

United States General Accounting Office Report to the Congressional Requesters

February 1989

HIGHWAY CONTRACTS

Federal-Aid Highway Contracts Awarded to Minority- and Women-Owned Businesses



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United States General Accounting Office Washington, D.C. 20548

Resources, Community, and Economic Development Division

B-231331

February 13, 1989

The Honorable Cardiss Collins The Honorable Major R. Owens The Honorable Kweise Mfume The Honorable John Lewis The Honorable Henry B. Gonzalez The Honorable Ron de Lugo The Honorable Edolphus Towns The Honorable Edolphus Towns The Honorable Charles A. Hayes The Honorable Floyd H. Flake The Honorable Floyd H. Flake The Honorable William H. Gray The Honorable Esteban E. Torres The Honorable John Conyers House of Representatives

Your April 20, 1988, letter expressed concern that construction opportunities for minority-owned businesses may have decreased significantly because of a recent change in the Disadvantaged Business Enterprise Program (DBE), which is administered under the Federal Highway Administration (FHWA). This change was initiated under the Surface Transportation and Uniform Relocation Assistance Act of 1987.

Until the 1987 act was passed, states were required¹ to spend at least 10 percent of their fiscal year federal-aid highway programs funds on DBES.² Under a separate program, which FHWA administratively established, states were also requested to spend at least 2 percent of their federal-aid highway funds with women-owned businesses. Starting with the 1987 act, the separate goals of these two programs were combined into a single program: states are now required to spend at least 10 percent of their fiscal year federal-aid highway fund with all DBES, including women-owned businesses.

As discussed with your offices, data limitations affect our ability to assess the national impact of this legislative change on the DBE program, as originally requested. First, although several years of program activity must be experienced before a proper assessment can be made, data were

¹The Secretary of Transportation could grant an exception to the 10-percent requirement. A similar exception may be granted under the 1987 act.

²A DBE is a business that is owned and controlled by one or more socially and economically disadvantaged individuals and that meets the Small Business Administration's definition of a small business. Individuals presumed to be socially and economically disadvantaged include Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Asian-Indian Americans, and women.

	available for less than 1 year after FHWA adopted a single goal for its DBE program—from October 1, 1987, through June 30, 1988. Secondly, states are not consistent in how they report to FHWA the contracts that are awarded to minority-women-owned businesses. Of the four states we contacted, for example, minority-women-owned businesses are reported in one state as women-owned businesses, in another state as minority-owned businesses, and in two states as either women-owned or minority-owned businesses.
	Given these limitations, we agreed to provide you with an analysis of information as reported to FHWA on the share of federal-aid highway contracts received nationwide by minority-owned and women-owned businesses for fiscal years 1985 through June 30, 1988. We are also pro- viding separate information for California, Georgia, Illinois, New York, and Pennsylvania, as requested.
Results in Brief	 Our analysis of available DBE program activity showed the following: Prime contracts and subcontracts awarded to minority- and womenowned businesses (hereinafter called DBE contracts) have remained slightly over \$1.5 billion a year from fiscal years 1985 to 1988. (See app. I, table I.1.) Women-owned businesses have increased their share of DBE contract awards each year from fiscal years 1985 to 1988.³ Their share of DBE contracts awarded increased from 19.4 percent in fiscal year 1985, to 21.5 percent in fiscal year 1986, to 22.2 percent in fiscal year 1987, to 29.6 percent in fiscal year 1988. (See app. I, table I.2.) Businesses owned by Black Americans, Hispanic Americans, Native Americans, and other minority groups experienced declines in their respective shares of DBE contracts awarded from fiscal year 1987 to June 30, 1988. (See app. I, table I.2.) Women-owned businesses increased their share of DBE contracts awarded from fiscal year 1987 to June 30, 1988. (See app. I, table I.2.) Women-owned businesses increased their share of DBE contracts awarded from fiscal year 1987 to June 30, 1988. (See app. I, table I.2.) Women-owned businesses increased their share of DBE contracts awarded from fiscal year 1987 to June 30, 1988. (See app. I, table I.2.)

 $^{^3\}mathrm{The}$ 1988 data presented is as of June 30, 1988.

