

119TH CONGRESS  
2D SESSION

# S. 4390

To end preferences for disadvantaged individuals and businesses in  
Government contracts, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 27, 2026

Mr. LEE introduced the following bill; which was read twice and referred to  
the Committee on Homeland Security and Governmental Affairs

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## A BILL

To end preferences for disadvantaged individuals and  
businesses in Government contracts, 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 “Ending Discrimination  
5       in Government Contracting Act”.

1 **SEC. 2. ENDING FEDERAL CONTRACTING PREFERENCES**  
 2 **FOR SMALL BUSINESSES OWNED AND CON-**  
 3 **TROLLED BY SOCIALLY AND ECONOMICALLY**  
 4 **DISADVANTAGED INDIVIDUALS AND SMALL**  
 5 **BUSINESSES OWNED AND CONTROLLED BY**  
 6 **WOMEN.**

7 (a) SMALL BUSINESS ACT.—The Small Business Act  
 8 (15 U.S.C. 631 et seq.) is amended—

9 (1) in section 2 (15 U.S.C. 631)—

10 (A) by repealing subsection (f); and

11 (B) in subsection (h)(1)(H), by striking  
 12 “while not adversely affecting the rights of so-  
 13 cially and economically disadvantaged individ-  
 14 uals”;

15 (2) in section 7 (15 U.S.C. 636)—

16 (A) in subsection (a)—

17 (i) in paragraph (15)(E)—

18 (I) in clause (i), by striking “in-  
 19 cluding the number of loans” and all  
 20 that follows through the end of the  
 21 clause and inserting the following:  
 22 “including the number of loans made  
 23 to cooperatives;”; and

24 (II) in clause (ii), by striking “in-  
 25 cluding the number of financings”  
 26 and all that follows through the end

1 of the clause and inserting the fol-  
 2 lowing: “including the number of  
 3 financings made to cooperatives;  
 4 and”; and

5 (ii) in paragraph (36)(P)(iv), by strik-  
 6 ing “small business concerns owned and  
 7 controlled by socially and economically dis-  
 8 advantaged individuals (as defined in sec-  
 9 tion 8(d)(3)(C)),”; and  
 10 (B) in subsection (j)—

11 (i) in paragraph (11)(I)(iii), by strik-  
 12 ing “and a distribution of concerns across  
 13 all industry” and all that follows through  
 14 “has been limited” in the second sentence;  
 15 and

16 (ii) in paragraph (16)(B)(iii), by  
 17 striking “owned and controlled by other  
 18 than socially and economically disadvan-  
 19 tagged individuals”;

20 (3) in section 8 (15 U.S.C. 637)—

21 (A) in subsection (a)—

22 (i) in paragraph (1)—

23 (I) in subparagraph (A), by in-  
 24 serting “and” after the semicolon at  
 25 the end;

1 (II) by striking subparagraphs  
2 (B) and (C); and

3 (III) by redesignating subpara-  
4 graph (D) as subparagraph (B);

5 (ii) by repealing paragraphs (4)  
6 through (8);

7 (iii) in paragraph (9)(B)—

8 (I) by striking clause (i); and

9 (II) by redesignating clauses (ii),  
10 (iii), and (iv) as clauses (i), (ii), and  
11 (iii), respectively;

12 (iv) in paragraph (10), in the second  
13 sentence, by striking “and from small dis-  
14 advantaged business concerns in industry  
15 categories that have not substantially par-  
16 ticipated in the award of contracts let  
17 under the authority of this subsection”;  
18 and

19 (v) in paragraph (12)—

20 (I) in subparagraph (A), by strik-  
21 ing “and Disadvantaged”;

22 (II) in subparagraph (C), in the  
23 first sentence, by striking “, including  
24 those owned and controlled by socially

1 and economically disadvantaged indi-  
2 viduals,”; and

3 (III) in subparagraph (D)(i), by  
4 striking “and Disadvantaged”;

5 (B) in subsection (d)—

6 (i) in paragraph (1), by striking  
7 “qualified HUBZone small business con-  
8 cerns, small business concerns owned and  
9 controlled by socially and economically dis-  
10 advantaged individuals, and small business  
11 concerns owned and controlled by women”  
12 each place that term appears and inserting  
13 “and qualified HUBZone small business  
14 concerns”;

