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March 27, 2025

Secretary Lutnick  
U.S. Department of Commerce  
1401 Constitution Avenue NW  
Washington, D.C. 20230

Dear Secretary Lutnick,

On behalf of the Congressional Black Caucus (CBC), we are reaching out to voice our concerns about the impending threat that President Trump's recent Executive Order (EO), "Continuing the Reduction of The Federal Bureaucracy," poses to the Minority Business Development Agency (MBDA) within the Department of Commerce. For years, the MBDA has provided critical resources for Black-owned businesses across the nation. As a result of recent actions taken by this administration, minority-owned businesses are set to face a number of hurdles imposed by President Trump that will further cripple our already buckling economy. It is imperative that we protect hard-working Americans by investing in opportunities that an agency like the MBDA provides.

Under its temporary creation by a Republican administration in 1969, the MBDA had the mission of promoting economic development and creating an economy that provided equal opportunities for minority-owned businesses. Its stated purpose acknowledges that there is an inequitable distribution of resources and opportunities that supports the existence of the MBDA and the positive impact that it is making on our communities. According to the Small Business Administration, Black Americans own 3.5 million businesses and employ more than 1.2 million people. We must ensure that these businesses have access to critical tools to grow our workforce.

In addition to the fact that the MBDA uplifts and empowers our most vulnerable entrepreneurial populations, it has served as a strong foundation and essential part of our economy. In 2023, the MBDA facilitated \$1.2 billion in capital, secured \$1.6 billion in contracts, and generated or saved more than 14,000 jobs. This administration's efforts to take our country back in time and remove critical tools of economic success for minority populations will hinder the potential economic growth of every community in this nation. We ask that you protect and promote this economic driver and ensure that this agency, which has significantly contributed to our nation's success, continues to thrive.

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The CBC played a vital role in ensuring the MBDA is permanently housed under the Department of Commerce. Under the leadership of Congressman Al Green (TX-09), alongside Congresswoman Maxine Waters (CA-43), Congresswoman Joyce Beatty (OH-03), Congressman Kweisi Mfume (MD-07), and Congressman Emanuel Cleaver (MO-05), we pushed to codify this program, understanding the role it would play in ultimately closing the racial wealth gap and boosting our economy.

President Trump's most recent Executive Order seeking to eliminate the MBDA not only undermines our economy but is unconstitutional. In 2021, Congress passed the Bipartisan Infrastructure Law, making the MBDA a permanent agency. Therefore, this agency cannot be eliminated by executive action but only by congressional vote. We urge you not to be complicit in this administration's complete disregard for the letter of the law. Unlawfully dissolving federal agencies like MBDA by executive action is a threat to our democracy. Additionally, halting the services provided by MBDA would pose a number of violations to the Anti-Deficiency Act and appropriations laws.

The Congressional Black Caucus demands a response from your agency to the questions below on rectifying these potential violations:

1. How will the Department of Commerce ensure the continuation of the essential operations of MBDA to avoid violating the Anti-Deficiency Act?
2. Given that closing down the MBDA without a congressional vote is clearly unconstitutional, how do you defend the proposed closure of the Agency under the Continuing the Reduction of the Federal Bureaucracy, EO?
3. It is our understanding that you have taken steps to put staff within the MBDA on administrative leave despite legal concerns brought to your attention by career staff. Do you intend to reinstate staff in the coming months in accordance with the law?
4. How do you plan to protect the operations of the MBDA from this administration to ensure you are operating within the letter of the law over the next four years?

Please respond to the inquiries above by April 18, 2025. As President Trump takes his initial steps at minimizing the impact of your agency, it is our hope that you will stand by us in protecting the MBDA, given the potential consequences of dismantling it under your leadership.



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U.S. Representative Yvette Clarke (NY-09)  
Chair, Congressional Black Caucus



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U.S. Representative Troy Carter (LA-02)  
First Vice Chair, Congressional Black Caucus



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U.S. Representative Emanuel Cleaver (MO-05)



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U.S. Representative Al Green (TX-09)



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U.S. Representative Joyce Beatty (OH-03)



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U.S. Representative Kweisi Mfume