

Suspend the Rules and Pass the Bill, H.R. 4123, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

119TH CONGRESS
1ST SESSION

H. R. 4123

To improve Federal technology procurement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2025

Mr. BURLISON (for himself, Mr. SUBRAMANYAM, Mrs. LUNA, and Mr. LYNCH) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve Federal technology procurement, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Improvement
5 in Technology Procurement Act” or the “FIT Procure-
6 ment Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ACQUISITION WORKFORCE.**—The term “ac-
4 quisition workforce” means employees of an execu-
5 tive agency who are responsible for procurement,
6 contracting, or program or project management that
7 involves the performance of acquisition-related func-
8 tions or other employees as designated by the Chief
9 Acquisition Officer, senior procurement executive, or
10 head of the contracting activity.

11 (2) **ADMINISTRATOR.**—The term “Adminis-
12 trator” means the Administrator for Federal Pro-
13 curement Policy.

14 (3) **CHIEF ACQUISITION OFFICER.**—The term
15 “Chief Acquisition Officer” means a Chief Acquisi-
16 tion Officer appointed pursuant to section 1702(a)
17 of title 41, United States Code.

18 (4) **CROSS-FUNCTIONAL.**—The term “cross-
19 functional” means a structure in which individuals
20 with different functional expertise or from different
21 areas of an organization work together as a team.

22 (5) **EXECUTIVE AGENCY.**—The term “executive
23 agency” has the meaning given that term in section
24 133 of title 41, United States Code.

25 (6) **EXPERIENTIAL LEARNING.**—The term “ex-
26 periential learning” means on-the-job experiences or

1 simulations that serve to enhance workforce profes-
2 sional skills.

3 (7) INFORMATION AND COMMUNICATIONS
4 TECHNOLOGY.—The term “information and commu-
5 nications technology”—

6 (A) has the meaning given that term in
7 section 4713(k) of title 41, United States Code;
8 and

9 (B) includes information and communica-
10 tions technologies covered by any definition con-
11 tained in the Federal Acquisition Regulation,
12 including a definition added after the date of
13 the enactment of this Act by the Federal Acqui-
14 sition Regulatory Council pursuant to notice
15 and comment.

16 (8) RELEVANT COMMITTEES OF CONGRESS.—
17 The term “relevant committees of Congress” means
18 the Committee on Homeland Security and Govern-
19 mental Affairs of the Senate and the Committee on
20 Oversight and Government Reform of the House of
21 Representatives.

22 (9) SENIOR PROCUREMENT EXECUTIVE.—The
23 term “senior procurement executive” means a senior
24 procurement executive designated pursuant to sec-
25 tion 1702(c)(1) of title 41, United States Code.

1 (10) SMALL BUSINESS.—The term “small busi-
2 ness” has the meaning given the term “small busi-
3 ness concern” in section 3 of the Small Business Act
4 (15 U.S.C. 632).

5 **SEC. 3. ACQUISITION WORKFORCE.**

6 (a) EXPERIENTIAL LEARNING.—Not later than 18
7 months after the date of the enactment of this Act, the
8 Director of the Federal Acquisition Institute may establish
9 a pilot program to consider the incorporation of experien-
10 tial learning into the Federal Credentials Program, the
11 Federal Acquisition Certification for Contracting Officer’s
12 Representatives program, the Federal Acquisition Certifi-
13 cation for Program and Project Managers program, or any
14 successor program.

15 (b) TRAINING ON INFORMATION AND COMMUNICA-
16 TIONS TECHNOLOGY ACQUISITION.—

17 (1) IN GENERAL.—Not later than 18 months
18 after the date of the enactment of this Act, the Di-
19 rector of the Federal Acquisition Institute, in coordi-
20 nation with the Administrator, the Administrator of
21 General Services, and the Administrator of the Of-
22 fice of Electronic Government, and in consultation
23 with the heads of other executive agencies as deter-
24 mined to be appropriate by the Director of the Fed-
25 eral Acquisition Institute, may develop and imple-

1 ment or otherwise provide a cross-functional infor-
2 mation and communications technology acquisition
3 training program for members of the acquisition
4 workforce involved in acquiring information and
5 communications technology that shall do the fol-
6 lowing:

7 (A) Include learning objectives related to
8 the following:

9 (i) Market research.

10 (ii) Communicating with and consid-
11 ering industry perspectives on the procure-
12 ment process, including how investment de-
13 cisions are impacted by Government com-
14 munication and engagement.

15 (iii) Developing requirements, acquisi-
16 tion planning, best practices for developing
17 and executing outcome-based contracts,
18 and source selection strategy.

19 (iv) Evaluating proposals.

20 (v) Awarding and administering con-
21 tracts for information and communications
22 technology.