	B-231331
	percentage points in Wyoming to a loss of about 19 percentage points in Montana. Overall, including the District of Columbia and Puerto Rico, the women-owned business share increased in 33 states, decreased in 17 states, and remained the same in 2 states. (See app. II for more details.)
	Similarly, changes in other minorities' shares between fiscal years 1987 and 1988 varied from state to state. For example, while DBE contract shares for Black Americans decreased about 5 percentage points in fis- cal year 1988 on a nationwide basis, the changes ranged from a gain of 32 percentage points in Connecticut to a loss of 28 percentage points in South Carolina. Overall, Black-American-owned businesses in fiscal year 1988 received a greater share of total DBE contract awards in 15 states and a lesser share in 32 states, with no change in 5 states. (See app. III for more details.) During the same period, Hispanic Americans expe- rienced gains in 19 states, losses in 28 states, and no change in 5 states, and Native Americans experienced gains in 20 states, losses in 29 states, and no change in 3 states. (See apps. IV and V for more details.)
Observations on Data Limitations	FHWA's regulations permit states to report minority women contracts as either minority contracts or women contracts and, as a result, we could not determine the dollar value of contracts awarded to minority-women- owned businesses. For example, we were told that contracts to minority- women-owned businesses were reported as a woman-owned business in Georgia; a minority-owned business in Pennsylvania; and either a woman-owned or minority-owned business, depending on how the owner declared the business when applying for the DBE program, in Cali- fornia and Illinois.
	We recognize that for purposes of judging compliance in meeting pro- gram requirements, consistency in reporting contracts awarded to minority-women-owned businesses is not needed. The purpose of the DBE program is to ensure that disadvantaged businesses, regardless of whether they are women-owned or minority-owned, receive a share of the federal-aid highway funds states spend each fiscal year. However, if greater precision in the totals for minorities and women is needed for such activities as assessing the impact of the 1987 act or comparing the distribution of contract awards for the various groups, FHWA will need to standardize the way these data are reported.

Scope and Methodology

To provide the requested information, we used prime contract and subcontract amounts awarded to minority- and women-owned businesses as reported to FHWA by the individual states and published by FHWA for fiscal years 1985, 1986, 1987, and 1988 at June 30, 1988—the most current data available at the time of our field work. Data presented for fiscal years 1985 through 1987 reflect the distribution of contract dollars before FHWA established a single goal for minority-owned and women-owned businesses. Data presented for the period October 1, 1987, through June 30, 1988, reflect the distribution of contract dollars after the establishment of a single goal. FHWA's statistical data do not break down DBE prime contract awards and subcontract commitments by minority group. We did not test or verify the reliability of the data. Further, we could not determine how FHWA's data and our analysis would change if the data were consistently reported by states in either women or minority totals.

We discussed the factual information in this report with FHWA officials, and they agreed with the facts. However, as you requested, we did not obtain official agency comments on a draft of this report. Our work was conducted from August 1988 to December 1988 at FHWA headquarters in Washington, D.C., in accordance with generally accepted government auditing standards.

We are providing copies of this report to the Secretary of Transportation; the Administrator, FHWA; and interested congressional committees. Copies will also be provided to other interested parties upon request. Major contributors to this report are listed in appendix VII.

Kenneth M. Mead Director, Transportation Issues

Contents

Letter	1
Appendix I National DBE Contract Data on Minority- Owned and Women- Owned Businesses	10
Appendix II National DBE Contract Data on Women- Owned Businesses	12
Appendix III National DBE Contract Data on Black- American-Owned Businesses	15
Appendix IV National DBE Contract Data on Hispanic- American-Owned Businesses	17
Appendix V National DBE Contract Data on Native- American-Owned Businesses	19

