

118TH CONGRESS
1ST SESSION

H. R. 4502

IN THE SENATE OF THE UNITED STATES

OCTOBER 3, 2023

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

AN ACT

To amend title 5, United States Code, to limit the use of educational requirements or qualifications in evaluating candidates for certain cybersecurity positions in the competitive service, 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 “Modernizing the Acqui-
3 sition of Cybersecurity Experts Act of 2023”.

4 **SEC. 2. EDUCATIONAL REQUIREMENTS FOR COMPETITIVE**
5 **SERVICE CYBERSECURITY POSITIONS.**

6 Section 3308 of title 5, United States Code, is
7 amended—

8 (1) by striking “The Office of Personnel Man-
9 agement” and inserting “(a) IN GENERAL.—Con-
10 sistent with subsection (b), the Office of Personnel
11 Management”; and

12 (2) by adding at the end the following:

13 “(b) EDUCATION REQUIREMENTS FOR CYBERSECU-
14 RITY POSITIONS.—

15 “(1) IN GENERAL.—With respect to any cov-
16 ered position—

17 “(A) an agency may prescribe a minimum
18 educational requirement for employment in
19 such a position only if a minimum education
20 qualification is required by law to perform the
21 duties of the position in the State or locality
22 where the duties of the position are to be per-
23 formed; and

24 “(B) an agency may consider education in
25 determining a candidate’s satisfaction of any
26 other minimum qualification only if the can-

1 candidate's education directly reflects the com-
2 petencies necessary to satisfy that qualification
3 and perform the duties of the position.

4 “(2) PUBLICATION.—Not later than one year
5 after the date of the enactment of the Modernizing
6 the Acquisition of Cybersecurity Experts Act of
7 2023 and annually thereafter, the Office of Per-
8 sonnel Management shall publish on the Office's
9 website—

10 “(A) any changes made to minimum quali-
11 fications standards concerning education for
12 covered positions; and

13 “(B) aggregate data indicating the level of
14 educational attainment, sorted by position clas-
15 sification, of all accessions to covered positions.

16 “(3) COVERED POSITION DEFINED.—In this
17 subsection, the term ‘covered position’ means—

18 “(A) any position in the competitive service
19 classified under the GS–2210 information tech-
20 nology management series, or any successor se-
21 ries; and

22 “(B) any other position in the competitive
23 service designated as “cybersecurity” under the
24 National Initiative for Cybersecurity Education
25 (NICE) Cybersecurity Workforce Framework

1 (NIST Special Publication 800–181), or suc-
2 cessor framework.”.

Passed the House of Representatives October 2,
2023.

Attest: KEVIN F. MCCUMBER,
Clerk.