23 (B) Include learning objectives that pro-
24 vide a basic understanding of key technologies
25 that executive agencies need, such as cloud

1 computing, artificial intelligence and artificial
2 intelligence-enabled applications, and cybersecu-
3 rity solutions.

4 (C) Include learning objectives that en-
5 courage the use of commercial or commercially
6 available off-the-shelf technologies to the great-
7 est extent practicable.

8 (D) Include case studies of lessons learned
9 from Federal information and communications
10 technology procurements and contracts, and re-
11 lated matters as determined to be relevant by
12 the Director of the Federal Acquisition Insti-
13 tute.

14 (E) Include experiential learning opportu-
15 nities and opportunities to practice collaborative
16 acquisition strategies involving team members
17 with varied relevant domain expertise to com-
18 plete acquisition-related tasks, including tasks
19 with accelerated timelines.

20 (F) Include continuous learning rec-
21 ommendations and resources to keep the skills
22 of members of the acquisition workforce cur-
23 rent, including tools that help adopt or adapt
24 the use of innovative acquisition practices or

1 other flexible business practices commonly used
2 in commercial buys.

3 (G) Be made available to members of the
4 acquisition workforce designated by a Chief Ac-
5 quisition Officer, senior procurement executive,
6 or head of the contracting activity to participate
7 in the training program.

8 (H) Inform executive agencies about
9 streamlined and alternative procurement meth-
10 ods for the procurement of information and
11 communications technology, including the fol-
12 lowing:

13 (i) Simplified procedures for certain
14 commercial products and commercial serv-
15 ices in accordance with subpart 13.5 of the
16 Federal Acquisition Regulation, prize com-
17 petitions under the America COMPETES
18 Reauthorization Act of 2010 (Public Law
19 111–358), competitive programs that en-
20 courage businesses to engage in Federal
21 research or research and development with
22 the potential for commercialization, and
23 joint venture partnerships.

24 (ii) Innovative procurement techniques
25 designed to streamline the procurement

1 process and lower barriers to entry, such
2 as the use of oral presentations and prod-
3 uct demonstrations instead of lengthy writ-
4 ten proposals, appropriately leveraging per-
5 formance and outcomes-based contracting,
6 and other techniques discussed on the
7 Periodic Table of Acquisition Innovations
8 or other similar successor knowledge man-
9 agement portals.

10 (iii) Information on appropriate use,
11 examples and templates, and any other in-
12 formation determined relevant by the Ad-
13 ministrator to assist contracting officers
14 and other members of the acquisition
15 workforce in using the procedures and
16 techniques described in clauses (i) and (ii).

17 (I) Incorporate learning objectives to iden-
18 tify and mitigate waste, fraud, and abuse and
19 ensure the protection of established privacy
20 rights, civil rights, and civil liberties in the pro-
21 curement process.

22 (2) REPORT.—Not later than 2 years after the
23 date of the enactment of this Act, the Director of
24 the Federal Acquisition Institute shall provide to the
25 relevant committees of Congress, the Chief Acquisi-

1 tion Officers Council, and the Chief Information Of-
2 ficers Council—

3 (A) a report on the progress of the Direc-
4 tor in developing and implementing or otherwise
5 providing the training program described in
6 paragraph (1); and

7 (B) a list of any acquisition training that
8 the Director determines to be outdated or no
9 longer necessary.

10 (3) DURATION.—The training program de-
11 scribed in paragraph (1) may be updated as appro-
12 priate (but not less frequently than once every 2
13 years after implementation), and offered not less
14 than 6 years following the date of implementation of
15 the training program.

16 (c) ACQUISITION WORKFORCE TRAINING FUND.—
17 Section 1703(i)(3) of title 41, United States Code, is
18 amended by striking “Five percent” and inserting “Seven
19 and a half percent”.

20 (d) HARMONIZATION OF ACQUISITION WORKFORCE
21 TRAINING REQUIREMENTS.—Section 2 of the Artificial
22 Intelligence Training for the Acquisition Workforce Act
23 (Public Law 117–207; 41 U.S.C. 1703 note) is amend-
24 ed—

1 (1) in subsection (a)(4), by striking “DIREC-
2 TOR.—The term ‘Director’ means the Director of
3 the Office of Management and Budget.” and insert-
4 ing “ADMINISTRATOR.—The term ‘Administrator’
5 means the Administrator of General Services.”; and

6 (2) in subsection (b)—

7 (A) in paragraph (1), by striking “Direc-
8 tor, in coordination with the Administrator of
9 General Services and any other person deter-
10 mined relevant by the Director” and inserting
11 “Administrator, in coordination with the Direc-
12 tor of the Office of Management and Budget”;

13 (B) in paragraph (4), by striking “Direc-
14 tor” and inserting “Administrator”;

15 (C) in paragraph (5), by striking “Direc-
16 tor” and inserting “Administrator”; and

17 (D) in paragraph (6), by striking “Direc-
18 tor” and inserting “Administrator”.

