

June 4, 2013

Secretary Kenneth W. Detzner  
Secretary of State  
Florida Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, Florida 32399

Dear Secretary Detzner:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby veto and transmit my objections to House Bill 235 enacted during the 115th Session of the Legislature of Florida, during the Regular Session of 2013 and entitled:

An act relating to requirements for driver licenses...

Florida is home to immigrants of many nationalities, who add to the cultural fabric of our great state, and whose productivity and hard work have contributed to our economic turnaround. Still, our nation struggles with immigration issues every day, as Americans seek to reconcile the fact that at one point our families were immigrants who came, as many do today, to work and live the American dream with the fact that the federal government has failed at enforcing the nation's laws on this topic.

Despite the federal government's inability to enforce the nation's current immigration laws or to find common ground on how to change them, the United States Department of Homeland Security (DHS) announced in a June 2012 memo the immediate establishment of a "Deferred Action Process for Childhood Arrivals." Through this process DHS provides that a young person illegally brought to the United States as a child will not be subject to removal if the individual meets certain criteria. Qualifying for deferred action status does not confer substantive rights or lawful status upon an individual; it does not create a pathway to a green card or citizenship; nor does it extend to any family members of the person granted the status either. Deferred action status is simply a policy of the Obama Administration, absent Congressional direction, designed to dictate removal action decisions using DHS agency discretion. It was never passed by Congress, nor is it a promulgated rule.

Given that deferred action status does not confer substantive rights or lawful status upon an individual, Florida is best served by relying on current state law. Already, Florida law allows those with a federal employment authorization card, without regard to their deferred action status, to obtain a temporary Florida driver license. Although the Legislature may have been well intentioned in seeking to expedite the process to obtain a temporary driver license, it should not have been done by relying on a federal government policy adopted without legal basis.

For the reasons stated above, I withhold my approval of House Bill 235, and do hereby veto the same.  
Sincerely,

Rick Scott  
Governor