

118TH CONGRESS
1ST SESSION

H. R. 2485

To require certain recipients of funds for disadvantaged business enterprises to provide an analysis of efforts to expand opportunities available to disadvantaged business enterprises to participate in the DBE program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2023

Mr. CASTRO of Texas (for himself, Ms. LEE of California, Ms. BARRAGÁN, Mr. EVANS, Mr. GARCÍA of Illinois, Ms. MOORE of Wisconsin, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require certain recipients of funds for disadvantaged business enterprises to provide an analysis of efforts to expand opportunities available to disadvantaged business enterprises to participate in the DBE program.

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. SHORT TITLE.**

4 This Act may be cited as the “Expanding Opportuni-
5 ties for Diverse Entrepreneurs Act”.

1 **SEC. 2. DISADVANTAGED BUSINESS ENTERPRISE OUT-**
2 **REACH EFFORTS.**

3 (a) ESTABLISHMENT.—Each recipient of financial
4 assistance provided by the Department of Transportation
5 that is required to implement a DBE program that con-
6 forms to the requirements of part 23 and 26 of title 49,
7 Code of Federal Regulations, shall direct the disadvan-
8 taged business enterprise liaison officer, or the individual
9 responsible for implementing the requirements of the
10 DBE program, to carry out the duties described in sub-
11 section (b).

12 (b) DUTIES.—The duties of a disadvantaged business
13 enterprise liaison officer, or the individual responsible for
14 implementing the requirements of the DBE program, shall
15 include tracking and providing an analysis of all efforts
16 to expand knowledge of services and opportunities avail-
17 able to non-certified disadvantaged business enterprises
18 and disadvantaged business enterprises certified in the
19 DBE program to facilitate the capacity of the enterprise
20 to compete for, and perform on, federally assisted trans-
21 portation contracts and procurement activities, includ-
22 ing—

23 (1) minimum outreach, training, workshops,
24 and education efforts, including business develop-
25 ment programs, courses, conferences, networking
26 events, marketing to publicize a DBE program; and

1 online development support, informative workshops;
2 and

3 (2) such other information as the Secretary
4 considers appropriate.

5 **SEC. 3. COLLECTION OF INFORMATION; REPORT.**

6 (a) **COLLECTION OF INFORMATION.**—The Secretary
7 of Transportation shall require disadvantaged business en-
8 terprise liaison officers, or the individual responsible for
9 implementing the requirements of a DBE program, to—

10 (1) collect the information required under sec-
11 tion 2(b)(2) and submit such information to the ap-
12 propriate operating administration; and

13 (2) submit to the Committee on Transportation
14 and Infrastructure and the Committee on Small
15 Business of the House of Representatives a report
16 on the efforts to carry out the duties described in
17 section 2(b).

18 (b) **REPORT ON PROGRESS OF DBE PROGRAM.**—

19 (1) **IN GENERAL.**—Not later than 1 year after
20 the date of enactment of this Act, and annually
21 thereafter, the Secretary of Transportation shall
22 submit to Congress a report on the disadvantaged
23 business enterprises program carried out by the De-
24 partment of Transportation pursuant to section

1 11101(e) of the Infrastructure Investment and Jobs
2 Act (23 U.S.C. 101 note).

3 (2) CONTENTS.—

4 (A) IN GENERAL.—The report required
5 under subsection (a) shall include, at a min-
6 imum, the percentage and dollar amount of
7 Federal funds paid to small business concerns
8 owned and controlled by socially and economi-
9 cally disadvantaged individuals in the prior fis-
10 cal year for each State and territory of the
11 United States, disaggregated by race, sex, and
12 any other federally recognized category.

13 (B) PUBLIC AVAILABILITY.—The Secretary
14 of Transportation shall publicly disclose on the
15 website of each operating administration, in a
16 searchable, exportable, and easy to find manner
17 in the uniform report of DBE awards—commit-
18 ments and payments specified in part 26 of title
19 49, Code of Federal Regulations, for each
20 State.

21 **SEC. 4. DEFINITIONS.**

22 In this Act:

23 (1) DBE PROGRAM.—The term “DBE pro-
24 gram” means the disadvantaged business enterprise
25 program that is carried out by—

1 (A) with respect to the Federal Highway
2 Administration, any recipient or subrecipient of
3 DOT funds that awards prime contracts exceed-
4 ing a total of \$250,000 in a fiscal year;

5 (B) with respect to the Federal Transit
6 Administration, any recipient of DOT funds
7 that awards prime contracts exceeding a total
8 of \$250,000 in a fiscal year; and

9 (C) with respect to the Federal Aviation
10 Administration, any recipient of DOT funds
11 subject to part 23 and 26 of title 49, Code of
12 Federal Regulations, that awards prime con-
13 tracts exceeding a total of \$250,000 in a fiscal
14 year.

15 (2) SMALL BUSINESS CONCERN; SOCIALLY AND
16 ECONOMICALLY DISADVANTAGED INDIVIDUALS.—
17 The terms “small business concern” and “socially
18 and economically disadvantaged individuals” have
19 the meanings given such terms in section 11101(e)
20 of the Infrastructure Investment and Jobs Act (23
21 U.S.C. 101 note).

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