19 **SEC. 4. INNOVATIVE PROCUREMENT METHODS.**

20 (a) INCREASE IN SIMPLIFIED ACQUISITION THRESH-
21 OLD.—Section 134 of title 41, United States Code, is
22 amended by striking “\$250,000” and inserting
23 “\$500,000”.

24 (b) SIMPLIFIED PROCEDURES FOR SMALL PUR-
25 CHASES.—Section 1901(a)(2) of title 41, United States

1 Code, is amended by striking “\$5,000,000” and inserting
2 “\$10,000,000”.

3 (c) INCREASE IN MICRO PURCHASE THRESHOLD.—
4 Section 1902(a)(1) of title 41, United States Code, is
5 amended by striking “\$10,000” and inserting “\$25,000”.

6 (d) ADVANCES FOR COMMERCIAL TECHNOLOGY SUB-
7 SCRIPTIONS AND TENANCY.—Section 3324(d) of title 31,
8 United States Code, is amended—

9 (1) in paragraph (1)(C), by striking “; and”
10 and inserting a semicolon;

11 (2) in paragraph (2)—

12 (A) by inserting “or commercially available
13 content” after “publication”; and

14 (B) by striking the period at the end and
15 inserting “; and”; and

16 (3) by adding at the end the following new
17 paragraph:

18 “(3) charges for information and communica-
19 tions technology subscriptions, reservations, or ten-
20 ancy, which means the sharing of computing re-
21 sources in a private or public environment, including
22 cloud environments, for which the ordering agency
23 defines appropriate access and security standards.”.

1 **SEC. 5. ADJUSTMENTS TO CERTAIN ACQUISITION THRESH-**
2 **OLDS.**

3 (a) MAJOR PROGRAM.—Section 109 of title 41,
4 United States Code, is amended—

5 (1) in subsection (b)(1)—

6 (A) by striking “\$75,000,000 (based on
7 fiscal year 1980 constant dollars)” and insert-
8 ing “\$275,000,000 (based on fiscal year 2024
9 dollars)”; and

10 (B) by striking “\$300,000,000 (based on
11 fiscal year 1980 constant dollars)” and insert-
12 ing “\$1,300,000,000 (based on fiscal year 2024
13 dollars)”; and

14 (2) in subsection (b)(2), by striking “\$750,000
15 (based on fiscal year 1980 constant dollars)” and in-
16 serting “\$2,000,000 (based on fiscal year 2024 dol-
17 lars)”.

18 (b) MODIFICATIONS TO SUBMISSIONS OF COST OR
19 PRICING DATA.—Section 3502(a) of title 41, United
20 States Code, is amended—

21 (1) in paragraph (1)—

22 (A) by striking “2018” each place it ap-
23 pears and inserting “2026”;

24 (B) in subparagraph (A), by striking
25 “\$2,000,000” and inserting “\$10,000,000”;
26 and

1 (C) in subparagraph (B), by striking
2 “\$750,000” and inserting “\$2,000,000”;
3 (2) in paragraph (2)—

4 (A) in subparagraph (A), by striking
5 “\$2,000,000” and inserting “\$10,000,000”;

6 (B) in subparagraph (B), by striking
7 “\$750,000” and inserting “\$2,000,000”; and

8 (C) in subparagraph (C), by striking
9 “\$750,000” and inserting “\$2,000,000”; and

10 (3) in paragraph (3), by striking “chapter
11 and—” and all that follows and inserting the fol-
12 lowing: “chapter and—

13 “(A) in the case of a prime contract en-
14 tered into after June 30, 2026, the price of the
15 subcontract is expected to exceed \$10,000,000;
16 or

17 “(B) in the case of a prime contract en-
18 tered into on or before June 30, 2026, the price
19 of the subcontract is expected to exceed
20 \$2,000,000.”.

21 **SEC. 6. INCREASING COMPETITION IN FEDERAL CON-**
22 **TRACTING.**

23 (a) USE OF PAST PERFORMANCE.—

24 (1) IN GENERAL.—Not later than 1 year after
25 the date of the enactment of this Act, the Adminis-

1 trator shall issue guidance, including examples and
2 templates where appropriate, on the following:

3 (A) When a wider range of projects, in-
4 cluding commercial, non-government, and Gov-
5 ernment projects, should be accepted as rel-
6 evant past performance in order to have in-
7 creased competition among eligible firms with
8 capability to perform a requirement, such as a
9 requirement without much precedent.