15 (ii) in paragraph (3)—

16 (I) in subparagraph (A), by strik-  
17 ing “qualified HUBZone small busi-  
18 ness concerns, small business concerns  
19 owned and controlled by socially and  
20 economically disadvantaged individ-  
21 uals, and small business concerns  
22 owned and controlled by women” each  
23 place that term appears and inserting  
24 “and qualified HUBZone small busi-  
25 ness concerns”;

1 (II) by amending subparagraph  
2 (C) to read as follows:

3 “(C) As used in this contract, the term  
4 ‘small business concern’ shall mean a small  
5 business as defined pursuant to section 3 of the  
6 Small Business Act and relevant regulations  
7 promulgated pursuant thereto.”; and

8 (III) in subparagraph (F), by  
9 striking “small business concern  
10 owned and controlled by service-dis-  
11 abled veterans, a small business con-  
12 cern owned and controlled by socially  
13 and economically disadvantaged indi-  
14 viduals, or a small business concern  
15 owned and controlled by women” and  
16 inserting “or a small business concern  
17 owned and controlled by service-dis-  
18 abled veterans”;

19 (iii) in paragraph (4)—

20 (I) in subparagraph (D), by  
21 striking “small business concerns  
22 owned and controlled by service-dis-  
23 abled veterans, small business con-  
24 cerns owned and controlled by socially  
25 and economically disadvantaged indi-

1                   viduals, and small business concerns  
 2                   owned and controlled by women” and  
 3                   inserting “and small business con-  
 4                   cerns owned and controlled by service-  
 5                   disabled veterans”; and

6                   (II) in subparagraph (E), by  
 7                   striking “qualified HUBZone small  
 8                   business concerns, small business con-  
 9                   cerns owned and controlled by the so-  
 10                  cially and economically disadvantaged  
 11                  individuals as defined in paragraph  
 12                  (3) of this subsection and for small  
 13                  business concerns owned and con-  
 14                  trolled by women” and inserting “and  
 15                  qualified HUBZone small business  
 16                  concerns”;

17                  (iv) in paragraph (6), by striking  
 18                  “qualified HUBZone small business con-  
 19                  cerns, small business concerns owned and  
 20                  controlled by socially and economically dis-  
 21                  advantaged individuals, and small business  
 22                  concerns owned and controlled by women”  
 23                  each place that term appears and inserting  
 24                  “and qualified HUBZone small business  
 25                  concerns”;

- 1 (v) in paragraph (11)(B), by striking
- 2 “qualified HUBZone small business con-
- 3 cerns, small business concerns owned and
- 4 controlled by socially and economically dis-
- 5 advantaged individuals, and small business
- 6 concerns owned and controlled by women”
- 7 and inserting “and qualified HUBZone
- 8 small business concerns”; and
- 9 (vi) in paragraph (13)(E)(i), by strik-
- 10 ing “and Disadvantaged”;
- 11 (C) by striking subsection (m); and
- 12 (D) by redesignating subsection (n) as sub-
- 13 section (m);
- 14 (4) in section 9 (15 U.S.C. 638)—
- 15 (A) in subsection (b)(7), by repealing sub-
- 16 paragraph (C); and
- 17 (B) in subsection (j)(2), by repealing sub-
- 18 paragraph (F);
- 19 (5) in section 15 (15 U.S.C. 644)—
- 20 (A) in subsection (e)(1)(B), by striking
- 21 “and Disadvantaged”;
- 22 (B) in subsection (g)—
- 23 (i) in paragraph (1)(A)—
- 24 (I) in the matter preceding clause
- 25 (i), by striking “qualified HUBZone



1 small business concerns, small busi-  
 2 ness concerns owned and controlled by  
 3 socially and economically disadvan-  
 4 tagged individuals, and small business  
 5 concerns owned and controlled by  
 6 women” and inserting “and qualified  
 7 HUBZone small business concerns”;  
 8 and

9 (II) by striking clauses (iv) and  
 10 (v);

