Page 17, after line 14, insert the following:

(8) AVAILABILITY OF DATA ON DBE PARTICIPATION.—

(A) REVIEW.—Not later than 270 days after the date of enactment of this Act, the Secretary shall review the Department’s regulations regarding State responsibilities for making available to members of the public records on DBE annual participation and payments under the programs referred to in paragraph (3).

(B) CONTENTS.—In conducting the review, the Secretary shall identify—

(i) if and how States make DBE data from previous years publicly available, including the amount of funding received by DBEs and DBE participation;

(ii) whether States only make such data available as a result of requests under section 553 of title 5, United States Code.
known as the Freedom of Information Act);

(iii) whether current and historical data is easily available for members of the general public to find and use to track the progress of DBE participation (or lack thereof) in each State; and

(iv) whether such data is available in a searchable form on the Internet that allows members of the public to compare multiple fiscal years.

(C) UPDATE OF REGULATIONS.—After conducting the review, the Secretary shall take steps to update regulations described in subparagraph (A) to ensure that historical records about DBE participation in federally funded projects are readily available to the public and will remain so.

(D) DBE DEFINED.—In this paragraph, the term “DBE” means a small business concerned referred to in paragraph (3).