



# Completing the Personal Narrative

March 4, 2026

## Personal Narrative Under 49 CFR §26.67

- Case-by-Case Standard
  - No Presumption of Disadvantage
  - Individualized Burden of Proof
  - Preponderance of the Evidence

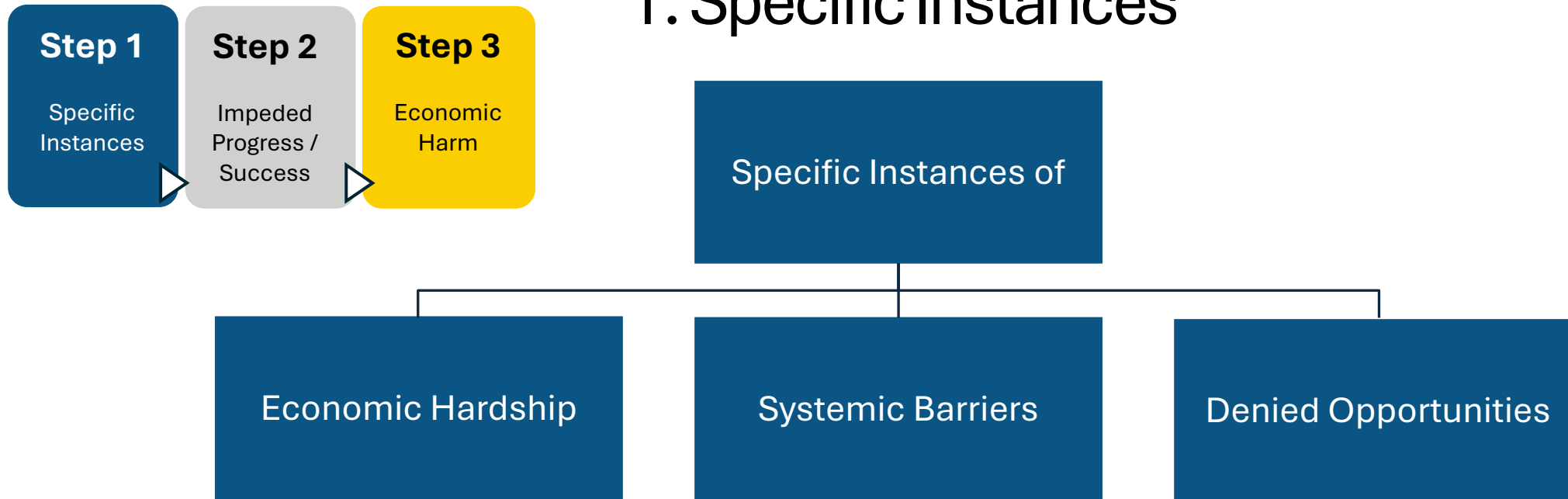
Preponderance- the standard of proof which requires that the evidence supporting a claim is more likely true than not

# What Does the New 26.67 Actually Say?

A DBE / ACDBE firm must establish:

- Existence of disadvantage based on individualized proof regarding **specific instances** of:
  - Economic Hardship,
  - Systemic Barriers, or
  - Denied Opportunities
- That **impeded** the owner's progress or success in:
  - Education,
  - Employment, or
  - Business
    - Including obtaining financing on terms available to similarly situated, non-disadvantaged persons
- The PN must state how and to what extent the impediments caused the owner **economic harm**
  - Including a full description of **type and magnitude**

