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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
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October 27, 2025

The Honorable Pam Bondi
 Attorney General
 U.S. Department of Justice
 950 Pennsylvania Avenue, NW
 Washington, D.C. 20530

Dear Attorney General Bondi:

I write to raise serious concern that California's newly enacted A.B. 1303 likely violates federal law. Signed earlier this month by Governor Gavin Newsom, A.B. 1303 is the latest in a series of measures by Democrat-run jurisdictions that not only incentivize illegal entry into the United States but also obstruct the lawful operations of federal immigration authorities.¹ By extending state-funded subsidies to individuals who are unlawfully present in the country and by expressly forbidding state agencies from sharing beneficiary information with federal immigration officials, A.B. 1303 appears to contravene 8 U.S.C. § 1373 and the Supremacy Clause of the U.S. Constitution.

Federal law generally bars those in the country illegally from collecting federal benefits.² However, state benefits are another matter, and taxpayer-funded giveaways from California continue to drive illegal immigration into the United States. A.B. 1303 amends California law to make "individuals not lawfully present in the United States"³—*i.e.*, illegal aliens⁴—eligible for California's monthly phone subsidy, Lifeline. Adding insult to injury, A.B. 1303 also prohibits the California Public Utilities Commission (CPUC) and other benefit administrators from sharing beneficiary information with immigration authorities, in apparent violation of federal law.⁵

Illegal entry is not a victimless crime. Illegal immigration fuels human trafficking, child sexual exploitation, and drug smuggling, all of which were rampant under former President Joe

¹ Press Release, Gavin Newsom, Governor of Cal., Governor Newsom Signs New Laws to Help Reduce Costs for Families (Oct. 6, 2025), <https://perma.cc/QPD3-682Q>.

² See 8 U.S.C. § 1611(a).

³ 2025 Cal. Legis. Serv. 2 (West) §1 (stating "the [California] Legislature finds and declares that this article is a state law that may provide assistance and services for individuals not lawfully present in the United States").

⁴ See, e.g., 8 U.S.C. § 1621(d).

⁵ 2025 Cal. Legis. Serv. 2 (West) §1; 8 U.S.C. § 1373. Note that the Department of Justice cited §1373 in its lawsuit against Chicago, Cook County, and Illinois. See *U.S. v. State of Ill.*, No. 1:25-cv-01285 (N.D. Ill. 2025).

Biden.⁶ Under Democrat leadership, Mexican and Venezuelan cartels, as well as other violent gangs like MS-13, have taken root in American cities. Illegal immigration has also exposed the country to a heightened risk of terror attacks. Customs and Border Protection estimates that, since 2021, six to eight million adult men have likely crossed the southern border illegally.⁷ For reference, the United States has approximately 1.32 million current active-duty troops.⁸

After suffering the consequences of President Biden's disastrous open-border policies, the American people gave President Trump a decisive victory in the 2024 election, Republican leadership of both houses of Congress, and a mandate to restore the integrity of America's borders. This call to action was reflected in President Trump's signing of the Laken Riley Act, which tightened immigration enforcement by requiring the detention of illegal aliens charged with or convicted of serious crimes;⁹ his signing of ten executive orders combatting illegal immigration on the first day of his new term;¹⁰ and in passage of the One Big Beautiful Bill, which invests over \$170 billion to build the border wall and prioritizes the deportation of illegal aliens convicted of violent crimes.¹¹ Now, illegal crossings along the U.S.-Mexico border have plummeted to their lowest rate in half a century.¹²

Still, Democrats continue to obstruct these reforms. Exhibit A is the "Schumer Shutdown," with Democrats holding the government hostage until Republicans agree to fund healthcare for illegal aliens along with a laundry list of other partisan demands.¹³ Meanwhile, Democrat mayors and governors across the country spend untold sums on similar handouts to illegal aliens. In California, Illinois, and Colorado, taxpayers are forced to subsidize illegal aliens' healthcare.¹⁴ In six states—California, Illinois, Maine, Massachusetts, Minnesota, and Washington—illegal aliens receive state-funded food payments.¹⁵ In eighteen states, illegal aliens are eligible for college financial aid, while twenty-two give them in-state tuition breaks despite the latter practice being ruled unlawful by a federal judge.¹⁶ This is in addition to the free

⁶ Kevin D. Roberts, *Biden's Open Border Policy Fuels Violence Against Women, Children*, THE HERITAGE FOUND. (June 12, 2023), <https://perma.cc/Q4T8-7C73>.

⁷ *Southwest Land Border Encounters*, U.S. CUSTOMS & BORDER PROT., <https://perma.cc/EGC5-F5GS> (last visited Oct. 10, 2025).

⁸ Jenn Hatfield, *6 Facts About the U.S. Military*, PEW RSCH. CTR. (June 6, 2025), <https://perma.cc/NP2H-MB4E>.