Appendix VI DBE Contract Data on Minority-Owned and Women-Owned Businesses in Five States		21
Appendix VII Major Contributors to This Report	Resources, Community, and Economic Development Division, Washington, D.C.	23 23
Tables	Table I.1: DBE Contracts Awarded to Minority-Owned and Women-Owned Businesses by Fiscal Year	10
	Table I.2: Percentage of DBE Contracts Awarded to Minority-Owned and Women-Owned Businesses by Fiscal Year	11
	Table II.1: Change in Share of DBE Contract Amount Received by Women in States for Fiscal Year 1988 As Compared With Share Received in Fiscal Year 1987	13
	Table II.2: Primary Gainers in States Where Women Experienced Greatest Decrease in Share of DBE Contract Amount for 9-Month Period Ending June 30, 1988	14
	Table II.3: Primary Losers in States Where Women Experienced Greatest Increase in Share of DBE Contract Amount in 9-Month Period Ending June 30, 1988	14
	Table III.1: Change in Share of DBE Contract Amount Received by Black Americans in States in Fiscal Year 1988 As Compared With Share Received in Fiscal Year 1987	15
	Table III.2: Primary Gainers in States Where Black Americans Experienced the Greatest Decrease in Share of DBE Contract Amount for 9-Month Period Ending June 30, 1988	16
	Table III.3: Primary Losers in States Where Black Americans Experienced the Greatest Increase in Share of DBE Contract Amount for 9-Month Period Ending June 30, 1988	16

Contents

Table IV.1: Change in Share of DBE Contract Amount Received by Hispanic Americans in States in Fiscal Year 1988 As Compared With Share Received in Fiscal Year 1987	17
Table IV.2: Primary Gainers in States Where Hispanic Americans Experienced the Greatest Decrease in Share of DBE Contract Amount for 9-Month Period Ending June 30, 1988	17
Table IV.3: Primary Losers in States Where Hispanic Americans Experienced the Greatest Increase in Share of DBE Contract Amount for 9-Month Period Ending June 30, 1988	18
Table V.1: Change in Share of DBE Contract Amount Received by Native Americans in States in Fiscal Year 1988 As Compared With Share Received in Fiscal Year 1987	19
Table V.2: Primary Gainers in States Where Native Americans Experienced the Greatest Decrease in Share of DBE Contract Amount for 9-Month Period Ending June 30, 1988	19
Table V.3: Primary Losers in States Where Native Americans Experienced the Greatest Increase in Share of DBE Contract Amount for 9-Month Period Ending June 30, 1988	20
Table VI.1: Share of DBE Contract Amount Received by Women and by Minority Groups for Selected States in Fiscal Years 1985, 1986, 1987, and 1988	22
Figure II.1: Women-Owned Business' Share of DBE Contract Amount by Number of States for Fiscal Years 1985, 1986, 1987, and 1988	13

Figure

Contents

Abbreviations

DBE	Disadvantaged Business Enterprise
FHWA	Federal Highway Administration
GAO	General Accounting Office
RCED	Resources, Community, and Economic Development Division

National DBE Contract Data on Minority-Owned and Women-Owned Businesses

In fiscal years 1985, 1986, and 1987, minority-owned and women-owned businesses received federal-aid highway contracts and subcontracts totaling more than \$1.5 billion each year. (See table I.1.) In the 9-month period ending June 30, 1988, such contracts totaled about \$1.15 billion.

As table I.2 shows, the women-owned business share of the total has increased each year since 1985, and the Black-American-owned business share has decreased each of those years. Both Hispanic-American- and Native-American-owned businesses have experienced increases and decreases since 1985. All minority groups' share of total business decreased in 1988 from 1987. The Black American share of the total decreased from 32.2 percent in fiscal year 1987 to 27.4 percent at June 30, 1988, the Hispanic American share decreased from 24.3 percent to 23.4 percent, the Native American share decreased from 15.0 percent to 13.3 percent, and the share of other minority groups decreased from 6.3 percent to 6.2 percent. During the same period, the women-owned business share increased from 22.2 percent of the total to 29.6 percent.

