

119TH CONGRESS
2D SESSION

H. R. 4123

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

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

15 (2) **ADMINISTRATOR.**—The term “Adminis-
16 trator” means the Administrator for Federal Pro-
17 curement Policy.

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

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

1 (5) EXECUTIVE AGENCY.—The term “executive
2 agency” has the meaning given that term in section
3 133 of title 41, United States Code.

4 (6) EXPERIENTIAL LEARNING.—The term “ex-
5 periential learning” means on-the-job experiences or
6 simulations that serve to enhance workforce profes-
7 sional skills.

8 (7) INFORMATION AND COMMUNICATIONS
9 TECHNOLOGY.—The term “information and commu-
10 nications technology”—

11 (A) has the meaning given that term in
12 section 4713(k) of title 41, United States Code;
13 and

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

21 (8) RELEVANT COMMITTEES OF CONGRESS.—
22 The term “relevant committees of Congress” means
23 the Committee on Homeland Security and Govern-
24 mental Affairs of the Senate and the Committee on

1 Oversight and Government Reform of the House of
2 Representatives.

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

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

11 **SEC. 3. ACQUISITION WORKFORCE.**

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

21 (b) TRAINING ON INFORMATION AND COMMUNICA-
22 TIONS TECHNOLOGY ACQUISITION.—

23 (1) IN GENERAL.—Not later than 18 months
24 after the date of the enactment of this Act, the Di-
25 rector of the Federal Acquisition Institute, in coordi-

1 nation with the Administrator, the Administrator of
2 General Services, and the Administrator of the Of-
3 fice of Electronic Government, and in consultation
4 with the heads of other executive agencies as deter-
5 mined to be appropriate by the Director of the Fed-
6 eral Acquisition Institute, may develop and imple-
7 ment or otherwise provide a cross-functional infor-
8 mation and communications technology acquisition
9 training program for members of the acquisition
10 workforce involved in acquiring information and
11 communications technology that shall do the fol-
12 lowing:

13 (A) Include learning objectives related to
14 the following:

15 (i) Market research.

16 (ii) Communicating with and consid-
17 ering industry perspectives on the procure-
18 ment process, including how investment de-
19 cisions are impacted by Government com-
20 munication and engagement.

21 (iii) Developing requirements, acquisi-
22 tion planning, best practices for developing
23 and executing outcome-based contracts,
24 and source selection strategy.

25 (iv) Evaluating proposals.

1 (v) Awarding and administering con-
2 tracts for information and communications
3 technology.

4 (B) Include learning objectives that pro-
5 vide a basic understanding of key technologies
6 that executive agencies need, such as cloud
7 computing, artificial intelligence and artificial
8 intelligence-enabled applications, and cybersecu-
9 rity solutions.

10 (C) Include learning objectives that en-
11 courage the use of commercial or commercially
12 available off-the-shelf technologies to the great-
13 est extent practicable.

14 (D) Include case studies of lessons learned
15 from Federal information and communications
16 technology procurements and contracts, and re-
17 lated matters as determined to be relevant by
18 the Director of the Federal Acquisition Insti-
19 tute.

20 (E) Include experiential learning opportu-
21 nities and opportunities to practice collaborative
22 acquisition strategies involving team members
23 with varied relevant domain expertise to com-
24 plete acquisition-related tasks, including tasks
25 with accelerated timelines.

1 (F) Include continuous learning rec-
2 ommendations and resources to keep the skills
3 of members of the acquisition workforce cur-
4 rent, including tools that help adopt or adapt
5 the use of innovative acquisition practices or
6 other flexible business practices commonly used
7 in commercial buys.

8 (G) Be made available to members of the
9 acquisition workforce designated by a Chief Ac-
10 quisition Officer, senior procurement executive,
11 or head of the contracting activity to participate
12 in the training program.

13 (H) Inform executive agencies about
14 streamlined and alternative procurement meth-
15 ods for the procurement of information and
16 communications technology, including the fol-
17 lowing:

18 (i) Simplified procedures for certain
19 commercial products and commercial serv-
20 ices in accordance with subpart 13.5 of the
21 Federal Acquisition Regulation, prize com-
22 petitions under the America COMPETES
23 Reauthorization Act of 2010 (Public Law
24 111–358), competitive programs that en-
25 courage businesses to engage in Federal

1 research or research and development with
2 the potential for commercialization, and
3 joint venture partnerships.

4 (ii) Innovative procurement techniques
5 designed to streamline the procurement
6 process and lower barriers to entry, such
7 as the use of oral presentations and prod-
8 uct demonstrations instead of lengthy writ-
9 ten proposals, appropriately leveraging per-
10 formance and outcomes-based contracting,
11 and other techniques discussed on the
12 Periodic Table of Acquisition Innovations
13 or other similar successor knowledge man-
14 agement portals.

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

22 (I) Incorporate learning objectives to iden-
23 tify and mitigate waste, fraud, and abuse and
24 ensure the protection of established privacy

1 rights, civil rights, and civil liberties in the pro-
2 curement process.

