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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
 AND TRANSPORTATION

WASHINGTON, DC 20510-6125

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October 27, 2025

The Honorable Brendan Carr
 Chairman
 Federal Communications Commission
 45 L Street, NE
 Washington, D.C. 20554

Dear Chairman Carr:

As Democrats continue to hold the federal government hostage unless Republicans agree to, among other things, taxpayer-funded healthcare for those who reside in our country illegally, California Governor Gavin Newsom has added insult to injury by signing a new law, A.B. 1303, to specifically extend the California Lifeline subsidy to “individuals not lawfully present in the United States,”¹ or as they are referred to in statute, “illegal aliens.”² California’s new law also explicitly prohibits the California Public Utilities Commission (CPUC) from sharing, disclosing, or otherwise making information accessible to immigration authorities in apparent violation of federal law.³

This isn’t an isolated occurrence; it’s part of a clear pattern across the country in Democrat-controlled states and cities. California, Illinois, and Colorado routinely spend state taxpayer dollars on healthcare for illegal aliens.⁴ Eighteen states offer college financial aid to illegal aliens, while even more grant them in-state tuition, a practice a federal judge recently found to be unlawful.⁵ Additionally, California, Illinois, Maine, Massachusetts, Minnesota, and

¹ An act to amend Section 2891 of, and to add Section 876.5 to, the Public Utilities Code, relating to communications, 2025 Cal. Legis. Serv. Ch. 347 (A.B. 1303) (WEST) §1 (“A.B. 1303”) (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”).

² See, e.g., 8 U.S.C. § 1621(d).

³ *Supra* note 1; 8 U.S.C. § 1373. This matter is subject to court scrutiny. Heather Cherone & Amanda Vinicky, *Donald Trump Administration Sues Chicago, Cook County and Illinois Over Protections for Undocumented Immigrants*, WTTW News (Feb. 6, 2025), <https://news.wttw.com/2025/02/06/donald-trump-administration-sues-chicago-cook-county-and-illinois-over-protections>.

⁴ *Medi-Cal Immigrant Eligibility FAQs*, Department of Health Care Services, <https://perma.cc/U9WA-6XLX?type=image> (accessed Oct. 10, 2025); *Health Benefits for Immigrant Seniors*, Illinois Department of Healthcare and Family Services, <https://perma.cc/4EVT-TPDR> (accessed Oct. 10, 2025); *OmniSalud*, Connect for Health Colorado, <https://perma.cc/2FR9-RBMZ> (accessed Oct. 10, 2025).

⁵ *Tuition & Financial Aid Equity for Undocumented Students*, Higher Ed Immigration Portal, <https://perma.cc/RBG8-8DJX> (accessed 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>.

Washington give free and discounted food to illegal aliens.⁶ Despite these objective truths, Democrat politicians vehemently insist taxpayer money does not go to illegal aliens.⁷

As you know, federal law generally prohibits aliens who are unlawfully present in the United States from receiving federal benefits.⁸ For this reason, federal programs must remain vigilant against potential loopholes, including fraudulent documentation and automatic eligibility schemes. For example, back in 2022, you and then-Commissioner Nathan Simington noted how the Affordable Connectivity Program's (ACP) lack of a social security number requirement opened the program to abuse by illegal aliens.⁹ This empowered illegal immigration facilitators, including the city of Philadelphia, to brazenly encourage illegal aliens to take full advantage of this subsidy.¹⁰ A \$14.2 billion slush fund, which was supposed to last four to five years, was depleted in just 28 months.¹¹ More broadly, as American Enterprise Institute scholar Matthew Weidinger recently noted, illegal alien heads of households may still receive significant federal benefits through their U.S.-born children.¹²

The Federal Communications Commission (FCC) has a legal obligation to ensure that federal benefits it administers, such as the Lifeline program, are not given to illegal aliens. This responsibility is especially important given that the Universal Service Fund (USF) tax on Americans' phone bills now exceeds 38%, making the prudent stewardship of every dollar critical.¹³

In light of California's enactment of A.B. 1303 to provide taxpayer-funded benefits to illegal aliens and prohibit any cooperation by CPUC with immigration officials, I ask you to provide the following by November 24, 2025:

⁶ Tanya Broder & Gabrielle Lessard, *Overview of Immigrant Eligibility for Federal Programs*, NATIONAL IMMIGRATION LAW CENTER (May 2024), <https://perma.cc/84CR-CLVN>.

