



February 13, 2026

**FROM:** Office of Minority Business Enterprise (OMBE)

**TO:** Interstate Certified Disadvantaged Business Enterprise Firms, Industry Partners, and Customers

### **Background**

The Maryland Department of Social and Economic Mobility (DoSEM), established under House Bill 1253 (Chapter 605, Laws of Maryland 2025), is the principal department of State government and the first cabinet-level agency in the United States dedicated to removing structural barriers to social and economic mobility.

Effective October 1, 2025, three existing State offices focused on social equity programming have been consolidated into a single, integrated department. Specifically, the Department of Social and Economic Mobility is now comprised of:

- the Office of Minority Business Enterprise;
- the Office of Small, Minority, and Women Business Affairs; and
- the Office of Social Equity.

This consolidation enables the State to better coordinate equity initiatives, increase operational efficiency, and promote economic opportunity for all Marylanders.

The Office of Minority Business Enterprise (OMBE) will continue to serve as Maryland's certification entity for the Minority Business Enterprise (MBE) Program, the Disadvantaged Business Enterprise (DBE) Program, the Airport Concession Disadvantaged Business Enterprise (ACDBE) Program, and the Small Business Enterprise (SBE) Program.

### **Introduction**

Our records indicate that Maryland is not the original certifying jurisdiction (home state) for your DBE and/or ACDBE certification(s). As such, you must contact your home state to inquire about its requirements for DBE/ACDBE certification reevaluation processing, as described in the Interim Final Rule (IFR) published by the U.S. Department of Transportation (USDOT) on October 3, 2025. *Disadvantaged Business Enterprise Program and Disadvantaged Business Enterprise in Airport Concessions Program Implementation Modifications*, 90 Fed. Reg. at 47976 (Oct. 3, 2025).

### **Updated OMBE Information Regarding Out-of-State Firms (DBE Interstate Process)**

- All firms whose DBE/ACDBE certification originated in a state other than Maryland must first seek certification reevaluation through their home states. If your firm is recertified by your home state, you may then rely on DBE/ACDBE interstate certification procedures to update or recertify in Maryland.



- All out-of-state firms previously certified as a DBE/ACDBE through the Maryland DBE Interstate Application process may pursue or perform Maryland projects in the future, provided the firm remains in good standing with its home state and completes any standard interstate recognition steps Maryland requires once the home state recertification is issued.

### **Additional Information**

On October 3, 2025, the U.S. Secretary of Transportation issued an Interim Final Rule (IFR), entitled “Disadvantaged Business Enterprise Program and Disadvantaged Business Enterprise in Airport Concessions Program Implementation Modifications.” The IFR became effective upon publication in the Federal Register, and is available at: <https://www.federalregister.gov/d/2025-19460>.

This new rule does not affect a firm’s MBE certification, which applies to state-funded contracts. However, the IFR makes significant changes to the DBE and ACDBE programs, including:

- **Elimination of Presumptions:** Certification agencies that are responsible for administering Unified Certification Programs (UCP), such as OMBE, are now prohibited from using race- and sex-based presumptions of social and economic disadvantage for purposes of DBE/ACDBE certification. Instead, DBE and ACDBE applicants must demonstrate social and economic disadvantage as individuals, by relating specific instances of economic barriers, systemic barriers, and denied opportunities that impeded the owner’s progress or success in education, employment, or business.
- **Mandatory Reevaluation of Certified DBEs/ACDBEs:** All currently certified DBEs and ACDBEs must undergo a mandatory reevaluation under the new standards set forth in the IFR. Firms will need to submit new documentation, including a personal narrative and a current personal net worth statement, to their original certifying jurisdiction. UCPs must then determine each firm’s eligibility, and issue written recertification and decertification decisions.
- **Suspension of DBE Goals:** Until a UCP completes its reevaluation process, recipients of USDOT funding cannot set contracting goals for DBEs or ACDBEs or count any participation toward overall goals.

We look forward to your continued participation in the Maryland economy and are committed to providing any additional information and support needed by previously certified out-of-state DBE/ACDBE firms operating in Maryland.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter L. Simmons".

Walter L. Simmons  
Acting Secretary