

United States Senate

WASHINGTON, DC 20510

September 15, 2025

The Honorable Paul Dabbar
Deputy Secretary
U.S. Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230

Deputy Secretary Dabbar:

I write to you once again requesting specific information regarding the status of the Minority Business Development Agency (MBDA)—which you promised to “promptly” investigate and “report back” your findings to me when you testified before the Senate Committee on Commerce, Science, and Transportation on May 1, 2025.

Following the commitments you made at your confirmation hearing, I sent you a letter on July 14, 2025, asking you to honor your testimony and promptly provide the information I sought pertaining to the MBDA. Four days later, I received a stock response letter from Will Turner, the Department’s Acting Assistant Secretary for Legislative and Intergovernmental Affairs. This response was wholly unresponsive to my requests, appears to have been sent to multiple offices that raised different questions and requests concerning the MBDA, and in no way fulfils the commitments you made to me when you last testified before the United States Senate.

Based on Mr. Turner’s response letter, it appears the Department is trying to avoid answering any questions about the status of the MBDA by citing the existence of “active litigation.” Presumably, this is a reference to the preliminary injunction issued on May 13, 2025, by the U.S. District Court for the District Court of Rhode Island, which ordered the Commerce Department to halt its illegal dismantling of the MBDA.

Although the Administration has appealed this decision, pending litigation is not a justification for declining to answer *any* questions related to the MBDA—especially questions regarding the status of taxpayer dollars appropriated by Congress, the Department’s compliance with the laws passed by Congress, and the Department’s obligation under the Constitution to respond in good faith to congressional oversight. This is particularly true where, as here, the federal district court in the litigation at issue has already found that the Administration usurped Congress’s power of the purse and vested legislative authority to create and abolish federal agencies when it illegally dismantled the MBDA.

To be clear: Attempting to hide behind an acting legislative affairs advisor to avoid fulfilling the commitments you made in your testimony does not reflect the bold leadership we desperately

need at the Commerce Department. I want to give you one last opportunity to demonstrate a willingness to work in good faith and provide substantive responses to my requests. To that end, I request that you **personally** respond to this letter with the following information by September 29, 2025:

1. A detailed assessment of the status of all funding Congress appropriated to the MBDA. Please specify whether any such funds have been or ever were “repurposed” to any program or activity outside MBDA. If so, please specify the programs or activities to which those funds were repurposed and the Department’s legal authority for doing so.
2. A detailed assessment of the status of all MBDA grants, including:
 - a. All MBDA grants that have been terminated since January 20, 2025;
 - b. All MBDA grants that have not been renewed since January 20, 2025;
 - c. All funded activities that the Department determined are “consistent with the agency’s priorities” and that “serve the interests of the MBDA program.”
3. Based on your review and assessment, please certify whether the Department is in compliance with its statutory obligations under the MBDA Act of 2021, which was enacted as part of the Infrastructure Investment and Jobs Act. If you do not provide this certification, please explain why.
4. Has the Department investigated or assessed whether Mr. Nate Cavanaugh had the legal authority to issue termination notices to MBDA grantees? If yes, please provide a complete description of the authority under which Mr. Cavanaugh was operating.
5. What steps, if any, has the Department taken to respond to the following letters from Committee Democrats requesting documents and information regarding the MBDA. Please detail the specific steps taken to respond to each letter and specify the date on which the Department anticipates providing a full and complete response to each letter:
 - a. June 26, 2025, letter to SBA Administrator Kelly Loeffler and Secretary Howard Lutnick.¹
 - b. May 28, 2025, letter to Acting Deputy Secretary of Commerce for MBDA Keith Sonderling.²
 - c. April 30, 2025, letter to Acting Deputy Secretary of Commerce for MBDA Keith Sonderling.³
 - d. April 17, 2025, letter to Secretary Howard Lutnick.⁴

Thank you for your attention to this important matter.

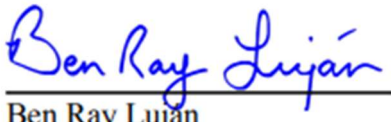
[1] Letter from Senators Markey, Cantwell, Heinrich, Hirono, Schiff, Luján, Hickenlooper, Rosen, Baldwin, Booker, and Blunt Rochester to SBA Administrator Loeffler and Commerce Secretary Lutnick, June 26, 2025; <https://www.commerce.senate.gov/services/files/AF4F9772-36BE-420D-B004-11BF1DF84B3B> .

^[2] Letter from Senators Cantwell, Baldwin, Blunt Rochester, Markey, Luján, and Heinrich to Acting Deputy Secretary of Commerce for MBDA Sonderling, May 28, 2025; <https://www.commerce.senate.gov/2025/5/following-federal-court-order-democrats-hold-trump-administration-accountable-for-unlawfully-dismantling-mbda>.

^[3] Letter from Senators Cantwell, Baldwin, Blunt Rochester, Schatz, Markey, Luján, Kim, and Heinrich to Acting Deputy Secretary of Commerce for MBDA Sonderling, Apr. 30, 2025; <https://www.commerce.senate.gov/2025/5/senators-demand-to-know-who-killed-minority-business-development-agency-why-where-s-the-money-going>.

^[4] Letter from Senators Cantwell, Baldwin, and Blunt Rochester to Commerce Secretary Lutnick, Apr. 17, 2025; <https://www.commerce.senate.gov/2025/4/cantwell-baldwin-blunt-rochester-demand-answers-on-lutnick-s-failure-to-protect-minority-business-development-agency>.

Sincerely,


Ben Ray Luján
United States Senator