⁹ Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025).

¹⁰ *See, e.g.*, Exec. Order No. 14,165, 90 Fed. Reg. 7,423 (Jan. 30, 2025).

¹¹ One Big Beautiful Bill Act, Pub. L. No. 119-21, 139 Stat. 72 (2025).

¹² Camilo Montoya-Galvez, *Illegal Crossings Along U.S.-Mexico Border Plummet to Lowest Annual Level Since 1970*, CBS NEWS (Oct. 7, 2025), <https://perma.cc/SWL6-8LPY>.

¹³ S. 2882, 119th Cong. (2025); *FACT: Democrats Shut Down Government Over Free Healthcare for Illegals*, THE WHITE HOUSE (Oct. 1, 2025), <https://perma.cc/NNV9-7E2D>.

¹⁴ *Medi-Cal Immigrant Eligibility FAQs*, DEP'T OF HEALTH CARE SERVS., <https://perma.cc/U9WA-6XLX?type=image> (last visited Oct. 10, 2025); *Health Benefits for Immigrant Seniors*, ILL. DEP'T OF HEALTHCARE AND FAM. SERVS., <https://perma.cc/4EVT-TPDR> (last visited Oct. 10, 2025); *OmniSalud*, CONNECT FOR HEALTH COLO., <https://perma.cc/2FR9-RBMZ> (last visited Oct. 10, 2025).

¹⁵ Tanya Broder and Gabrielle Lessard, *Overview of Immigrant Eligibility for Federal Programs*, NAT'L IMMIGR. L. CTR. (May 2024), <https://perma.cc/84CR-CLVN>.

¹⁶ *Tuition & Financial Aid Equity for Undocumented Students*, HIGHER ED IMMIGR. PORTAL, <https://perma.cc/RBG8-8DJX> (last visited Oct. 10, 2025); Ray Carter, *Federal Judge Strikes Down Oklahoma's In-State Tuition for Illegal Immigrants*, OCPA (Sept. 3, 2025), <https://perma.cc/3EYT-VF8M>.

public schools and other public institutions benefiting illegal aliens and their children.¹⁷ And of course, countless jurisdictions have adopted “sanctuary” policies explicitly shielding illegal aliens, many of whom are violent criminals, from federal immigration authorities.¹⁸

When federal and state law conflict, the Constitution dictates that federal law prevails.¹⁹ And when the federal government lets Democrat-run localities sabotage immigration enforcement, it signals that obstructing federal law is acceptable—even justified. Such thinking has driven a cascade of violent attacks against federal immigration enforcement in recent months, including in Los Angeles, Chicago, and most shockingly in Dallas, where a sniper attempted to murder ICE agents.²⁰

Our nation’s law enforcement officers, including ICE agents, risk their lives every day to keep Americans safe. It is therefore incumbent upon the Department of Justice to hold states and cities accountable when they encourage illegal entry into the United States and violate federal law. Although the 10th Amendment does bar the federal government from “commandeering” the states to enforce federal law,²¹ it does not permit states to interfere with or obstruct federal law enforcement. Yet this is precisely what pro-illegal immigration Democrats are doing by enacting laws like A.B. 1303.

I therefore respectfully request that you review A.B. 1303, with a particular eye toward potential violations of 8 U.S.C. § 1373, and take all actions necessary to uphold our country’s immigration laws.

Sincerely,



Ted Cruz
Chairman

¹⁷ Madison Marino Doan et al., *The Consequences of Unchecked Illegal Immigration on America’s Public Schools*, THE HERITAGE FOUND. (Feb. 28, 2024), <https://perma.cc/9D2R-PSU6>.

¹⁸ Press Release, U.S. Dep’t of Just., Just. Dep’t Publishes List of Sanctuary Jurisdictions (Aug. 5, 2025), <https://perma.cc/WCG8-DTE4>.

¹⁹ U.S. Const. art. VI, cl. 2.

²⁰ Austin Turner & Dean Fiorese, *Trump Deploying National Guard to Los Angeles as Immigration Protests Ramp Up After Citywide ICE Operations*, CBS NEWS (June 8, 2025), <https://perma.cc/77VN-58VC>; Christine Fernando & Corey Williams, *Protestors Arrested as Demonstrators Block Vehicles at Key Immigration Building Near Chicago*, AP (Sept. 20, 2025), <https://perma.cc/N527-SQ6Y>; Uriel J. Garcia et al., *Shooter’s Notes Say He Intended to Target ICE Officers, Authorities Say*, TEX. TRIB. (Sept. 24, 2025), <https://perma.cc/LB8B-VQMA>.

²¹ See *Murphy v. NCAA*, 548 U.S. 453 (2018); *Printz v. United States*, 521 U.S. 898 (1997).