



June 12, 2025

Hon. Alex Padilla
United States Senator
331 Hart Senate
Office Building
Washington, DC 20510

Hon. Adam Schiff
United States Senator
Hart Senate Office Building #112
Office Building
Washington, DC 20510

Dear Senators Padilla and Schiff

We, the undersigned members of the California State Legislature write to express our deep dismay and strong opposition to the provisions in the President's so-called "Big Beautiful Bill" that would eviscerate judicial oversight of the executive branch of government by, among other things, invalidating past injunctions against unlawful government action.

As passed by the United States House of Representatives, the bill provides that:

No court of the United States may use appropriated funds to enforce a contempt citation for failure to comply with an injunction or temporary restraining order if no security was given when the injunction or order was issued pursuant to Federal Rule of Civil Procedure 65(c), *whether issued prior to, on, or subsequent to* the date of enactment of this section [emphasis added].

As a practical matter, given that security is not required and almost never ordered under Federal Rule of Civil Procedure 65(c), this language would invalidate virtually all temporary restraining orders, preliminary injunctions, and even permanent injunctions ordered by federal courts—sweeping in its effect on orders, both prospective and historic. Past court orders have run the gamut of our nation's history, including many shameful periods when the government engaged in unlawful conduct: from illegal school segregation in the 1950s and 1960s, to the Trump administration's ongoing efforts to conduct deportations without due process by means of inapplicable wartime powers (and countless others) that have been enjoined by the federal courts.

The current bill language would invalidate court orders meant to ensure government compliance with applicable federal law—both statutory and constitutional—irrespective of the merits of the case and the underlying illegality of the government conduct. The scope of the proposal is shocking and reckless. Its impact to the rule of law and strength of democracy would be catastrophic. While plainly unconstitutional, the provision seeks to shield itself from judicial invalidation by cutting off enforcement mechanisms — effectively daring the courts to intervene while seeking to take away the means of courts to do so. The language lays bare that the Republican majority in the House of Representatives does not care whether the Trump Administration violates the law. Not only is it willing to roll over and give up the power of Congress to check executive power; it wants the judicial branch to do the same.

In the five months since President Trump returned to office, dozens of federal judges have chastised the Trump Administration for obstructing the legal process, making politically motivated sentencing and plea agreements in criminal proceedings, and refusing to adhere to court orders. This provision within the inaptly labeled “Big Beautiful Bill” is a direct assault on the judiciary’s constitutional power to check the executive branch’s overreach. The provision, if signed into law, would amount to an unprecedented act of legislative assault on the core functions of the judicial branch of government. It would strip the judiciary branch of one of the last meaningful checks on the cruel and careless acts of this administration.

Given the dangerous and unprecedented nature of this provision, and in light of its inclusion in a massive bill primarily focused on delivering unneeded tax breaks to the wealthiest Americans, we respectfully request that this language be removed from the President’s tax cutting bill. This provision reflects yet another assault by this administration on our nation’s civic institutions and rule of law. We urge Members of Congress, especially those from the State of California, to exercise their rightful power to stop it.

Sincerely,



ASH KALRA
Chair, Assembly Committee on Judiciary



ROBERT RIVAS
Assembly Speaker, District 29



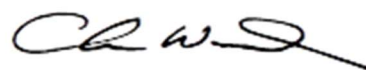
ALEX LEE
Assemblymember, District 24



ISAAC BRYAN
Assemblymember, District 55



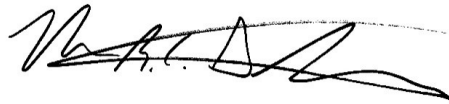
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Assemblymember, District 61



CHRIS WARD
Assemblymember, District 78



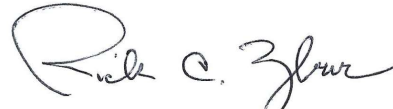
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Assemblymember, District 76



REBECCA BAUER-KAHAN
Assemblymember, District 16



STEVE BENNETT
Assemblymember, District 38



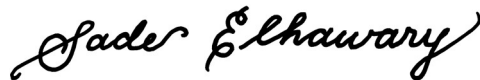
CECILIA AGUIAR-CURRY
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Assemblymember, District 48



COREY JACKSON
Assemblymember, District 60



BLANCA PACHECO
Assemblymember, District 64



DAVID ALVAREZ
Assemblymember, District 80



MIA BONTA
Assemblymember, District 18

Cc: California Delegation of the United States House of Representatives.