Table 1.1: DBE Contracts Awarded to Minority-Owned and Women-Owned Businesses by Fiscal Year

Dollars in millions	Contract amount				
				19	88
Type of ownership	1985	1986	1987	Actual for 9 months	Projected for 12 months
Black American	\$563.7	\$512.9	\$492.0	\$314.1	\$418.8
Hispanic American	334.5	364.7	370.0	268.7	358.3
Native American	274.8	222.7	229.0	152.4	203.2
Other minority groups	105.6	98.7	95.5	71.2	94.9
Total all minority groups	\$1,278.6	\$1,199.0	\$1,186.5	\$806.4	\$1,075.2
Women	306.8	327.4	339.2	339.6	452.8
Total all groups	\$1,585.4	\$1,526.4	\$1,525.7	\$1,146.0	\$1,528.0

Appendix I National DBE Contract Data on Minority-Owned and Women-Owned Businesses

Table I.2: Percentage of DBE ContractsAwarded to Minority-Owned and Women-Owned Businesses by Fiscal Year

.

		Percent of con	ent of contract amount	
Type of ownership	1985	1986	1987	1988ª
Black American	35.6	33.6	32.2	27.4
Hispanic American	21.1	23.9	24.3	23.4
Native American	17.3	14.6	15.0	13.3
Other minority groups	6.7	6.5	6.3	6.2
Total all minority groups	80.7	78.6	77.8	70.3
Women	19.4	21.5	22.2	29.6
Total all groups ^b	100.0	100.0	100.0	100.0

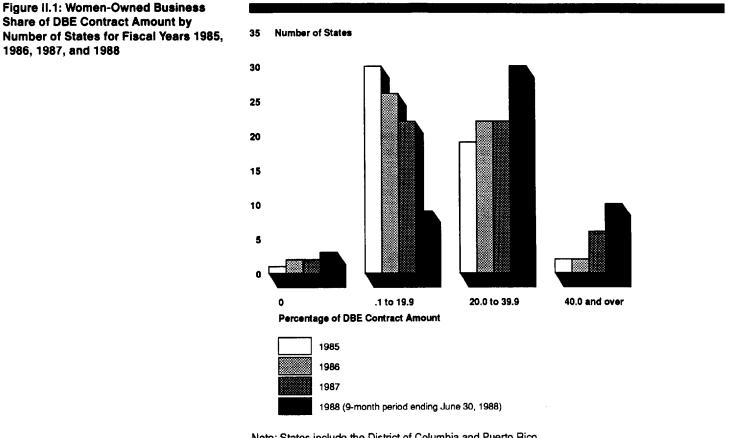
^aNine-month period ending June 30, 1988.

^bMay not add to 100 percent due to rounding.

National DBE Contract Data on Women-Owned Businesses

We observed that a wide variance existed between the states as to the relative share of total DBE contracts received by women. For example, as shown in figure II.1, women-owned businesses in 3 states received no contracts in 1988, and in 10 states they received 40 percent or more of the total contracts awarded. Moreover, we observed that women-owned businesses did not make equal strides in all states in fiscal year 1988. While women gained business overall, in 17 states they received a smaller share of DBE contracts in 1988 than they had received in fiscal year 1987. On the other hand, the women-owned business share increased in 33 states during the 9-month period ending June 30, 1988. (See table II.1.) Their change ranged from a decrease of about 19 percentage points in Montana to an increase of about 38 percentage points in Wyoming. (See tables II.2 and II.3.)

In the two states where the women's share decreased more than 15 percentage points, the Native-American-owned businesses were the primary gainers in one state and the Black-American-owned businesses were the primary gainers in the other state. In the 12 states where the women's share increased more than 15 percentage points, Black Americans were the primary losers in 5 states; Native Americans were the primary losers in 2 states; Hispanic Americans were the primary losers in 1 state; and a combination of Black and Asian-Pacific Americans, Hispanic and Native Americans, or Hispanic and Asian-Indian Americans were the primary losers in 4 states. Appendix II National DBE Contract Data on Women-**Owned Businesses**



Note: States include the District of Columbia and Puerto Rico.

Table II.1: Change in Share of DBE **Contract Amount Received by Women in** States for Fiscal Year 1988 As Compared With Share Received in Fiscal Year 1987

Change in percentage	Number of states ^a with increase	Number of states ^a with decrease
0 - 1.9 ^b	3	6
2.0 - 4.9	2	7
5.0 - 9.9	7	2
10.0 - 19.9	17	2
20.0 and over	4	•
Total	33	17

^aIncludes District of Columbia and Puerto Rico.

