



March 14, 2007

## **H.R. 1254 – Presidential Library Donation Reform Act of 2007**

### **Floor Situation**

H.R. 1254 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 Henry Waxman (D-CA) on March 1, 2007 and was ordered to be reported from the House Committee on Oversight and Government Reform by voice vote on March 8, 2007.

H.R. 1254 is expected to be considered on the floor on March 14, 2007.

### **Summary**

H.R. 1254 creates disclosure requirements for donations to Presidential libraries. Specifically, 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 (including the address of the individual or entity that made the contribution), the date of each contribution, and the occupation of the individual making the contribution.
- Requires the submission of donor information to continue until the later of either of the following occurs: the Archivist has accepted, taken title to, or entered 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.
- Requires the submission of reports with this information to be made to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Government Affairs, and the National Archives Records Administration (NARA). The reports are to be submitted by April 15, July 15, October 15, and January 15.
- Requires the Archivist to make available to the public without charge the information from the reports via the Internet in a searchable, sortable, downloadable database.

- Makes it unlawful for a person or Presidential library fundraising organization to knowingly and willfully submit false information or omit information. H.R. 1254 also makes it 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. (Section 2)

## **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, except for President Nixon, has a Presidential library.

Creating a Presidential library is a costly endeavor. For this reason, it is normal for fundraising for a Presidential library to begin before a President has left office. Under current law, fundraising for a Presidential library is not subject to the disclosure requirements of campaigns.

The House of Representatives has previously passed legislation creating disclosure requirements for donations to Presidential libraries in the 107<sup>th</sup> Congress. Representative John Duncan introduced H.R. 577, which passed the House of Representatives under suspension of the rules on February 5, 2002 by a vote of 392 to 3 but was not considered by the Senate during 107<sup>th</sup> Congress.

H.R. 1254 is similar to Representative Duncan's legislation, but there are some differences. First, the Presidential Library Donation Reform Act of 2007 excludes the presidential libraries that are already part of the presidential library system. Second, H.R. 1254 requires quarterly disclosure requirements instead of annual ones. Third, H.R. 1254 contains provisions to make the information more readily accessible by specifically requiring that the information be available in a searchable, sortable, downloadable database without a fee.

In committee, Representative Tom Davis offered two amendments that were not approved. The first would have made the provisions apply only to Presidents elected after date of enactment. This amendment was rejected by voice vote.

The second amendment would have extended the bill to cover Congressional foundations. This amendment was ruled not germane.

## **CBO Estimate**

CBO estimates that H.R. 1254 would cost \$1 million in 2008 and \$5 million in the 2008 to 2012 period, subject to appropriation.

## **Staff Contact**

For questions or further information contact Brad Watson at (202) 226-2302.