

# Perry: "Deferred Action" Doesn't Change State Policies

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Perry's Deferred Action Letter  
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Gov. [Rick Perry](#) advised state agencies on Monday that despite the Obama administration's "deferred action" policy allowing illegal immigrants a two-year reprieve from deportation and a renewable work permit, Texas' policies on persons in the country illegally remain unchanged.

Perry's rebuke of the president's plan, which he called a "slap in the face to the rule of law," comes a week after it took effect.

"To avoid any confusion on the impact of the Obama administration's actions, I am writing to ensure that all Texas agencies understand that Secretary Napolitano's guidelines confer absolutely no legal status whatsoever to any alien who qualifies for the federal "deferred action" designation," Perry wrote [Attorney General Greg Abbott](#) in a letter dated Aug. 16 and sent to state agencies Monday. "In fact, the secretary specifically closed her directive by explaining that [t]his memorandum confers no substantive right, immigration status or pathway to citizenship."

Last week, Arizona Gov. [Jan Brewer](#) issued an executive order denying benefits and driver's licenses to illegal immigrants who apply for deferred action. In Texas, applicants for new driver's licenses or state IDs [must prove legal residency](#), and some applicants for renewals are also required to show legal status or citizenship. That won't change under the new federal policy, Perry spokeswoman Catherine Frazier said.

In his letter, Perry wrote, "These guidelines do not change our obligations under federal and Texas law to determine a person's eligibility for state and local public benefit. Federal law prohibits conferring such benefits to most unlawfully present aliens, absent a state law to the contrary."

The president's new policy, announced on June 15, impacts thousands of immigrants who are younger than 31 and who have graduated or are currently enrolled in school, have earned a GED or have been honorably discharged from the armed forces. They must have lived in the country consistently since June 15, 2007, and cannot have been convicted of a serious misdemeanor, three misdemeanors or a felony.

The objections to deferred action by states like Texas could shift the current debate from election-year politics to enforcement of immigration laws. The federal government has battled several state legislatures that have passed their own immigration laws, arguing that enforcement is solely the jurisdiction of the Obama administration.

In June the U.S. Supreme Court struck down major provisions of Arizona's [controversial SB 1070](#) but upheld one that requires police officers to verify the legal status of people they stop or arrest. Legal experts believe that, as a result, elected officials across the country will look to the law as a roadmap to craft other state-based immigration rules.

<http://www.texastribune.org/immigration-in-texas/immigration/perrydeferred-action-does-not-change-state-policie/>