^bTwo states experienced no change.

Appendix II National DBE Contract Data on Women-Owned Businesses

Table II.2: Primary Gainers in StatesWhere Women Experienced GreatestDecrease in Share of DBE ContractAmount for 9-Month Period EndingJune 30, 1988

	Amount of women-	Primary gainer	
State	owned business decrease	Minority group	Amount of increase
	(percentage points)		(percentage points
Montana	19.4	Native American	17.0
Connecticut	17.3	Black American	32.1

Table II.3: Primary Losers in StatesWhere Women Experienced GreatestIncrease in Share of DBE ContractAmount in 9-Month Period EndingJune 30, 1988

	Amount of women-	Primary loser		
State	owned business increase	Minority group	Amount of decrease	
	(percentage points)		(percentage points	
Wyoming	38.4	Hispanic American Native American	22.0 12.4	
Illinois	30.7	Asian-Pacific American Black American	15.2 13.7	
New Jersey	26.5	Asian-India American Hispanic American	10.4 8.9	
North Carolina	20.8	Black American	26.6	
Rhode Island	19.8	Hispanic American	39.6	
Georgia	19.5	Black American	27.3	
Utah	18.0	Native American	19.4	
Alabama	17.9	Black American	15.3	
Maryland	16.3	Black American Asian-Pacific American	7.5 5.8	
South Carolina	16.0	Black American	28.0	
New Hampshire	15.9	Native American	11.6	
Michigan	15.8	Black American	13.0	

National DBE Contract Data on Black-American-Owned Businesses

Although the overall share of DBE contracts received by Black Americans decreased about 5 percentage points from fiscal year 1987 to June 30, 1988, the changes were not the same in all states. Black-Americanowned businesses gained business in 15 states and lost business in 32 states—ranging from a loss of 28 percentage points in South Carolina to a gain of 32 percentage points in Connecticut. (See tables III.1, III.2, and III.3.)

In the five states where Black Americans gained more than 15 percentage points, the primary losers were Hispanic Americans in two states, Native Americans in two states, and a combination of women and Hispanic Americans in one state. In the 10 states where the Black American share decreased more than 15 percentage points, women were the primary gainers in 4 states, Native Americans were the primary gainers in 2 states, Hispanic Americans were the primary gainers in 1 state, and a combination of women and Native Americans and women and Hispanic Americans were the primary gainers in 3 states.

Table III.1: Change in Share of DBEContract Amount Received by BlackAmericans in States in Fiscal Year 1988As Compared With Share Received inFiscal Year 1987

Change in percentage	Number of states ^a with increase	Number of states ^a with decrease
0 - 1.9 ^b	2	1
2.0 - 4.9	1	7
5.0 - 9.9	2	8
10.0 - 19.9	8	9
20.0 and over	2	7
Total	15	32

^aIncludes District of Columbia and Puerto Rico.

^bFive states experienced no change.

Appendix III National DBE Contract Data on Black-American-Owned Businesses

Table III.2: Primary Gainers in StatesWhere Black Americans Experienced theGreatest Decrease in Share of DBEContract Amount for 9-Month PeriodEnding June 30, 1988

	Amount of decrease	Primary gainer	
State	by Black-American- owned business	Group	Amount of increase
	(percentage points)		(percentage points
South Carolina	28.0	Women Native American	16.0 9.8
Oklahoma	27.4	Native American	20.6
Georgia	27.3	Women	19.5
North Carolina	26.6	Women	20.8
Massachusetts	23.7	Hispanic American	31.4
Tennessee	21.6	Native American	27.9
West Virginia	21.5	Native American Women	9.5 8.3
Virginia	17.5	Women Hispanic American	11.2 5.4
Missouri	15.8	Women	14.3
Alabama	15.3	Women	17.9

Table III.3: Primary Losers in StatesWhere Black Americans Experienced theGreatest Increase in Share of DBEContract Amount for 9-Month PeriodEnding June 30, 1988

