

114TH CONGRESS  
2D SESSION

# H. R. 4453

To amend the FAA Modernization and Reform Act of 2012 to review the number of contracts for new disadvantaged small business concerns at certain airports with Disadvantaged Business Enterprises, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2016

Ms. MOORE introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the FAA Modernization and Reform Act of 2012 to review the number of contracts for new disadvantaged small business concerns at certain airports with Disadvantaged Business Enterprises, 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. REVIEW OF FAA PROGRAMS OF NEW DIS-**  
4 **ADVANTAGED SMALL BUSINESS CONCERNS.**

5 Section 140 of the FAA Modernization and Reform  
6 Act of 2012 (49 U.S.C. 47113 note) is amended—

7 (1) in subsection (c)—

1 (A) in paragraph (1) by striking “each of  
2 fiscal years 2013 through 2015” and inserting  
3 “fiscal year 2016 and periodically thereafter”;  
4 and

5 (B) in paragraph (3)(A) by striking “a  
6 list” and inserting “from the large and medium  
7 hub airports in the United States that have a  
8 disadvantaged business enterprise program, a  
9 list”; and

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

11 “(d) ASSESSMENT OF EFFORTS.—Each fiscal year  
12 the Inspector General shall assess the efforts of the Fed-  
13 eral Aviation Administration in the last 6 months of the  
14 previous fiscal year to implement recommendations sug-  
15 gested in previous reports issued pursuant to this sec-  
16 tion.”.

17 **SEC. 2. ANNUAL TRACKING OF CERTAIN NEW FIRMS AT**  
18 **AIRPORTS WITH A DISADVANTAGED BUSI-**  
19 **NESS ENTERPRISE PROGRAM.**

20 (a) NUMBER OF DBES.—Beginning in fiscal year  
21 2016, and each year thereafter, the Administrator shall  
22 require airports to report on the number of new DBEs  
23 that were awarded a contract or concession during such  
24 fiscal year.

1 (b) TRAINING.—The Administrator shall provide  
2 training on an ongoing basis to airports that comply with  
3 subsection (a).

4 (c) REPORTING.—Not later than 180 days after the  
5 date of enactment of this Act and every year thereafter,  
6 the Administrator shall update DBE-connect or any other  
7 successor online reporting system to include information  
8 on the number of new DBE and Airport Concession Dis-  
9 advantaged Business Enterprises (DBEs) that are award-  
10 ed a contract or concession for the first time at large and  
11 medium hub airports with a DBE program.

12 (d) DEFINITIONS.—In this section, the following defi-  
13 nitions apply:

14 (1) ADMINISTRATOR.—The term “Adminis-  
15 trator” means the Administrator of the Federal  
16 Aviation Administration.

17 (2) DBE.—

18 (A) IN GENERAL.—The term “DBE”  
19 means an enterprise described in subsection (a)  
20 that is certified in accordance with part 26 of  
21 title 49, Code of Federal Regulations.

22 (B) NEW DBE.—The term, “new DBE”  
23 means a DBE that participated in a contract or  
24 concession agreement for the first time in the  
25 fiscal year under review.

1 **SEC. 3. AUDITS.**

2       The Inspector General of the Department of Trans-  
3 portation shall conduct regular audits of the accuracy of  
4 the data on DBEs and participation contained in the on-  
5 line reporting database developed by DBE-connect or any  
6 similar or successor online reporting database developed  
7 by the Federal Aviation Administration.

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