10 (B) A means by which an agency may vali-
11 date non-government past performance ref-
12 erences, such as by requiring an official of an
13 entity that provides past performance ref-
14 erences to attest to their authenticity and by
15 providing verifiable contact information for the
16 references.

17 (C) Any use of alternative evaluation meth-
18 ods other than past performance that may be
19 appropriate for a requirement without much
20 precedent, such as demonstrations and testing
21 of technologies as part of the proposal process.

22 (2) SUPPLEMENT NOT SUPPLANT.—The guid-
23 ance required by paragraph (1) shall supplement ex-
24 isting Federal and agency policy and procedures for

1 consideration of past performance and other evalua-
2 tion factors and methods.

3 (b) ENHANCING COMPETITION IN FEDERAL PRO-
4 CUREMENT.—

5 (1) COUNCIL RECOMMENDATIONS.—Not later
6 than 90 days after the date of the enactment of this
7 Act, the Administrator shall convene the Chief Ac-
8 quisition Officers Council (in this subsection referred
9 to as the “Council”) to make recommendations to
10 identify and eliminate specific, unnecessary proce-
11 dural barriers that disproportionately affect the abil-
12 ity of small businesses to compete for Federal con-
13 tracts, with a focus on streamlining documentation
14 and qualification requirements unrelated to the pro-
15 tection of privacy rights and civil liberties.

16 (2) CONSULTATION.—The Council shall obtain
17 input from the public, including from the APEX Ac-
18 celerators program (formerly known as Procurement
19 Technical Assistance Center network) and other con-
20 tractor representatives, to identify Federal procure-
21 ment policies and regulations that are obsolete, over-
22 ly burdensome or restrictive, not adequately har-
23 monized, or otherwise serve to create barriers to the
24 participation of small businesses in Federal con-

1 tracting or unnecessarily increase bid and proposal
2 costs.

3 (3) EXAMINATION OF ACTIONS.—The Council
4 shall consider the input obtained under paragraph
5 (2) and any other information determined relevant
6 by the Council to identify legislative, regulatory, and
7 other actions to increase competition and remove
8 barriers to the participation of small businesses in
9 Federal contracting.

10 (4) IMPLEMENTATION.—Not later than 2 years
11 after the date of the enactment of this Act, the Ad-
12 ministrator, in consultation with the Federal Acqui-
13 sition Regulatory Council, the Council, and other ex-
14 ecutive agencies as appropriate, shall implement the
15 regulatory and other non-legislative actions identi-
16 fied under paragraph (3), as determined necessary
17 by the Administrator, to remove barriers to entry for
18 small businesses seeking to participate in Federal
19 contracting.

20 (5) BRIEFING.—Not later than 2 years after
21 the date of the enactment of this Act, the Adminis-
22 trator shall brief the relevant committees of Con-
23 gress on the legislative actions identified under para-
24 graph (3) and the actions implemented under para-
25 graph (4).

1 (c) CONSIDERATION OF COST-EFFICIENCY AND
2 QUALITY.—The Administrator shall advocate for and
3 prioritize contracting policies that ensure that cost-effi-
4 ciency and quality of goods and services are key deter-
5 mining factors in awarding Federal contracts.

6 **SEC. 7. COMPTROLLER GENERAL ASSESSMENT OF SMALL**
7 **BUSINESS PARTICIPATION IN FEDERAL PRO-**
8 **CUREMENT.**

9 Not later than 18 months after the date of the enact-
10 ment of this Act, the Comptroller General of the United
11 States shall submit to the relevant committees of Congress
12 and make publicly available a report that does the fol-
13 lowing:

14 (1) Assesses the level of participation by small
15 businesses in Federal procurement.

16 (2) Identifies barriers and opportunities and the
17 impact of policies on the ability of small businesses
18 to compete in Federal procurement.

19 (3) Catalogs and evaluates the effectiveness of
20 programs intended to support the participation of
21 small businesses in Federal procurement.

22 (4) Analyzes trends in the involvement of small
23 businesses in Federal technology projects, including
24 data on contract awards, the diversity of sectors rep-

1 resented, and the geographic distribution of small
2 business contractors.

3 **SEC. 8. CONFLICT OF INTEREST PROCEDURES.**

4 The Federal Acquisition Regulatory Council and the
5 Administrator shall update the Federal Acquisition Regu-
6 lation as necessary to provide additional guidance to exec-
7 utive agencies to address personal and organizational con-
8 flicts of interest involving members of the acquisition
9 workforce.

10 **SEC. 9. NO ADDITIONAL FUNDING.**

11 No additional funds are authorized to be appro-
12 priated for the purpose of carrying out this Act.