⁷ Senate Democrats, *More Lies From Johnson & GOP: Leader Schumer Debunks GOP Lies and Deception Amid Trump Shutdown* (Oct. 6, 2025), <https://perma.cc/CY6L-BQ94>.

⁸ 8 U.S.C. § 1611.

⁹ Statements of Commissioner Brendan Carr and Commissioner Nathan Simington, *Affordable Connectivity Program; Emergency Broadband Benefit Program*, Report and Order and Further Notice of Proposed Rulemaking, 37 FCC Rcd. 484, 656–67, 660 (2022).

¹⁰ *Communications Toolkit: Organizations Serving Immigrants, Refugees, and Multilingual Communities*, City of Philadelphia, <https://perma.cc/ZTU5-PMYP> (accessed Oct. 10, 2025) (“Non-U.S. citizen immigrants...are eligible to receive the Affordable Connectivity Program benefit. ACP does not consider one’s immigration status.”); LaKeisha Davis, *Connectivity for All*, THE CHANGE AGENT (Feb. 2023), <https://perma.cc/DB27-DRSH> (“For millions of Americans who are undocumented immigrants, the Affordable Connectivity Program (ACP) provides access to affordable broadband service.”); *ACP Frequently Asked Questions*, BEYOND THE LAPTOPS, <https://perma.cc/MTK2-EDAT> (accessed Oct. 10, 2025) (“Undocumented immigrants may qualify for the ACP if they are eligible for government assistance such as WIC.”).

¹¹ *Affordable Connectivity Program*, FCC, <https://perma.cc/7529-DPWW> (accessed Oct. 11, 2025).

¹² Matt Weidinger, *Even After the One Big Beautiful Bill, Loopholes Allow Illegal Alien Adults to Receive Welfare and Other Benefits*, AEI (July 17, 2025), <https://perma.cc/NBQ4-8CQJ>.

¹³ *Proposed Fourth Quarter 2025 Universal Service Contribution Factor*, CC Docket No. 96-45, DA 25-840 (OMD Sept. 15, 2025).

1. A comprehensive review of the FCC's current rules, practices, and procedures governing eligibility for the federal benefits under the FCC's jurisdiction, including the Lifeline program and the benefits provided under the Safe Connections Act.¹⁴ As part of this review, please identify any loopholes or any data limitations that may compromise program integrity and increase the risk of illegal aliens receiving federal benefits. Additionally, please review Sections 1 and 2 of A.B. 1303 and determine whether these sections may hinder the FCC and the Universal Service Administrative Company (USAC) for purposes of routine audits and integrity checks.
2. An assessment of whether state-level telecommunication programs that give benefits to illegal aliens are duplicative of federal benefits and should therefore result in those federal benefits being reduced or eliminated.
3. A detailed explanation of the mechanisms by which the FCC and USAC verify that federal Lifeline benefits are not given to non-eligible individuals or households, particularly illegal aliens, including the schedule for and results of periodic forensic audits of the program. As part of this explanation, please review whether households headed by illegal aliens can receive federal Lifeline benefits through their U.S.-born children and whether there are any current safeguards against such abuse, such as a minimum age requirement.
4. A detailed explanation of the mechanisms used, including by the Enforcement Bureau, to hold illegal immigrants and participating providers accountable for violations, including civil and criminal enforcement.
5. Any recommended regulatory or legislative actions needed to fully safeguard the program.

Sincerely,



Ted Cruz
Chairman

¹⁴ Safe Connections Act of 2022, Pub. L. No. 117-223, 136 Stat. 2280 (2022).