

AMENDMENT TO H.R. 4
OFFERED BY MS. MOORE OF WISCONSIN

Page 267, after line 11, insert the following:

1 **SEC. 543. INSPECTOR GENERAL REPORT ON PARTICIPA-**
2 **TION IN FAA PROGRAMS BY DISADVANTAGED**
3 **SMALL BUSINESS CONCERNS.**

4 Section 140 of the FAA Modernization and Reform
5 Act of 2012 is amended—

6 (1) in subsection (c)—

7 (A) in paragraph (1) by striking “each of
8 fiscal years 2013 through 2017” and inserting
9 “fiscal year 2018 and periodically thereafter”;
10 and

11 (B) in paragraph (3)(A) by striking “a
12 list” and inserting “with respect to the large
13 and medium hub airports in the United States
14 that participate in the airport disadvantaged
15 business enterprise program referenced in sub-
16 section (a), a list”; and

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

18 “(d) **ASSESSMENT OF EFFORTS.**—The Inspector
19 General shall assess the efforts of the Federal Aviation
20 Administration with respect to implementing rec-

1 ommendations suggested in reports submitted under sub-
2 section (c) and shall include in each semiannual report of
3 the Inspector General that is submitted to Congress a de-
4 scription of the results of such assessment.”.

5 **SEC. 544. MINORITY AND DISADVANTAGED BUSINESS PAR-**
6 **TICIPATION.**

7 Section 47113 of title 49, United States Code, is
8 amended—

9 (1) in subsection (c)—

10 (A) by striking “The Secretary shall” and
11 inserting the following:

12 “(1) IN GENERAL.—The Secretary shall”; and

13 (B) by adding at the end the following:

14 “(2) CONSISTENCY OF INFORMATION.—The
15 Secretary shall develop and maintain a training pro-
16 gram—

17 “(A) for employees of the Federal Aviation
18 Administration who provide guidance and train-
19 ing to entities that certify whether a small busi-
20 ness concern qualifies under this section (and
21 for employees of the other modal administra-
22 tions of the Department of Transportation who
23 provide similar services); and

1 “(B) that ensures Federal officials provide
2 consistent communications with respect to cer-
3 tification requirements.

4 “(3) LISTS OF CERTIFYING AUTHORITIES.—The
5 Secretary shall ensure that each State maintains an
6 accurate list of the certifying authorities in such
7 State for purposes of this section and that the list
8 is—

9 “(A) updated at least twice each year; and

10 “(B) made available to the public.”;

11 (2) in subsection (e) by adding at the end the
12 following:

13 “(4) REPORTING.—The Secretary shall deter-
14 mine, for each fiscal year, the number of individuals
15 who received training under this subsection and shall
16 make such number available to the public on an ap-
17 propriate website operated by the Secretary. If the
18 Secretary determines, with respect to a fiscal year,
19 that fewer individuals received training under this
20 subsection than in the previous fiscal year, the Sec-
21 retary shall submit to Congress, and make available
22 to the public on an appropriate website operated by
23 the Secretary, a report describing the reasons for
24 the decrease.

1 “(5) ASSESSMENT.—Not later than 2 years
2 after the date of enactment of this paragraph, and
3 every 2 years thereafter, the Secretary shall assess
4 the training program, including by soliciting feed-
5 back from stakeholders, and update the training pro-
6 gram as appropriate.”; and

7 (3) by adding at the end the following:

8 “(f) TREND ASSESSMENT.—

9 “(1) IN GENERAL.—Not later than 2 years
10 after the date of enactment of this subsection, and
11 at least every 2 years thereafter, the Secretary shall
12 study, using information reported by airports, trends
13 in the participation of small business concerns re-
14 ferred to in subsection (b).

15 “(2) CONTENTS.—The study under paragraph
16 (1) shall include—

17 “(A) an analysis of whether the participa-
18 tion of small business concerns referred to in
19 subsection (b) at reporting airports increased or
20 decreased during the period studied, including
21 for such concerns that were first time partici-
22 pants;

23 “(B) an analysis of the factors relating to
24 any significant increases or decreases in partici-
25 pation compared to prior years; and

1 “(C) development of a plan to respond to
2 the results of the study, including development
3 of recommendations for sharing best practices
4 for maintaining or boosting participation.

5 “(3) REPORTING.—For each study completed
6 under paragraph (1), the Secretary shall submit to
7 Congress, and make available to the program con-
8 tact at each airport that participates in the airport
9 disadvantaged business enterprise program, a report
10 describing the results of the study.”.

11 **SEC. 545. ANNUAL TRACKING OF CERTAIN NEW FIRMS AT**
12 **AIRPORTS WITH A DISADVANTAGED BUSI-**
13 **NESS ENTERPRISE PROGRAM.**

14 (a) TRACKING REQUIRED.—Beginning in fiscal year
15 2018, and each fiscal year thereafter, the Administrator
16 of the Federal Aviation Administration shall require each
17 covered airport to report to the Administrator on the num-
18 ber of new disadvantaged business enterprises that were
19 awarded a contract or concession during the previous fis-
20 cal year at the airport.

21 (b) TRAINING.—The Administrator shall provide
22 training to airports, on an ongoing basis, with respect to
23 compliance with subsection (a).

24 (c) REPORTING.—During the first fiscal year begin-
25 ning after the date of enactment of this Act and every

1 fiscal year thereafter, the Administrator shall update
2 dbE-Connect (or any successor online reporting system)
3 to include information on the number of new disadvan-
4 tagged business enterprises that were awarded a contract
5 or concession during the previous fiscal year at a covered
6 airport.

7 (d) COVERED AIRPORT DEFINED.—In this section,
8 the term “covered airport” means a large or medium hub
9 airport that participates in the airport disadvantaged busi-
10 ness enterprise program referenced in section 140(a) of
11 the FAA Modernization and Reform Act of 2012 (49
12 U.S.C. 47113 note).

13 **SEC. 546. AUDITS.**

14 The Inspector General of the Department of Trans-
15 portation shall conduct periodic audits regarding the accu-
16 racy of the data on disadvantaged business enterprises
17 contained in the Federal Aviation Administration’s report-
18 ing database related to such enterprises or any similar or
19 successor online reporting database developed by the Ad-
20 ministration.

