – Presidential Library Donation Act Reform of 2009

FLOOR SITUATION

H.R. 36 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Edolphus Towns (D-NY) on January 6, 2009. The bill was referred to the House Committee on Oversight and Government Reform, but was never considered.

SUMMARY

H.R. 36 creates several disclosure requirements for donations to Presidential libraries.

The legislation requires Presidential library fundraising organizations to submit, on a quarterly basis, information about every donor who contributed more than \$200 for the quarterly period. The information required is the amount of each contribution made by a contributor, the source of each contribution, the date of each contribution, and the occupation of the individual making the contribution.

The bill requires the submission of donor information to continue until the later of either of the following occurring: the Archivist accepting, taking title to, or entering into an agreement to use any land or facility for the archival deposit, or until four years have lapsed since the President has held the office of President. H.R. 36 requires the submission of reports with this information to be made quarterly to Congress. The Archivist is required to make available to the public the information from the reports via the Internet in a searchable database.

Finally, the legislation makes it unlawful for a person or Presidential library fundraising organization to knowingly and willfully submit false information or omit information. Under this provision, it is unlawful for a person to make a contribution in the name of another person, or permit his or her name to be used to make a contribution, or accept a contribution by one person in the name of another person.

BACKGROUND

The Presidential Libraries Act of 1955 (P.L. 84-373) created a presidential archival depository as part of the National Archives system. Every President since enactment of that legislation has a Presidential library. Creating a Presidential library is a costly endeavor, and was once a burden heavily propped up by taxpayers. For this reason, it is normal for fundraising for a Presidential library to begin before a President has left office in order to finance the construction. Under current law, fundraising for a Presidential library is not subject to the standard disclosure requirements of political campaigns.

In the 110th Congress, the House passed similar legislation, [H.R. 1254](#), but that bill was never considered by the Senate. That legislation would have required a presidential library fundraising organization to report on contributors donating over \$200, with criminal penalties for non-compliance.

Some Members may question the necessity of increasing the disclosure requirements on private contributions to presidential libraries which some potential donors may view as intrusive, lessening their willingness to contribute in the first place.

COST

A CBO cost estimate is not yet available, but last Congress, CBO estimated that H.R. 1254 would cost \$1 million in 2008, and roughly \$5 million over five years.

STAFF CONTACT

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