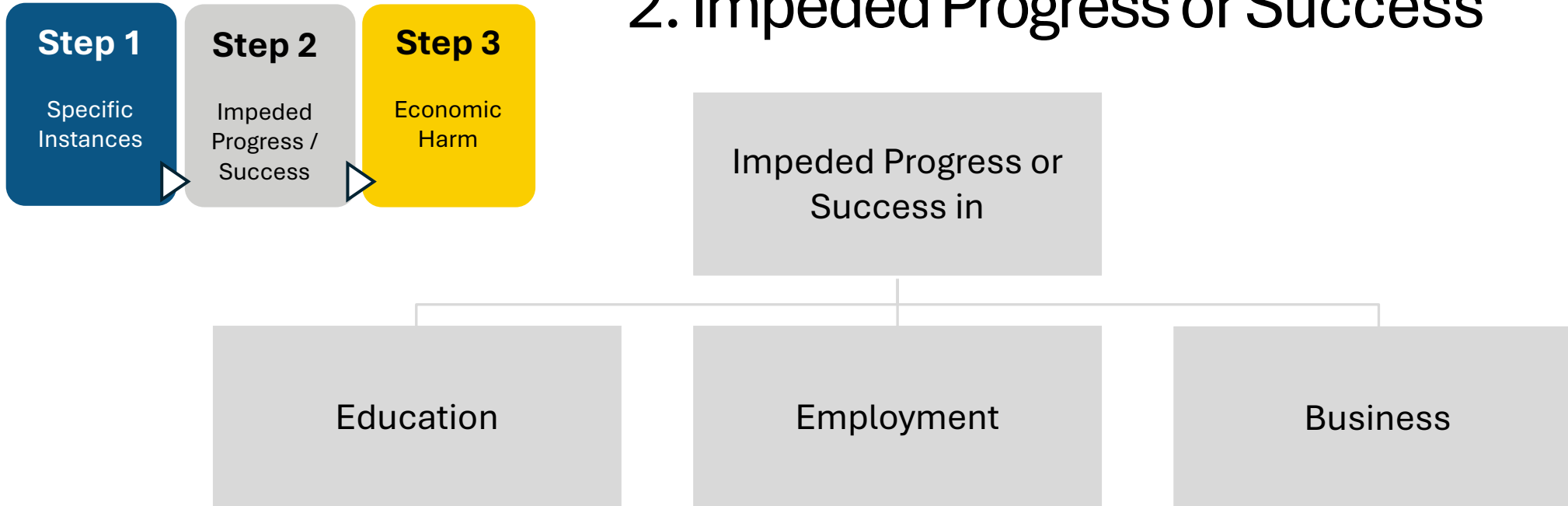
## 1. Specific Instances



- SEDO does not have to show instances of disadvantage in all categories. Only one category of Economic Hardship, Systemic Barriers or Denied Opportunities is required
- The PN can discuss incidents and experiences of economic hardship, systemic barriers, and denied opportunities from any point in an owner's life within American Society
- However, the incidents or experiences discussed in the narrative **must not rely, in whole or in part, on race or sex** (FAQ C-11)

# The Personal Narrative

## 2. Impeded Progress or Success



**Remember:** Qualifying impediments must have a connection to, or be a result of, the specific instances.

**It is up to you to explain the connection!**

# The Personal Narrative

## 2. Impeded Progress or Success (cont.)

**Education** – factors such as denial of equal access to institutions of higher education; exclusion from social and professional association with students or teachers; denial of education honors rightfully earned; and social patterns or pressures which discouraged the individual from pursuing a professional or business education

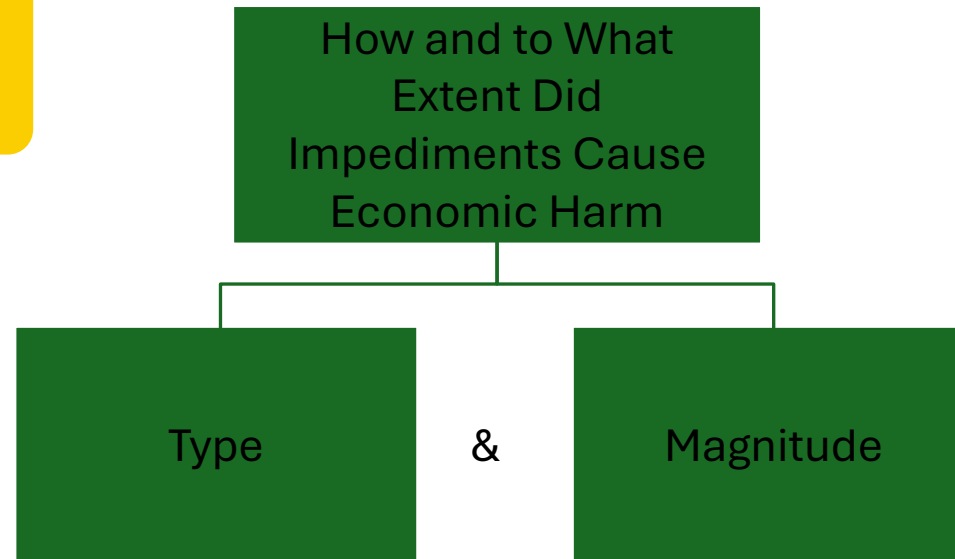
**Employment** – factors such as unequal treatment in hiring; promotions and other aspects of professional advancement; pay and fringe benefits; low salary, other terms and conditions of employment; retaliatory or discriminatory behavior by an employer; and social patterns or pressures which have channeled the individual into nonprofessional or non-business fields

**Business history** – factors such as lost income, collateral requirements, unequal access to credit or capital; acquisition of credit or capital under commercially unfavorable circumstances; higher rates and fees, unequal treatment in opportunities for government contracts or other work; unequal treatment by potential customers and business associates; and exclusion from business or professional organizations, delayed growth, margins or capacity constraints

Other relevant evidence may be considered, but the incidents or experiences discussed in the narrative must not rely, in whole or in part, on race or sex

# The Personal Narrative

## 3. Economic Harm



**Per USDOT Regulation:** “State how and to what extent the impediments caused the owner economic harm, including a full description of type and magnitude”

💡 **Remember:** Qualifying economic harm must have a connection to, or be a result of, impediments.

