

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

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

1 **SEC. 845. PROHIBITION ON DISCLOSURE OF POLITICAL**
2 **CONTRIBUTIONS IN SUBMITTING OFFERS**
3 **FOR DEFENSE CONTRACTS.**

4 (a) PROHIBITION.—The head of an agency may not
5 require an entity submitting an offer for a defense con-
6 tract or otherwise participating in acquisition of property
7 or services by the Department of Defense to disclose any
8 of the following information as a condition of submitting
9 the offer or otherwise participating in such acquisition:

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

18 (2) Any disbursement of funds (other than a
19 payment described in paragraph (1)) made by the

1 entity, its officers or directors, or any of its affiliates
2 or subsidiaries to any individual or entity with the
3 intent or the reasonable expectation that the indi-
4 vidual or entity will use the funds to make a pay-
5 ment described in paragraph (1).

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

14 (c) DEFINITIONS.—In this section:

15 (1) Each of the terms “contribution”, “expendi-
16 ture”, “independent expenditure”, “electioneering
17 communication”, “candidate”, “election”, and “Fed-
18 eral office” has the meaning given such term in the
19 Federal Election Campaign Act of 1971 (2 U.S.C.
20 431 et seq.).

21 (2) The term “acquisition” has the meaning
22 given that term in section 131 of this title.

23 (3) The term “head of an agency” means the
24 Secretary of Defense, the Secretary of the Army, the

- 1 Secretary of the Navy, and the Secretary of the Air
- 2 Force.

