



MBELDEF

**Minority Business Enterprise Legal Defense
and Education Fund, Inc.**

Empower Minority Businesses • Drive Economic Equality

Who is
MBELDEF?

MBELDEF is the nation's **ONLY** legal defense organization dedicated solely to defending the rights and legal interests of minority-owned businesses and minority entrepreneurs.

The Threat

There is a movement to ELIMINATE business diversity programs. It poses an existential threat. The effort is characterized by:

Bullying and intimidation more extreme than anything we have seen since the enactment of MBE programs.

Attacks on private sector programs, not just public sector programs.

Efforts to silence all discussion of racism and discrimination, past and present. This is an intentional effort to obscure the very evidence needed to defend business diversity programs in the courts and in the court of public opinion.



WHY the lawsuits?

Because MBEs and DEI programs are aimed at giving minority owned companies a fighting chance to challenge the market dominance of majority-owned or publicly-traded companies.

Currently, there is a great wealth of resources and funding being poured into attacking business diversity.

The opposition is far better-funded and organized than ever before.



Private Sector Legal Cases

Amazon – Case alleges that the assistance Amazon provides to minority businesses constitutes illegal discrimination. (9th Cir.; 5th Cir.)

Progressive Insurance – sued by a group called Freedom Truck Dispatch for providing \$25k grants to Black owned businesses to purchase commercial vehicles. (6th Cir.)

Fearless Fund – sued by the *American Alliance for Equal Rights (Edward Blum)* to abolish a contest that the Fearless Fund awarded small grants to Black women business owners. (Settled.)

Health Affairs Journal and Pfizer – sued by *Do No Harm* to abolish fellowships at Pfizer. (2nd Circuit)

Public Sector Legal Cases

Mid-America Milling v. US DOT– suit to declare the DBE program unconstitutional brought by Wisconsin Institute for Law and Liberty. PI imposed. (E.D. KY)

Dept. of Agriculture & the Small Business Administration– sued by Ultima (represented by Center for Individual Rights) attacking the 8(a) program. PI imposed . (E.D. TN)

State and Local Programs: there are currently challenges in several states, cities and counties. More are expected.

Nuziard v. MBDA – suit to declare the entire agency unconstitutional brought by Wisconsin Institute for Law and Liberty. (Closed,)

More cases are expected.

More attacks

In addition to the court cases, extremist legal groups have attacked diversity out of court by:

- Preparing legislative attacks on MBE and race neutral programs that assist diverse businesses
- Organizing *anti-diversity* state Attorney Generals to threaten private companies
- Using national legislators to send threatening letters to major law firms that embrace DEI
- Filing specious administrative complaints against DEI efforts



The Good News: MBELDEF

- **MBELDEF has almost 45 years of experience fighting exactly these fights.**
- **We take the smart and strategic approach to every challenge and we take the long view.**
- **We are working hard to build MBELDEF's capacity in order to prepare for the fight ahead for fairness for minority businesses, minority entrepreneurs, diversity professionals and their allies.**



OUR ASK

- Buckle down and commit to oppose these efforts in ways that are smart and strategic.
- Tell your stories of discrimination – even when painful. Disparity studies and our story bank
- Help MBELDEF fight on your behalf with your financial support

• <https://mbeldefwatchdog.org>