**It is up to you to explain the connection!**

## Don't Skip the Details!

**Supporting Documentation** is not explicitly required **BUT** can establish your PN as credible, quantifiable and verifiable. **NYSUCP Certifying Partners will request additional information, if needed**

- Details means **Specific Instances and Impediments** are described with:

• WHO	• WHAT	• WHEN	• WHY	• WHERE	• HOW
-------	--------	--------	-------	---------	-------

You may, and are encouraged to, attach any supporting documentation that supports your individual experience of disadvantage. These may include, but are not limited to:

• Loan denial letters	• Witness statements
• Employment records	• Financial statements
• Medical or legal documents	• Emails or written communications
• Anything else you as the owner consider relevant	

Business

**LET'S THINK IT THROUGH**

# Specific Instance



Think of an event, decision, or experience that happened to you or your business.

## **Guidance:**

# **Impeded Progress in Business (Access to Financing)**

- Think about how this event, decision, or experience impeded progress in business
- Consider business-based barriers
  - Focus on financing or capital access
  - Identify measurable business impact
  - What stopped or could not occur because of this event, decision, or experience

# GUIDANCE

## Writing Prompts

(Structure Guidance Only)

- What happened and what was the result?
  - What was lost?
  - What was delayed?
  - What was limited?
  - What was restricted?
  - What was prevented?



# Describing Economic Harm

- In what way did this harm the business?
  - What was lost?
  - What was delayed?
  - What was limited?
  - What was restricted?
  - What was prevented?
  - How does this compare to similarly situated non-disadvantaged business?
- What was the magnitude of the harm?

**Make the direct connection**

# Think Like a Reviewer

- ☑ **Must** include a specific instance
- ☑ Impediment **must** be explained
  - Education
  - Employment OR
  - Business (including access to financing)
- ☑ Harm **must** be quantified?
  - Systemic barriers
  - Denied opportunities
  - Individual experience
  - Owner's economic disadvantage **must** be established relative to similarly situated non-disadvantaged individuals
- ☑ Impediment **must not** rely, in whole or in part, on race
- ☑ Harm **must not** rely, in whole or in part, on sex
- ☑ The connection **must** be clear



# Common Structural Weaknesses

- Vague descriptions
- No clear connection between cause & effect
- Missing magnitude
- Overreliance on general statements
- Reliance on race
- Reliance on sex
- Owner's economic disadvantage not established relative to similarly situated non-disadvantaged individuals

# Supporting Documentation

- **Not explicitly required**
  - But may strengthen credibility
  - Documentation should align with the narrative
- **Examples may include:**
  - Loan denial letters
  - Employment records
  - Financial statements
  - Written communications
  - Anything else you deem relevant





**BEFORE YOU SUBMIT**

# Before You Submit

## Ask Yourself:

- Is the specific instance clearly described?
- Is the impediment explained?
- Is economic harm quantified?
- Is the connection clear?
- Does the documentation align?



# Key Takeaways

- Burden of proof is individualized
- Structure matters
- Connection matters
- Economic harm must include magnitude
- Don't over think it; Tell your story



# End of Reevaluation Review Session

## Q&A



Metropolitan Transportation Authority  
Certification Program  
[DBEcertification@mtahq.org](mailto:DBEcertification@mtahq.org)  
<https://mta.newnycontracts.com/>



New York State Department of Transportation  
DBE Certifications Unit  
[DBECert@dot.ny.gov](mailto:DBECert@dot.ny.gov)  
<https://nysdot.newnycontracts.com/>



Niagara Frontier Transportation Authority  
DBE/ ACDBE Certification Unit  
[EEO.DBE@NFTA.com](mailto:EEO.DBE@NFTA.com)  
<https://nfta.newnycontracts.com/>



Port Authority of New York and New Jersey  
Certifications Unit  
[Certhelp@panynj.gov](mailto:Certhelp@panynj.gov)  
<https://panynj.diversitysoftware.com/>