



June 16, 2011

The Honorable Carl Levin  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

The Honorable John McCain  
Ranking Member  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

Dear Chairman Levin and Ranking Member McCain:

I am writing to you to express OMB Watch's strong opposition to any amendment to the National Defense Authorization Act for Fiscal Year 2012 (S. 981) which would prevent the enforcement of an executive order that would require potential federal contractors to disclose political campaign expenditures.

The contractor disclosure draft executive order under consideration by President Obama is a step in the right direction to mitigate the effects of the millions of dollars of political campaign contributions by Big Business that will flood federal elections as a result of the *Citizens United* decision. Without disclosure, there are no safeguards to protect against contracts being awarded based on reasons other than merit, and ultimately wasting taxpayer dollars.

Even the Supreme Court's *Citizens United* majority recognized the vital importance of disclosure of corporate political spending – and its absolute compatibility with First Amendment considerations. "The First Amendment protects political speech," wrote Justice Kennedy, "and disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way. This transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages."

The draft executive order is modeled on disclosure practices already in effect in many states. Congress should not prevent the federal government from pursuing this same successful strategy in keeping politics out of contracting.

Sincerely,

Gary D. Bass  
Executive Director  
OMB Watch

cc: Members of the Senate Armed Services Committee

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1742 Connecticut Ave. NW  
Washington, DC 20009

tel: 202.234.8494  
fax: 202-234.8584

email: [ombwatch@ombwatch.org](mailto:ombwatch@ombwatch.org)  
web: <http://www.ombwatch.org>