	Amount of increase	Primary loser	
State	by Black-American- owned business	Group	Amount of decrease
	(percentage points)		(percentage points
Connecticut	32.1	Women Hispanic American	17.3 15.2
District of Columbia	26.1	Hispanic American	22.1
Alaska	18.8	Native American	21.9
Nevada	16.2	Native American	21.8
Rhode Island	16.0	Hispanic American	39.6

National DBE Contract Data on Hispanic-American-Owned Businesses

Although the overall share of DBE contracts received by Hispanic-American-owned businesses decreased about 1 percentage point from fiscal year 1987 to June 30, 1988, the changes were not the same in all states. They gained business in 19 states and lost business in 28 states—ranging from a loss of over 39 percentage points in Rhode Island to a gain of over 31 percentage points in Massachusetts. (See table IV.1, IV.2, and IV.3.)

In the four states where Hispanic Americans gained more than 15 percentage points, the primary losers were Native Americans in two states, Asian-Pacific Americans in one state, and a combination of Black and Native Americans in one state. In the five states where their share decreased more than 15 percentage points, Black Americans were the primary gainers in two states, women were the primary gainers in one state, and a combination of women and Black Americans were the primary gainers in two states.

Table IV.1: Change in Share of DBEContract Amount Received by HispanicAmericans in States in Fiscal Year 1988As Compared With Share Received inFiscal Year 1987

Number of states ^a with increase	Number of states ^a with decrease
7	7
2	5
5	6
2	7
3	3
19	28
	with increase 7 2 5 2 3

^aIncludes District of Columbia and Puerto Rico.

^bFive states experienced no change.

Table IV.2: Primary Gainers in StatesWhere Hispanic Americans Experiencedthe Greatest Decrease in Share of DBEContract Amount for 9-Month PeriodEnding June 30, 1988

	Amount of decrease by Hispanic-	Primary gainer	
State	American-owned business	Group	Amount of increase
	(percentage points)		(percentage points)
Rhode Island	39.6	Women Black American	19.8 16.0
District of Columbia	22.1	Black American	26.1
Wyoming	22.0	Women	38.4
Maine	15.5	Women Black American	10.3 8.4
Connecticut	15.2	Black American	32.1

Appendix IV National DBE Contract Data on Hispanic-American-Owned Businesses

Table IV.3: Primary Losers in StatesWhere Hispanic Americans Experiencedthe Greatest Increase in Share of DBEContract Amount for 9-Month PeriodEnding June 30, 1988

	Amount of increase by Hispanic-	Primary loser	
State	American-owned business	Amou Group decre	
	(percentage points)		(percentage points
Massachusetts	31.4	Black American Native American	23.7 11.3
Idaho	25.2	Native American	22.1
New Mexico	24.0	Asia-Pacific American	29.7
Washington	15.1	Native American	13.4

National DBE Contract Data on Native-American-Owned Businesses

Although the overall share of DBE contracts received by Native-American-owned businesses decreased about 2 percentage points from fiscal year 1987 to June 30, 1988, the changes were not the same in all states. They gained business in 20 states and lost business in 29 states—ranging from a loss of over 80 percentage points in Hawaii to a gain of about 28 percentage points in Tennessee. (See tables V.1, V.2, and V.3.)

In the three states where Native Americans gained more than 15 percentage points, the primary losers were Black Americans in two states and women in one state. In the six states where their share decreased more than 15 percentage points, women were the primary gainers in two states, Black Americans were the primary gainers in one state, Hispanic Americans were the primary gainers in one state, Asian-Pacific Americans were the primary gainers in one state, and a combination of women and Black Americans were the primary gainers in one state.

Table V.1: Change in Share of DBEContract Amount Received by NativeAmericans in States in Fiscal Year 1988As Compared With Share Received inFiscal Year 1987

Change in percentage	Number of states ^a with increase	Number of states ^a with decrease
0 - 1.9 ^b	6	9
2.0 - 4.9	5	7
5.0 - 9.9	3	2
10.0 - 19.9	4	7
20.0 and over	2	4
Total	20	29

^aIncludes District of Columbia and Puerto Rico.

^bThree states experienced no change.