11 (ii) in paragraph (2)—

12 (I) in subparagraph (A), by strik-  
 13 ing “by qualified HUBZone small  
 14 business concerns, by small business  
 15 concerns owned and controlled by so-  
 16 cially and economically disadvantaged  
 17 individuals, and by small business  
 18 concerns owned and controlled by  
 19 women” and inserting “and by quali-  
 20 fied HUBZone small business con-  
 21 cerns”;

22 (II) in subparagraph (B), by  
 23 striking “qualified HUBZone small  
 24 business concerns, small business con-  
 25 cerns owned and controlled by socially

1 and economically disadvantaged indi-  
 2 viduals, and small business concerns  
 3 owned and controlled by women” and  
 4 inserting “and qualified HUBZone  
 5 small business concerns”;

6 (III) in subparagraph (D), by  
 7 striking “, qualified HUBZone small  
 8 business concerns, small business con-  
 9 cerns owned and controlled by socially  
 10 and economically disadvantaged indi-  
 11 viduals, and small business concerns  
 12 owned and controlled by women” and  
 13 inserting “and qualified HUBZone  
 14 small business concerns”; and

15 (IV) in subparagraph (F)(ii), by  
 16 striking “and Disadvantaged”; and

17 (iii) in paragraph (3), by striking  
 18 “qualified HUBZone small business con-  
 19 cerns, small business concerns owned and  
 20 controlled by socially and economically dis-  
 21 advantaged individuals, and small business  
 22 concerns owned and controlled by women”  
 23 and inserting “and qualified HUBZone  
 24 small business concerns”;

25 (C) in subsection (h)—

1 (i) in paragraph (1)(A), by striking  
2 “qualified HUBZone small business con-  
3 cerns, small business concerns owned and  
4 controlled by socially and economically dis-  
5 advantaged individuals, and small business  
6 concerns owned and controlled by women”  
7 and inserting “and qualified HUBZone  
8 small business concerns”;

9 (ii) in paragraph (2)—

10 (I) in subparagraph (E)—

11 (aa) in clause (i)(VI), by  
12 striking “small business concerns  
13 owned and controlled by socially  
14 and economically disadvantaged  
15 individuals, small business con-  
16 cerns owned and controlled by  
17 women,”;

18 (bb) in clause (ii)(VII), by  
19 striking “small business concerns  
20 owned and controlled by socially  
21 and economically disadvantaged  
22 individuals, small business con-  
23 cerns owned and controlled by  
24 women,”;

1 (cc) in clause (iii)(VIII), by  
 2 striking “small business concerns  
 3 owned and controlled by socially  
 4 and economically disadvantaged  
 5 individuals, small business con-  
 6 cerns owned and controlled by  
 7 women,”;

8 (dd) by striking clause (iv);

9 (ee) by redesignating clauses  
 10 (v), (vi), and (vii) as clauses (iv),  
 11 (v), and (vi), respectively;

12 (ff) in clause (iv), as so re-  
 13 designated—

14 (AA) by striking sub-  
 15 clause (IV); and

16 (BB) by redesignating  
 17 subclauses (V) and (VI) as  
 18 subclauses (IV) and (V), re-  
 19 spectively;

20 (gg) in clause (v), as so re-  
 21 designated—

22 (AA) by striking sub-  
 23 clause (IV); and

24 (BB) by redesignating  
 25 subclauses (V) and (VI) as

1 subclauses (IV) and (V), re-  
 2 spectively;

3 (hh) in clause (vi), as so re-  
 4 designated—

5 (AA) by striking sub-  
 6 clause (IV); and

7 (BB) by redesignating  
 8 subclauses (V) and (VI) as  
 9 subclauses (IV) and (V), re-  
 10 spectively; and

11 (ii) by striking clause (viii);  
 12 and

13 (II) in subparagraph (F), by  
 14 striking “qualified HUBZone small  
 15 business concerns, small business con-  
 16 cerns owned and controlled by socially  
 17 and economically disadvantaged indi-  
 18 viduals, and small business concerns  
 19 owned and controlled by women” and  
 20 inserting “and qualified HUBZone  
 21 small business concerns”; and

22 (iii) in paragraph (4)(A)(ii)—

23 (I) in subclause (I), by adding  
 24 “and” at the end;

