

117TH CONGRESS  
2D SESSION

# H. R. 9278

To amend chapter 22 of title 44, United States Code, to require certifications regarding certain Presidential and Vice Presidential Records, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2022

Mrs. CAROLYN B. MALONEY of New York introduced the following bill; which was referred to the Committee on Oversight and Reform

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## A BILL

To amend chapter 22 of title 44, United States Code, to require certifications regarding certain Presidential and Vice Presidential Records, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Presidential Records  
5 Certification Act of 2022”.

1 **SEC. 2. CERTIFICATIONS REGARDING CERTAIN PRESI-**  
2 **DENTIAL AND VICE PRESIDENTIAL RECORDS.**

3 (a) AMENDMENT.—Chapter 22 of title 44, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 **“§ 2210. Certifications regarding certain Presidential**  
7 **and Vice Presidential records**

8 “(a) CERTIFICATION.—On an annual basis, and with-  
9 in 30 days after the applicable end date, the President,  
10 Vice President, any individual acting as the President, and  
11 each covered employee shall submit a written certification  
12 to the Counsel to the President—

13 “(1) indicating compliance with this chapter  
14 during the year prior to the submission of the cer-  
15 tification; and

16 “(2) acknowledging that it is unlawful to know-  
17 ingly and willingly falsify or fail to file any informa-  
18 tion that such person is required to include in the  
19 certification.

20 “(b) SUBMISSION.—The Counsel to the President  
21 shall collect and maintain all certifications submitted to  
22 the Counsel under subsection (a).

23 “(c) FAILURE TO FILE OR FILING FALSE RE-  
24 PORTS.—The Attorney General may bring a civil action  
25 in any appropriate United States district court against an  
26 individual who knowingly and willfully falsifies or who

1 knowingly and willfully fails to file or report any informa-  
2 tion required pursuant to subsection (a). The court in  
3 which such action is brought may assess against such indi-  
4 vidual a civil penalty in any amount, not to exceed  
5 \$50,000.

6 “(d) DEFINITIONS.—In this section:

7 “(1) COVERED EMPLOYEE.—The term ‘covered  
8 employee’ has the meaning given that term in sec-  
9 tion 2209.

10 “(2) END DATE.—The term ‘end date’ means—

11 “(A) with respect to the President or the  
12 Vice President, the date on which the President  
13 or the Vice President, respectively, is removed  
14 from office, dies, resigns, or the then current  
15 Presidential term expires;

16 “(B) with respect to an individual acting  
17 as the President, the date on which such indi-  
18 vidual may no longer discharge the powers and  
19 duties of the office of President; and

20 “(C) with respect to a covered employee,  
21 the date on which such individual ceases to be  
22 a covered employee.

23 “(3) INDIVIDUAL ACTING AS THE PRESI-  
24 DENT.—The term ‘individual acting as the Presi-  
25 dent’ means an individual, other than the Vice

1       President, who assumes the powers and duties of the  
2       office of President pursuant to a vacancy in the of-  
3       fice of President by reason of death, resignation, re-  
4       moval from office, or inability.”.

5       (b) CONFORMING AMENDMENT.—The table of sec-  
6       tions for chapter 22 of title 44, United States Code, is  
7       amended by adding at the end the following:

“2210. Certifications regarding certain Presidential and Vice Presidential  
      records.”.

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