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Calendar No. 571

119TH CONGRESS
2D SESSION

H. R. 5235

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2026

Received; read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 14, 2026

Reported by Mr. PAUL, without amendment

AN ACT

To amend title 41, United States Code, to prohibit minimum educational requirements for proposed contractor personnel in certain contract solicitations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Skills-Based Federal Contracting Act of 2025".

SEC. 2. USE OF REQUIREMENTS REGARDING EDUCATION OF CONTRACTOR PERSONNEL.

(a) FLEXIBILITY IN CONTRACTOR EDUCATION REQUIREMENTS.—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

"§ 3313. Flexibility in contractor education requirements

"(a) PROHIBITION.—A solicitation may not set forth any minimum education requirement for proposed contractor personnel in order for a bidder to be eligible for award of a contract unless the contracting officer includes in the solicitation a written justification that explains why the needs of the executive agency cannot be met without any such requirement and clarifies how the requirement ensures the needs are met.

"(b) EXECUTIVE AGENCY DEFINED.—In this section, the term 'executive agency' has the meaning given that term in section 133 of this title.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 41, United States Code, is amended by adding at the end the following new item:

"3313. Flexibility in contractor education requirements.".

(c) OMB GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the

Office of Management and Budget shall issue guidance to the heads of executive agencies for implementing the amendment made by subsection (a) that includes the following:

(1) Instructions for contracting officers for the justifications under section 3313(a) of title 41, United States Code, as added by subsection (a), including a requirement that each use of an education requirement be determined, justified, and reviewed.

(2) Instructions for contracting officers that encourages the use of alternatives to education requirements.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to solicitations issued on or after the date that is 15 months after the date of the enactment of this Act.

(e) REPEAL.—Section 813 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A–214), as implemented in subpart 39.104 of the Federal Acquisition Regulation, as in effect on January 3, 2025, is repealed as of the date that the guidance required by subsection (c) becomes effective.

(f) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General

shall submit to Congress an evaluation of executive agency compliance with section 3313 of title 41, United States Code, as added by subsection (a).

(g) DEFINITIONS.—In this section:

(1) EDUCATION.—The term ''education'' means an associate, baccalaureate, graduate, or professional degree, specified coursework, or other form of educational attainment awarded by a junior or community college, college, or university that is accredited as a collegiate institution by a recognized accrediting agency or approved by the appropriate State education authority under State law (or the appropriate education authority of the District of Columbia) to grant associate or higher degrees.

(2) EDUCATION REQUIREMENT.—The term ''education requirement'' includes a requirement that can be met either through—

(A) education alone;

(B) education or experience; or

(C) a combination of education and experience.

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

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