25 (II) by striking subclause (II);

1 (III) by redesignating subclause  
 2 (III) as subclause (II);  
 3 (IV) in subclause (II), as so re-  
 4 designated, by striking “; and” and  
 5 inserting a period; and  
 6 (V) by striking subclause (IV);  
 7 (D) in subsection (k)—  
 8 (i) in the matter preceding paragraph  
 9 (1), by striking “and Disadvantaged”;  
 10 (ii) in paragraph (1), by striking “and  
 11 Disadvantaged”; and  
 12 (iii) in paragraph (2), by striking  
 13 “and Disadvantaged”;  
 14 (E) in subsection (l)(2)(G), by striking  
 15 “and Disadvantaged”;  
 16 (F) in subsection (s)(2)(A), by striking  
 17 “and Disadvantaged”; and  
 18 (G) in subsection (y)—  
 19 (i) in paragraph (1), by striking  
 20 “qualified HUBZone small business con-  
 21 cerns, small business concerns owned and  
 22 controlled by socially and economically dis-  
 23 advantaged individuals, and small business  
 24 concerns owned and controlled by women”

1 and inserting “and qualified HUBZone  
2 small business concerns”;

3 (ii) in paragraph (2), by striking  
4 “qualified HUBZone small business con-  
5 cerns, small business concerns owned and  
6 controlled by socially and economically dis-  
7 advantaged individuals, and small business  
8 concerns owned and controlled by women”  
9 each place that term appears and inserting  
10 “and qualified HUBZone small business  
11 concerns”;

12 (iii) in paragraph (3)(B), by striking  
13 “qualified HUBZone small business con-  
14 cerns, small business concerns owned and  
15 controlled by socially and economically dis-  
16 advantaged individuals, and small business  
17 concerns owned and controlled by women”  
18 and inserting “and qualified HUBZone  
19 small business concerns”; and

20 (iv) in paragraph (4)—

21 (I) by striking subparagraphs (A)  
22 and (D); and

23 (II) by redesignating subpara-  
24 graphs (B) and (C) as subparagraphs  
25 (A) and (B), respectively;

1 (6) in section 16 (15 U.S.C. 645)—

2 (A) in subsection (d)(1), in the matter pre-  
 3 ceding subparagraph (A), by striking “a ‘small  
 4 business concern owned and controlled by vet-  
 5 erans’, a ‘small business concern owned and  
 6 controlled by socially and economically dis-  
 7 advantaged individuals’, or a ‘small business  
 8 concern owned and controlled by women’” and  
 9 inserting “or a ‘small business concern owned  
 10 and controlled by veterans’”;

11 (B) in subsection (e), by striking “a ‘small  
 12 business concern owned and controlled by vet-  
 13 erans’, a ‘small business concern owned and  
 14 controlled by socially and economically dis-  
 15 advantaged individuals’, or a ‘small business  
 16 concern owned and controlled by women’” and  
 17 inserting “or a ‘small business concern owned  
 18 and controlled by veterans’”; and

19 (C) in subsection (g)(2), by striking “and  
 20 Disadvantaged”;

21 (7) in section 21(a)(5)(D) (15 U.S.C.  
 22 648(a)(5)(D)), by striking “small business, woman-  
 23 owned business, or socially and economically dis-  
 24 advantaged business” and inserting “small busi-  
 25 ness”;



1 (8) in section 22(l) (15 U.S.C. 649(l))—

2 (A) in paragraph (1)—

3 (i) in subparagraph (C), by inserting  
4 “and” at the end;

5 (ii) by striking subparagraph (D); and

6 (iii) by redesignating subparagraph  
7 (E) as subparagraph (D); and

8 (B) in paragraph (3)(B)(ii)—

9 (i) by striking subclause (I); and

10 (ii) by redesignating subclauses (II)  
11 and (III) as subclauses (I) and (II), re-  
12 spectively; and

13 (9) in section 45(c)(1)(B) (15 U.S.C.  
14 657r(c)(1)(B))—

15 (A) in clause (iii), by inserting “or” after  
16 the semicolon at the end;

17 (B) by striking clause (iv); and

18 (C) by redesignating clause (v) as clause  
19 (iv).