Table V.2: Primary Gainers in StatesWhere Native Americans Experiencedthe Greatest Decrease in Share of DBEContract Amount for 9-Month PeriodEnding June 30, 1988

	Amount of decrease	Primary gainers	
State	by Native-American- owned business	Group	Amount of increase
	(percentage points)		(percentage points
Hawaii	80.5	Asian-Pacific American	80.5
ldaho	22.1	Hispanic American	25.2
Alaska	21.9	Black American Women	18.8 12.9
Nevada	21.8	Black American	16.2
Utah	19.4	Women	18.0
Mississippi	16.2	Women	14.0

Appendix V National DBE Contract Data on Native-American-Owned Businesses

Table V.3: Primary Losers in StatesWhere Native Americans Experiencedthe Greatest Increase in Share of DBEContract Amount for 9-Month PeriodEnding June 30, 1988

State	Amount of increase	Primary loser	
	by Native-American- owned business	Group	Amount of decrease
	(percentage points)		(percentage points
Tennessee	27.9	Black American	21.6
Oklahoma	20.6	Black American	27.4
Montana	17.0	Women	19.4

DBE Contract Data on Minority-Owned and Women-Owned Businesses in Five States

For fiscal years 1985, 1986, and 1987 and the 9-month period ending June 30, 1988, the relative share of DBE contracts received by womenowned businesses has increased each year in Georgia and Pennsylvania and has fluctuated in California, Illinois, and New York. (See table VI.1)

Further analysis shows that from fiscal year 1987 to June 30, 1988, the women-owned business share increased in four of the five states. In Illinois, the state where women experienced the greatest increase, their share increased from 22.8 percent of the total to 53.6 percent. In California, on the other hand, the women's share decreased from 18.8 to 18.2 percent.

Minority groups also experienced major changes in their relative share of DBE contracts from fiscal year 1987 to June 30, 1988. For example,

- in California the Black American share increased over 11 percentage points and the Hispanic American share decreased over 10 percentage points;
- in Georgia the Black American share decreased over 27 percentage points;
- in Illinois the Black American share decreased over 13 percentage points, and the share of other minority groups decreased over 16 percentage points;
- in New York the Black American share decreased over 8 percentage points, the Native American share decreased over 5 percentage points, and the share of other minority groups increased about 5 percentage points; and
- in Pennsylvania the Black American share increased over 6 percentage points, and the share of other minority groups decreased about 7 percentage points.

Appendix VI DBE Contract Data on Minority-Owned and Women-Owned Businesses in Five States

Table VI.1: Share of DBE ContractAmount Received by Women and byMinority Groups for Selected States inFiscal Years 1985, 1986, 1987, and 1988

State and group	1985	1986	1987	1988ª
California				
Black American	15.7	13.2	19.0	30.2
Hispanic American	56.0	56.9	51.7	41.1
Native American	5.3	3.6	3.1	1.6
Other minority groups	6.4	7.6	7.3	8.9
Women	16.6	18.6	18.8	18.2
Georgia	···· ··· ··· ··· ··· ··· ··· ···			
Black American	82.1	70.5	63.2	35.9
Hispanic American	10.6	12.3	15.3	21.3
Native American	3.5	11.1	12.8	14.6
Other minority groups	.9	1.1	.1	
Women	2.9	5.0	8.7	28.2
Illinois				· · · · · · · · · · · · · · · · · · ·
Black American	43.6	40.8	34.7	21.0
Hispanic American	18.0	18.1	18.5	16.3
Native American	1.9	8.9	2.2	4.0
Other minority groups	7.7	15.8	21.7	5.0
Women	28.9	16.3	22.8	53.6
New York				
Black American	33.0	36.1	30.4	22.0
Hispanic American	24.1	16.2	18.7	20.4
Native American	15.2	12.4	16.9	11.3
Other minority groups	7.8	6.6	6.1	11.0
Women	19.9	28.7	27.9	35.2
Pennsylvania				
Black American	48.5	52.2	40.8	47.2
Hispanic American	18.3	13.9	6.3	5.8
Native American	2.2	4.4	7.4	5.0
Other minority groups	11.9	10.1	19.7	12.8
Women	19.1	19.3	25.8	29.2

^aNine-month period ending June 30, 1988.

Appendix VII Major Contributors to This Report

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