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Attorney General Brown Leads Legal Fight to Prevent Trump Administration from Using a Purported “Settlement” to Threaten the Disadvantaged Business Enterprise Program

BALTIMORE, MD (June 24, 2025) - Attorney General Anthony G. Brown led a multistate coalition of 22 attorneys general in filing an [amicus brief](#) in the U.S District Court for the Eastern District of Kentucky, urging the court not to approve an agreement that would threaten the Disadvantaged Business Enterprise (DBE) Program administered in accordance with U.S. Department of Transportation (DOT) regulations.

The DBE Program, which Congress created in 1983, tasks the states with overseeing the administration of major federally funded transportation and infrastructure projects, including ensuring that contracts are awarded in a fair and nondiscriminatory way. Two private businesses filed a lawsuit against the program in 2023. After President Trump entered office, the federal government switched sides in the litigation and joined with the plaintiffs in asking the Court to enter a consent order that could restrict or eliminate the DBE Program nationwide.

The brief argues that the requested order would exceed the proper role of the court in our adversarial system of government because the parties requesting the order take the same position on the issues.

“This so-called settlement is a backdoor attempt to dismantle a program that helps underrepresented businesses compete for federally funded transportation projects,” **said Attorney General Brown**. “The DBE Program has created real opportunities for businesses that have long faced barriers to government contracts. We’re fighting to protect fair access, strengthen our infrastructure, and ensure these investments benefit all of our communities.”

Joining Attorney General Brown in submitting this brief are the attorneys general of Illinois, Washington, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, and Wisconsin.

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