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 fol-
5	lowing new section:
6	"§ 4712. Prohibition on disclosure of political con-
7	tributions
8	"(a) Prohibition.—An executive agency may not re-
9	quire an entity submitting an offer for a Federal contract
10	or otherwise participating in acquisition of property or
11	services by the Federal Government to disclose any of the
12	following information as a condition of submitting the
13	offer or otherwise participating in such acquisition:
14	"(1) Any payment consisting of a contribution,
15	expenditure, independent expenditure, or disburse-
16	ment for an electioneering communication that is
17	made by the entity, its officers or directors, or any
18	of its affiliates or subsidiaries to a candidate for
19	election for Federal office or to a political com-

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
- 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.".

