

## Executive Branch Agenda 2013

### **Disclose Dark Money Contributions by Recipients of Government Contractors**

The White House should issue an executive order to ensure that dark money electioneering activities by government contractors are made public.

#### **Background**

Those who receive government largesse in the form of a government contract, grant or loan should be required, as a condition of receipt of the government funds, to disclose political contributions, including contributions to third parties engaged in electioneering communications. Current law allows potential government contractors to “pay-to-play” to buoy their chances of receiving a government contract, grant or loan. In order to garner favor with decision-makers in Congress or the executive branch, contractors can make contributions to nonprofit organizations engaged in electioneering activities. Decision-makers in government will know of the contributions but the public will remain in the dark.

To restore accountability to the contracting process, an Executive Order should require any entity bidding for a government contract to disclose contributions it made to third parties when those contributions are intended or reasonably expected to be used pay for electioneering communications. The information should be made public in a machine readable, searchable, sortable, downloadable database.

The receipt of taxpayer dollars in the form of a federal contract always comes with conditions, including a variety of reporting requirements. Disclosure of contributions is a reasonable check imposed on potential contractors. The Supreme Court has noted that this is a minimal and constitutional burden to ensure there is transparency, accountability and fair dealing in federal contracting.