20 (b) AMENDMENTS TO OTHER ACTS.—

21 (1) AMERICAN RESCUE PLAN ACT OF 2021.—

22 The American Rescue Plan Act of 2021 (Public Law  
23 117–2) is amended—

24 (A) in section 5003(c)(3)(A) (15 U.S.C.  
25 9009c(c)(3)(A)), in the first sentence, by strik-

ing “small business concerns owned and controlled by women” and all that follows through the period at the end and inserting the following: “or small business concerns owned and controlled by veterans (as defined in section 3(q) of that Act (15 U.S.C. 632(q))).”; and

(B) in section 5004(a) (15 U.S.C. 9013(a)), by amending paragraph (5) to read as follows:

“(5) ELIGIBLE BUSINESS.—The term ‘eligible business’ means any small business concern, with priority for small business concerns owned and controlled by veterans, as defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q)).”.

(2) CONSOLIDATED APPROPRIATIONS ACT, 2005.—Section 155 of subtitle E of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 657g) is repealed.

(3) FEDERAL ACQUISITION STREAMLINING ACT OF 1994.—Section 7104 of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644a) is amended—

(A) in subsection (b)(3), by striking “and Disadvantaged”; and

1 (B) in subsection (c)(3), by striking “and  
2 Disadvantaged”.

3 (4) MINORITY BUSINESS DEVELOPMENT ACT OF  
4 2021.—The Minority Business Development Act of  
5 2021 (15 U.S.C. 9521 et seq.) is repealed.

6 (5) SMALL BUSINESS ECONOMIC POLICY ACT OF  
7 1980.—Section 303(e) of the Small Business Eco-  
8 nomic Policy Act of 1980 (15 U.S.C. 631b(e)) is  
9 amended—

10 (A) by striking paragraphs (1) and (2);  
11 and

12 (B) by redesignating the first paragraph  
13 (3) (relating to qualified HUBZone small busi-  
14 ness concerns), and the second paragraph (3)  
15 (relating to small business concerns owned and  
16 controlled by veterans) as paragraphs (1) and  
17 (2), respectively.

18 (6) SMALL BUSINESS INVESTMENT ACT OF  
19 1958.—Section 411(c)(3)(B) of the Small Business  
20 Investment Act of 1958 (15 U.S.C. 694b(c)(3)(B))  
21 is amended by striking “a small business concern  
22 owned and controlled by socially and economically  
23 disadvantaged individuals as defined by section 8(d)  
24 of the Small Business Act, or to”.

25 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

1           (1) AMERICAN RECOVERY AND REINVESTMENT  
2       ACT OF 2009.—Section 6001(h) of the American Re-  
3       covery and Reinvestment Act of 2009 (47 U.S.C.  
4       1305(h)) is amended—

5           (A) in paragraph (1), by inserting “and”  
6       after the semicolon;

7           (B) in paragraph (2)(D), by striking “;  
8       and” and inserting a period; and

9           (C) by striking paragraph (3).

10          (2) CARES ACT.—Title I of the CARES Act  
11       (15 U.S.C. 9001 et seq.) is amended—

12           (A) in section 1107(a) (15 U.S.C.  
13       9006(a)), by repealing paragraph (5); and

14           (B) by repealing section 1108 (15 U.S.C.  
15       9007).

16          (3) ENERGY POLICY ACT OF 1992.—Section  
17       3021 of the Energy Policy Act of 1992 (42 U.S.C.  
18       13556) is amended—

19           (A) in subsection (a)—

20               (i) by striking paragraph (1); and

21               (ii) by redesignating paragraphs (2),  
22       (3), and (4) as paragraphs (1), (2), and  
23       (3), respectively; and

24           (B) in subsection (b)—

25               (i) by striking paragraph (2); and

1 (ii) by redesignating paragraph (3) as  
2 paragraph (2).

3 (4) ENERGY POLICY ACT OF 2005.—Section  
4 1003(a)(1) of the Energy Policy Act of 2005 (42  
5 U.S.C. 16393(a)(1)) is amended by striking “, in-  
6 cluding socially and economically disadvantaged  
7 small business concerns (as defined in section  
8 8(a)(4) of the Small Business Act (15 U.S.C.  
9 637(a)(4))),”.

