

Driving Equality: The U.S. Department of Transportation DBE Program

Thank you very much, Mr. Chairman, and members of the Transportation and Infrastructure Committee. Thank you all so much for allowing me to be a part of this process and I am very honored and pleased to appear before you today.

My name is Sandra D. Norman, Division Administrator for Civil Rights for the Virginia Department of Transportation (VDOT). As Director, I know firsthand of the DBE Program's meaning that is within your jurisdiction. I am very supportive of the DBE program that assists minority and women-owned businesses who are ready, willing, and able to compete and conduct contract work as either a Prime Contractor or Subcontractor. I believe it is the right thing to do.

The Disadvantaged Business Enterprise (DBE) program for the U.S meets constitutional tests. Every court has held that the DBE program regulations at 49 CFR Part 26 are constitutional.

Why is the DBE Program Important, great question Mr. Chairman? Here are my thoughts for Transportation and Infrastructure (T&I)

The Disadvantaged Business Enterprise Program (DBE) has its roots in the Civil Rights Act of 1964. It has been regulated through a series of reauthorization legislative initiatives. The DBE program applies to airports and surface transportation (Highway and Transit). The DBE Program has been enacted by Congress to address historical discrimination against minority-owned firms in the transportation industry and to ensure that minority and women-owned businesses have a fair opportunity to participate in contracting opportunities made possible by Federal financial assistance

The DBE program, with its rigid certification requirements, presents an excellent opportunity for a win-win for all parties. It is a success for VDOT and a success for the community. We want the residents of those communities to benefit from the public investment in that community. The majority of employment growth in the United States comes from small businesses. When small businesses are allowed to do contract work, it is also an opportunity for people who might have been excluded from the relevant workforce to showcase their talents and skills, get trained and work within the transportation industry to have more employment opportunities in the future. Advancing diversity and making money are not conflicting goals; it is good for business and good for society.

Our DBE Program is as relevant today as ever: to level the playing field in transportation for individuals, businesses, and communities of race, color, and gender. Our Country suffers when talented people, who have new ideas, and who want to work hard, are denied the opportunity to compete because of their ethnic background, race, or gender. And that is why there is a continued need for the Disadvantaged Business Program, a need to ensure that small disadvantaged business enterprises can compete fairly for federal funded transportation related projects.

The DBE program, independent of the inherent challenges and the nature that comes with those challenges, has provided opportunities for minorities and women-owned small businesses and other contractors to participate in an arena that had historically not seen such participation. It has allowed people to create jobs and give their employees a quality of life, which they would not have been able to do before the DBE program. So independent of all the challenges we have, the right part of the program is ACCESS. Access to many construction projects that use governmental

money that will have a requirement with a designated percentage of the total contract values awarded are awarded to DBEs. This allows access to DBE businesses that may not be able to compete on price with larger operations to win contracts on projects that such businesses may not traditionally be able to win on price alone. In addition to the financial benefit, contracts are made with respective industries that may lead to additional work. It is about people, it is about jobs, and too often, we forget that our industry's golden nuggets are the people who participate in the DBE program and the thousands upon thousands of people they employ. Oftentimes we forget that the faces behind the businesses also want to leave a legacy for their children, grandchildren, and for generations yet unborn.

The success of VDOT's DBE Program depends on the rich diversity, skills and talents of our DBEs. VDOT will continue to serve as a model DBE Program to ensure that minority and women-owned businesses have a fair opportunity to participate in contracting opportunities at VDOT. Therefore, we are committed to championing and strengthening our DBE Program. It is the real life stories of discrimination from minority and women business owners that are vital to assisting courts, policymakers such as yourselves, and the public to understand the need to preserve and improve the government disadvantaged business programs that help to DRIVE EQUALITY.

Again, I am honored, and thank you very much for your time and consideration.