3 (2) REPORT.—Not later than 2 years after the
4 date of the enactment of this Act, the Director of
5 the Federal Acquisition Institute shall provide to the
6 relevant committees of Congress, the Chief Acquisi-
7 tion Officers Council, and the Chief Information Of-
8 ficers Council—

9 (A) a report on the progress of the Direc-
10 tor in developing and implementing or otherwise
11 providing the training program described in
12 paragraph (1); and

13 (B) a list of any acquisition training that
14 the Director determines to be outdated or no
15 longer necessary.

16 (3) DURATION.—The training program de-
17 scribed in paragraph (1) may be updated as appro-
18 priate (but not less frequently than once every 2
19 years after implementation), and offered not less
20 than 6 years following the date of implementation of
21 the training program.

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

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

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

11 (2) in subsection (b)—

12 (A) in paragraph (1), by striking “Direc-
13 tor, in coordination with the Administrator of
14 General Services and any other person deter-
15 mined relevant by the Director” and inserting
16 “Administrator, in coordination with the Direc-
17 tor of the Office of Management and Budget”;

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

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

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

1 **SEC. 4. INNOVATIVE PROCUREMENT METHODS.**

2 (a) INCREASE IN SIMPLIFIED ACQUISITION THRESH-
3 OLD.—Section 134 of title 41, United States Code, is
4 amended by striking “\$250,000” and inserting
5 “\$500,000”.

6 (b) SIMPLIFIED PROCEDURES FOR SMALL PUR-
7 CHASES.—Section 1901(a)(2) of title 41, United States
8 Code, is amended by striking “\$5,000,000” and inserting
9 “\$10,000,000”.

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

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

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

18 (2) in paragraph (2)—

19 (A) by inserting “or commercially available
20 content” after “publication”; and

21 (B) by striking the period at the end and
22 inserting “; and”; and

23 (3) by adding at the end the following new
24 paragraph:

25 “(3) charges for information and communica-
26 tions technology subscriptions, reservations, or ten-

1 ancy, which means the sharing of computing re-
 2 sources in a private or public environment, including
 3 cloud environments, for which the ordering agency
 4 defines appropriate access and security standards.”.

5 **SEC. 5. ADJUSTMENTS TO CERTAIN ACQUISITION THRESH-**
 6 **OLDS.**

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

9 (1) in subsection (b)(1)—

10 (A) by striking “\$75,000,000 (based on
 11 fiscal year 1980 constant dollars)” and insert-
 12 ing “\$275,000,000 (based on fiscal year 2024
 13 dollars)”; and

14 (B) by striking “\$300,000,000 (based on
 15 fiscal year 1980 constant dollars)” and insert-
 16 ing “\$1,300,000,000 (based on fiscal year 2024
 17 dollars)”; and

18 (2) in subsection (b)(2), by striking “\$750,000
 19 (based on fiscal year 1980 constant dollars)” and in-
 20 serting “\$2,000,000 (based on fiscal year 2024 dol-
 21 lars)”.

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

25 (1) in paragraph (1)—

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

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

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

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

11 (B) in subparagraph (B), by striking
12 “\$750,000” and inserting “\$2,000,000”; and

13 (C) in subparagraph (C), by striking
14 “\$750,000” and inserting “\$2,000,000”; and

15 (3) in paragraph (3), by striking “chapter
16 and—” and all that follows and inserting the fol-
17 lowing: “chapter and—

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

22 “(B) in the case of a prime contract en-
23 tered into on or before June 30, 2026, the price
24 of the subcontract is expected to exceed
25 \$2,000,000.”.

1 **SEC. 6. INCREASING COMPETITION IN FEDERAL CON-**
2 **TRACTING.**

3 (a) USE OF PAST PERFORMANCE.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of the enactment of this Act, the Adminis-
6 trator shall issue guidance, including examples and
7 templates where appropriate, on the following:

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

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

22 (C) Any use of alternative evaluation meth-
23 ods other than past performance that may be
24 appropriate for a requirement without much
25 precedent, such as demonstrations and testing
26 of technologies as part of the proposal process.

1 (2) SUPPLEMENT NOT SUPPLANT.—The guid-
2 ance required by paragraph (1) shall supplement ex-
3 isting Federal and agency policy and procedures for
4 consideration of past performance and other evalua-
5 tion factors and methods.

6 (b) ENHANCING COMPETITION IN FEDERAL PRO-
7 CUREMENT.—

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

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

1 monized, or otherwise serve to create barriers to the
2 participation of small businesses in Federal con-
3 tracting or unnecessarily increase bid and proposal
4 costs.

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

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

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

1 graph (3) and the actions implemented under para-
2 graph (4).

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

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

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

16 (1) Assesses the level of participation by small
17 businesses in Federal procurement.

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

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

24 (4) Analyzes trends in the involvement of small
25 businesses in Federal technology projects, including

1 data on contract awards, the diversity of sectors rep-
2 resented, and the geographic distribution of small
3 business contractors.

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

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

11 **SEC. 9. NO ADDITIONAL FUNDING.**

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

Passed the House of Representatives July 20, 2026.

Attest:

Clerk.

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