10 (5) EXPORT-IMPORT BANK ACT OF 1945.—The  
11 Export-Import Bank Act of 1945 (12 U.S.C. 635 et  
12 seq.) is amended—

13 (A) in section 2(b)(1)(E)(iii)(II) (12  
14 U.S.C. 635(b)(1)(E)(iii)(II)), by striking “so-  
15 cially and economically disadvantaged small  
16 business concerns (as defined in section 8(a)(4)  
17 of the Small Business Act), small business con-  
18 cerns (as defined in section 3(a) of the Small  
19 Business Act) owned by women, and”;

20 (B) in section 3 (12 U.S.C. 635a(i)), by  
21 repealing subsection (i); and

22 (C) in section 8 (12 U.S.C. 635g)—

23 (i) in subsection (e), by striking “so-  
24 cially and economically disadvantaged  
25 small business concerns (as defined in sec-

tion 8(a)(4) of the Small Business Act),  
small business concerns (as defined in sec-  
tion 3(a) of the Small Business Act) owned  
by women, and”; and

(ii) in subsection (f)—

(I) by striking paragraph (4);

and

(II) by redesignating paragraphs

(5) through (8) as paragraphs (4)

through (7), respectively.

(6) FEDERAL ACQUISITION STREAMLINING ACT  
OF 1994.—Section 7104(c) of the Federal Acquisition  
Streamlining Act of 1994 (15 U.S.C. 644a(c)) is  
amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as  
paragraph (2).

(7) SMALL BUSINESS ACT.—The Small Busi-  
ness Act (15 U.S.C. 631 et seq.) is amended—

(A) in section 7(j) (15 U.S.C. 636(j))—

(i) in paragraph (10)(D)(i), by strik-  
ing “and shall be designed to result in the  
Program Participant eliminating the condi-  
tions or circumstances upon which the Ad-

ministration determined eligibility pursuant to section 8(a)(6)”; and

(ii) in paragraph (11)—

(I) by striking subparagraph (B);

(II) by redesignating subparagraphs (C) through (I) as subparagraphs (B) through (H), respectively;

(III) in subparagraph (C), as so redesignated, by striking “(as defined pursuant to section 8(a)(4))”; and

(IV) in subparagraph (E), as so redesignated—

(aa) by striking clause (i);

and

(bb) by redesignating clauses (ii) through (viii) as clauses (i) through (vii), respectively; and

(B) in section 46(e) (15 U.S.C. 657s(e))—

(i) in paragraph (1)—

(I) by striking subparagraph (B);

and

(II) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D); and

1 (ii) in paragraph (2)—

2 (I) by striking subparagraphs (C)

3 and (D); and

4 (II) by redesignating subpara-

5 graphs (E) and (F) as subparagraphs

6 (C) and (D), respectively.

7 (8) SMALL BUSINESS JOBS ACT OF 2010.—Title

8 III of the Small Business Jobs Act of 2010 (12

9 U.S.C. 5701 et seq.) is amended—

10 (A) in section 3002 (12 U.S.C. 5701)—

11 (i) by striking paragraph (18); and

12 (ii) by redesignating paragraph (19)

13 as paragraph (18);

14 (B) in section 3003 (12 U.S.C. 5702), by

15 repealing subsections (d) and (e); and

16 (C) in section 3009(e) (12 U.S.C.

17 5708(e))—

18 (i) in paragraph (1)—

19 (I) in the matter preceding sub-

20 paragraph (A), by striking “business

21 enterprises owned and controlled by

22 socially and economically disadvan-

23 tagged individuals, to very small busi-

24 nesses and business enterprises owned

25 and controlled by socially and eco-



1                   nominically disadvantaged individuals”  
 2                   and inserting “very small businesses”;  
 3                   and

4                   (II) in subparagraph (B), by add-  
 5                   ing “and” after the semicolon at the  
 6                   end;

7                   (ii) by striking paragraph (2);

8                   (iii) by redesignating paragraph (3) as  
 9                   paragraph (2); and

10                  (iv) in paragraph (2), as so redesign-  
 11                  nated—

12                   (I) by striking “(with priority  
 13                   given to business enterprises owned  
 14                   and controlled by socially and eco-  
 15                   nominally disadvantaged individ-  
 16                   uals),”; and

17                   (II) by striking “to provide tech-  
 18                   nical assistance to business enter-  
 19                   prises owned and controlled by so-  
 20                   cially and economically disadvantaged  
 21                   individuals” and inserting “to provide  
 22                   technical assistance to business enter-  
 23                   prises”.

