



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

Western-Pacific Region  
Office of Civil Rights

P.O. Box 92007  
Los Angeles, CA 90009-2007

**DEC 08 2011**

Dear Airport Sponsor:

Pursuant to the 49 CFR Part 26 Final Rule issued on January 28, 2011, all airport recipients that have a Disadvantaged Business Enterprise (DBE) Program must include a small business element. This serves as a race and gender neutral method to structure contracting requirements to facilitate competition by small business concerns, including DBEs. While this has always been an option for recipients the rule now makes the small business element mandatory.

Recipients are required to submit their small business element to the FAA by February 28, 2012. We will allow recipients to choose whether to submit this as a stand-alone document or as a part of a revised DBE Program. Recipients are encouraged to include an implementation schedule as part of their submission to ensure the small business element is fully operational within nine months of FAA approval.

To assist you in developing your small business element, USDOT has prepared the enclosed Question and Answer guidance document, dated December 6, 2011. As reference documents, we are also including the January 28, 2011 final rule, and the prior small business program guidance dated July 15, 2009,

Please submit your small business program element and implementation schedule directly to your regional FAA DBE Compliance Team point-of-contact listed on the enclosed staff chart. Of course, don't hesitate to reach out to us if you have any questions. We look forward to working with you.

Sincerely,

Michael Freilich  
Director, Civil Rights, Western-Pacific Region  
& DBE Compliance

Enclosures

cc: FAA Airport District Office Personnel