

AMENDMENT TO H.R. 1540, AS REPORTED
OFFERED BY MR. COLE OF OKLAHOMA

At the end of subtitle E of title VIII, add the following new section:

1 **SEC. 845. PROHIBITION ON DISCLOSURE OF POLITICAL**
2 **CONTRIBUTIONS.**

3 (a) IN GENERAL.—Chapter 47 of title 41, United
4 States Code, is amended by adding at the end the following new section:

6 **“§ 4712. Prohibition on disclosure of political contributions**
7 **tributions**

8 “(a) PROHIBITION.—An executive agency may not require an entity submitting an offer for a Federal contract
9 or otherwise participating in acquisition of property or
10 services by the Federal Government to disclose any of the
11 following information as a condition of submitting the
12 offer or otherwise participating in such acquisition:

14 “(1) Any payment consisting of a contribution,
15 expenditure, independent expenditure, or disbursement for an electioneering communication that is
16 made by the entity, its officers or directors, or any
17 of its affiliates or subsidiaries to a candidate for
18 election for Federal office or to a political com-
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1 mittee, or that is otherwise made with respect to any
2 election for Federal office.

3 “(2) Any disbursement of funds (other than a
4 payment described in paragraph (1)) made by the
5 entity, its officers or directors, or any of its affiliates
6 or subsidiaries to any individual or entity with the
7 intent or the reasonable expectation that the indi-
8 vidual or entity will use the funds to make a pay-
9 ment described in paragraph (1).

10 “(b) NO EFFECT ON OTHER DISCLOSURE REQUIRE-
11 MENTS.—Nothing in this section may be construed to
12 waive or otherwise affect the application to an entity de-
13 scribed in subsection (a) of any provision of law (including
14 the Federal Election Campaign Act of 1971) that requires
15 the entity to disclose information on contributions, ex-
16 penditures, independent expenditures, or electioneering
17 communications.

18 “(c) DEFINITIONS.—In this section—

19 “(1) each of the terms ‘contribution’, ‘expendi-
20 ture’, ‘independent expenditure’, ‘electioneering com-
21 munication’, ‘candidate’, ‘election’, and ‘Federal of-
22 fice’ has the meaning given such term in the Federal
23 Election Campaign Act of 1971 (2 U.S.C. 431 et
24 seq.); and

1 “(2) the term ‘acquisition’ has the meaning
2 given that term in section 131 of this title.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENT.—

4 The table of contents for chapter 47 of title 41, United
5 States Code, is amended by inserting after the item relat-
6 ing to section 4711 the following new item:

 “4712. Prohibition on disclosure of political contributions.”.

