State law and federal rules[[1]](#footnote-1) dictate what information and records the Office of Minority and Women’s Business Enterprises (OMWBE) can and cannot release.

**Federal application:** Federal rules prohibit the OMWBE from releasing any information that may be construed as confidential business information. This includes certification applications and all supporting information such as tax returns, financial statements, account numbers, etc.

**State application:** The following information is exempt from disclosure to the public:

* Proprietary and financial information (tax returns, balance sheets, financial terms of contracts, leases, receipts, invoices, salaries, startup costs, personal net worth statements, etc.)
* Driver’s license numbers or Washington identification card numbers
* Account numbers (credit/debit card, banking account, etc.)
* Social Security Numbers
* Federal Tax Identification Numbers

If requested, federal rule ([49 CFR 26.109](http://www.ecfr.gov/cgi-bin/text-idx?SID=2e904cea467dcfdc8fe569c23f0ea8c4&mc=true&node=se49.1.26_1109&rgn=div8)(a)(2)) requires the OMWBE to transmit all certification information to the United States Department of Transportation, the Office of the Inspector General, and other states where an individual has applied for certification.

**Applicant access to information:** Applicants have access to records relating to their firm’s certification. Applicants may also provide a signed release authorizing the OMWBE to provide records to a third party, such as an attorney.

1. The state Public Records Act is [chapter 42.56 RCW](http://apps.leg.wa.gov/rcw/default.aspx?cite=42.56). Relevant sections of the Code of Federal Regulations are [49 CFR 26.67](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=2e904cea467dcfdc8fe569c23f0ea8c4&mc=true&n=pt49.1.26&r=PART&ty=HTML#se49.1.26_167)(a)(2)(iv), [49 CFR 26.83](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=2e904cea467dcfdc8fe569c23f0ea8c4&mc=true&n=pt49.1.26&r=PART&ty=HTML#se49.1.26_183)(g), and [49 CFR 26.109](http://www.ecfr.gov/cgi-bin/text-idx?SID=2e904cea467dcfdc8fe569c23f0ea8c4&mc=true&node=se49.1.26_1109&rgn=div8)(a)(2). [↑](#footnote-ref-1)