24                   (9) TITLE 51, UNITED STATES CODE.—Section  
 25                   30304 of title 51, United States Code, is repealed.

1 **SEC. 3. ENDING CERTAIN PARTICIPATION GOALS FOR DE-**  
 2 **PARTMENT OF TRANSPORTATION FINANCIAL**  
 3 **ASSISTANCE PROGRAMS.**

4 (a) WRITTEN ASSURANCES FOR AIRPORT IMPROVE-  
 5 MENT PROJECT GRANTS.—Section 47107(e) of title 49,  
 6 United States Code, is amended—

7 (1) in paragraph (1)—

8 (A) by striking “10 percent” and inserting  
 9 “5 percent”; and

10 (B) by striking “small business concerns  
 11 (as defined by regulations of the Secretary)  
 12 owned and controlled by a socially and economi-  
 13 cally disadvantaged individual (as defined in  
 14 section 47113(a) of this title) or”;

15 (2) in paragraph (4)(B), in the second sentence,  
 16 by striking “small business concern owned and con-  
 17 trolled by a socially and economically disadvantaged  
 18 individual or as a”; and

19 (3) in paragraph (6), by striking “small busi-  
 20 ness concern owned and controlled by a socially and  
 21 economically disadvantaged individual or a”.

22 (b) DISADVANTAGED BUSINESS CONCERN.—Section  
 23 47113 of title 49, United States Code, is amended—

24 (1) in the section heading, by striking “**Mi-**  
 25 **nority and disadvantaged business**” and  
 26 inserting “**Small business concern and**

1       **qualified HUBZone small business con-**  
 2       **cern”;**

3               (2) in subsection (a)—

4                       (A) by striking paragraph (2); and

5                       (B) by redesignating paragraph (3) as  
 6       paragraph (2);

7               (3) by striking subsections (b) and (e);

8               (4) by redesignating subsections (c), (d), and  
 9       (f) as subsections (b), (c), and (d), respectively;

10              (5) in subsection (c) (as redesignated by para-  
 11       graph (3)), by striking “small business concerns re-  
 12       ferred to in subsection (b) of this section” and in-  
 13       serting “qualified HUBZone small business con-  
 14       cerns”; and

15              (6) in subsection (d)(1) (as redesignated by  
 16       paragraph (3)), by striking “small business concerns  
 17       referred to in subsection (b)” and inserting “quali-  
 18       fied HUBZone small business concerns”.

19       (c) ENVIRONMENTAL PROTECTION AGENCY.—The  
 20       matter under the heading “ADMINISTRATIVE PROVISIONS”  
 21       under the heading “ENVIRONMENTAL PROTECTION AGEN-  
 22       CY” under the heading “INDEPENDENT AGENCIES”  
 23       in title III of the Departments of Veterans Affairs and  
 24       Housing and Urban Development, and Independent Agen-

1 cies Appropriations Act, 1993, is amended by striking the  
2 first paragraph (42 U.S.C. 4370d).

3 **SEC. 4. ENDING RACIAL, ETHNIC, AND GENDER-BASED CON-**  
4 **TRACTING GOALS IN OTHER GOVERNMENT**  
5 **PROGRAMS.**

6 (a) ELIMINATION OF REPORTING ON SMALL BUSI-  
7 NESS CONCERNS OWNED AND CONTROLLED BY SOCIALLY  
8 AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—  
9 Section 1713 of title 41, United States Code, is amend-  
10 ed—

11 (1) by amending subsection (a) to read as fol-  
12 lows:

13 “(a) QUALIFIED HUBZONE SMALL BUSINESS CON-  
14 CERN DEFINED.—In this section, the term ‘qualified  
15 HUBZone small business concern’ has the meaning given  
16 that term in section 31(b) of the Small Business Act (15  
17 U.S.C. 657a(b)).”; and

18 (2) in the first sentence of subsection (b), by  
19 striking “, the number of small businesses owned  
20 and controlled by women, and the number of small  
21 business concerns owned by socially and economi-  
22 cally disadvantaged individuals, by gender,”.

