



# News Release

## Office of the Attorney General

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CONTACT: Leigh Ann A. Jones  
(615) 741-5860

### **Attorney General's Statement on *Texas v. U.S.***

Tennessee Attorney General Herbert Slatery today notified the appropriate parties that the State will join a lawsuit brought by attorneys general and governors from 24 other states to challenge the President's recent executive action on immigration.

Slatery said, "Our office has carefully considered whether to join this lawsuit and concluded that it is in the best interest of the State to do so. While the subject of the executive action was immigration, the lawsuit is not about immigration. It is really more about the rule of law and the limitations that prevent the executive branch from taking over a role constitutionally reserved for Congress. The executive directives issued by the White House and Homeland Security conflict with existing federal law. They replace prosecutorial discretion, normally determined on a case by case basis, with a unilateral nonenforcement policy protecting over 4 million people. The directives also are rules that have been issued without complying with the Administrative Procedures Act. However frustrating and painstakingly long the federal legislative process may be, making law is the prerogative of Congress, not the executive branch. Congress can resolve all of the issues raised by this lawsuit, and the executive directives for that matter, by timely enacting legislation. But in the meantime the State cannot sit on the sidelines of this case, when unlawful directives of this magnitude grant lawful presence and other rights like work permits to such a large number. Asking a court to review this issue is the prudent choice, especially when state resources will be taxed under the directives to provide benefits like unemployment compensation and health care."

Tennessee joins Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Maine, Michigan, Mississippi, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, West Virginia and Wisconsin, in the litigation. The States' complaint was filed in the Federal District Court of Texas and requested a preliminary injunction.