



League of United Latin American Citizens

Resolution to Request that the Department of Transportation Conduct a Compliance Review of their DBE Programs

Whereas, the state Department of Transportation (DOT) serves as a primary recipient in receipt of federal funds, as such, each state DOT is required to administer its Disadvantaged Business Enterprise (DBE) program without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964; and

Whereas, the legal authority requiring non-discrimination of programs, policies, and activities is derived from Title VI of the Civil Rights Act of 1964. Each state DOT must adhere to FHWA's Title VI regulations found at 23 C.F.R. Part 200 and 49 C.F.R. Part 21 which prohibits state DOT from implementing its DBE program in a discriminatory manner.

Now, Therefore Be It Resolved, that LULAC National request US DOT to conduct a compliance review of each applicable state DOT's DBE program; request DOT provide an assessment of each applicable state DOT's monitoring of its DBE program in all areas, including the assessment of DBEs to determine whether they are performing a commercially useful function; request each applicable state DOT conduct a comprehensive Four-Factor Analysis to assess the needs of Limited English Proficient Hispanic-owned firms in their state, with special emphasis in the Pacific Northwest; the said analysis will be used to provide language assistance to Spanish speaking LEPs in appropriate areas and in a culturally aware manner where analysis will be used to identify the "potential" number of ready, willing, and able Hispanic owned LEP firms; request each state DOT have a new goal-setting process that includes Hispanic-owned LEP firms; request a new availability/utilization analysis that is included in state DOT's completing a Disparity Study to determine whether state DOT must include race conscious goals in its administration of its DBE program; provide ongoing monitoring of state DOT to bring the agency in compliance with Title VI and the DBE regulations; and US DOT conduct a comprehensive outreach program to its recipients to ensure they understand their obligation to comply with Title VI regulations as applied to the DBE program.

Voted and approved at the 2016 National LULAC Convention - July 16, 2016.

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LULAC National President