23 (b) DISADVANTAGED BUSINESS ENTERPRISES.—

24 (1) IN GENERAL.—Section 3021 of the Energy  
25 Policy Act of 1992 (42 U.S.C. 13556) is repealed.

1           (2) CLERICAL AMENDMENT.—The table of con-  
 2           tents in section 1(b) of the Energy Policy Act of  
 3           1992 (Public Law 102–486; 106 Stat. 2782) is  
 4           amended by striking the item relating to section  
 5           3021.

6 **SEC. 5. ENDING ALL RACIAL, ETHNIC, AND SEX-BASED DIS-**  
 7                           **CRIMINATION     IN     GOVERNMENT     CON-**  
 8                           **TRACTING AND AWARDS.**

9           (a) CIVILIAN CONTRACTS.—

10           (1) IN GENERAL.—Chapter 47 of title 41,  
 11           United States Code, is amended by adding at the  
 12           end the following new section:

13 **“§ 4715. Prohibition on racial, ethnic, and sex-based**  
 14                           **preferences in government contracts and**  
 15                           **awards**

16           “The head of an executive agency may not—

17           “(1) take into consideration the race, ethnicity,  
 18           or sex of individuals owning, controlling, or man-  
 19           aging businesses or other entities when granting  
 20           contracts or awards; or

21           “(2) place requirements on contractors or  
 22           grantees that require or encourage them to take into  
 23           consideration the race, ethnicity, or sex of individ-  
 24           uals to whom they award contracts, subcontracts, or  
 25           awards.”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
 2           tions at the beginning of chapter 47 of title 10,  
 3           United States Code, is amended by inserting after  
 4           the item relating to section 4714 the following new  
 5           item:

“4715. Prohibition on racial, ethnic, and sex-based preferences in government  
 contracts and awards.”.

6           (b) DEFENSE CONTRACTS.—

7           (1) IN GENERAL.—Chapter 363 of title 10,  
 8           United States Code, is amended by adding at the  
 9           end the following new section:

10       **“§ 4663. Prohibition on racial, ethnic, and sex-based**  
 11                       **preferences in defense contracts and**  
 12                       **awards**

13       “The head of an agency may not—

14           “(1) take into consideration the race, ethnicity,  
 15           or sex of individuals owning, controlling, or man-  
 16           aging businesses or other entities when granting  
 17           contracts or awards; or

18           “(2) place requirements on contractors or  
 19           grantees that require or encourage them to take into  
 20           consideration the race, ethnicity, or sex of individ-  
 21           uals to whom they award contracts, subcontracts, or  
 22           awards.”.

23           (2) CLERICAL AMENDMENT.—The table of sec-  
 24           tions at the beginning of chapter 363 of title 10,

1 United States Code, is amended by inserting after  
2 the item relating to section 4662 the following new  
3 item:

“4663. Prohibition racial, ethnic, and sex-based preferences in defense contracts  
and awards.”.

4 (c) RULEMAKING.—Not later than 60 days after the  
5 date of the enactment of this Act, the head of each execu-  
6 tive agency that has rules or regulations requiring or en-  
7 couraging consideration of the racial or ethnic status or  
8 sex of individuals to whom they grant contracts or awards  
9 shall submit a proposed rulemaking removing all such ref-  
10 erences. The agency shall complete the rulemaking within  
11 180 days after the date of the enactment of this Act.

12 (d) GUIDANCE.—Not later than 60 days after the  
13 date of the enactment of this Act, the head of each execu-  
14 tive agency that has guidance documents, directives, or no-  
15 tices requiring or encouraging consideration of the racial  
16 or ethnic status or sex of individuals to whom they grant  
17 contracts or awards shall submit new guidance, directives,  
18 or notices removing all such references.

19 (e) EXECUTIVE AGENCY DEFINED.—In this section,  
20 the term “executive agency” has the meaning given the  
21 term in section 133 of title 41, United States Code.

