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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

WARREN GUNNELS, MAJORITY STAFF DIRECTOR
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May 1, 2023

VIA ELECTRONIC TRANSMISSION

Stewart Knox
Secretary
California Labor & Workforce Development Agency
800 Capital Mall, Suite 500
Sacramento, CA 95814

Secretary Knox,

Under Article II, § 2 of the U.S. Constitution, the Senate has the responsibility to advise the president about presidentially-appointed nominees and the authority to consent to those nominations.¹ On April 20, 2023, the Senate Health, Education, Labor and Pensions (HELP) Committee held a confirmation hearing for Julie Su, President Biden’s nominee for the Department of Labor (DOL) in Washington, D.C.² As part of the Committee’s vetting process for presidentially-appointed nominees, it has come to our attention that, in July 2017, as California State Labor Commissioner, Julie Su issued a memorandum to her staff which allegedly instructed them to refuse entry to U.S. Immigration Customs and Enforcement (ICE) agents who visited state labor offices.³ The memorandum also allegedly directs staff to tell ICE agents “to leave our office” and to demand a search warrant signed by a judge before allowing them onto the premise.⁴

In response to her questions for the record, and in response to Senator Tuberville requesting the production of this memorandum, Julie Su stated that she “does not have access to this reported memo and do[es] not recall its precise contents.” Therefore, pursuant to our constitutional responsibilities, we request that your office produce a copy of the 2017 memorandum issued by Julie Su to the Committee by **May 8, 2023**.

¹ U.S. CONST. ART. II § 2.

² *Nomination of Julie Su to serve as Secretary of Labor: Before the S. Comm. On Health, Education, Labor and Pensions*, 118th Cong. (2023).

³ Natalie Kitroeff, *Officials say immigration agents showed up at labor dispute proceedings. California wants them out*, THE BALTIMORE SUN (Aug. 3, 2023), <https://www.baltimoresun.com/la-fi-ice-california-labor-20170802-story.html>.

⁴ *Id.*

Thank you for your prompt attention to this matter.

Bill Cassidy, M.D.

Dr. Bill Cassidy, M.D.
Ranking Member
Senate Committee on Health, Education,
Labor and Pensions

A handwritten signature in black ink, appearing to read "Tommy Tuberville". The signature is stylized with large, sweeping loops and a prominent horizontal stroke at the top.

Tommy Tuberville
U.S. Senator