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Released date: 28-April-2008

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Source of document: Chief of Staff
Office of Information and Privacy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001
(202) 514-FOIA

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This is our final response to your Freedom of Information Act (FOIA) request dated May 22, 2003, and received in this Office on May 29, 2003, in which you requested the contents of the FOIA processing file associated with this Office's request numbered AG/03-R0320. This response is made on behalf of the Office of Information and Privacy.

By letter dated July 21, 2005, we advised you that we are continuing to process the remaining fifty-seven documents responsive to your request and would provide you with a response once consultations were completed and disclosure determinations were made. Please be advised that the fifty-seven specified responsive documents did not accurately reflect the amount of material still being processed by this Office because fifteen of those fifty-seven documents were referred to other federal entities as detailed in that same letter. As such, the correct total of remaining responsive documents being processed by this Office is forty-two.

I have determined that thirty-seven documents, totaling fifty-five pages, are appropriate for release without excision and copies are enclosed. Please note that one of these documents contains information outside the scope of your request, and that material has been redacted accordingly. In addition, two documents, totaling two pages, are being released in part with excisions made pursuant to Exemption 5 of the FOIA, 5 U.S.C. § 552(b)(5), which pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. One document, totaling one page, is being withheld on behalf of the United States Citizenship and Immigration Services of the Department of Homeland Security pursuant to the deliberative process privilege of Exemption 5. Lastly, one document, totaling twenty-seven pages, is being withheld on behalf of the Federal Emergency Management Agency of the Department of Homeland Security pursuant to Exemption 2 of the FOIA, 5 U.S.C. § 552(b)(2), which pertains to purely internal agency practices, and pursuant to the deliberative process privilege of Exemption 5.

Because the remaining one document, totaling five pages, is of primary interest to the Department of State, we have referred it to that federal entity for processing and direct response to you. You can contact the Department of State at the following address:

Margaret P. Grafeld
Director, Office of IRM Programs and Services, SA-2
Department of State
5th Floor
Washington DC 20522-6001
Finally, and as we advised in our letter of July 21, 2005, because some records have been withheld and others referred, your final duplication fee would be significantly less than was first estimated. We have now determined that no duplication fee will be assessed for this request. Also in our letter dated July 21, 2005, we asked that you complete the attached sheet with the appropriate information and return it in the enclosed franked envelope so that this Office could initiate a refund with the Consolidated Executive Office of the Department of Justice. We have no record of having received this information from you. As such, we are requesting it once again. This Office will submit the refund request once we have received your reply. The Consolidated Executive Office will then send the refund directly to you. We apologize for this inconvenience.

If you are not satisfied with the action of the United States Citizenship and Immigration Services and the Federal Emergency Management Agency with regard to the documents withheld in full, you may administratively appeal by writing to Freedom of Information Act/Privacy Act Appeals, Associate General Counsel, General Law Division, Department of Homeland Security, Washington, DC 20528, within sixty days from the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you are not satisfied with my action on your request, you may administratively appeal by writing to the Director, Office of Information and Privacy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, within sixty days from the date of this letter. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

Carmen L. Mallon
Chief of Staff

Enclosures
Mr. Robert Perito  
Coordinator for Prevention of Alien Smuggling  
Bureau of INM  
Department of State  
Room 7333  
Washington, DC 20520

Dear Mr. Perito:

Preliminary comments have been received from participating agencies concerning the draft emergency immigration plan, "Operation Distant Shore."

There is substantial agreement on the agency roles outlined in the plan. The issue of port closures remains unresolved, however, and needs further consideration prior to the full interagency review of the plan. I therefore request your agency's participation in a staff-level meeting to discuss in detail the various port closure strategies. A preliminary outline of the pros and cons of the various options is attached.

The meeting has been scheduled for Friday, October 29, 1993, at 2:00 P.M., in the Andretta Room, Main Justice Building, 10th and Constitution Ave., N.W. The Andretta Room is located on the first floor, at the 10th and Constitution Avenue entrance. Please contact David Nachtsheim, INS Emergency Planning Coordinator, at (202) 514-2964, to confirm your agency's attendance at this meeting.

Thank you for your cooperation and I look forward to seeing you on October 29.

Sincerely,

Phyllis Coven
Dear Mr. Hays:

Thank you for your agency's participation in the November 9, 1993, inter-agency meeting regarding the mass immigration emergency plan, "Operation Distant Shore."

As discussed at the meeting, we are entering the final stage of the planning process which includes compiling a detailed list of those agency resources which can be relied upon in the case of an emergency.

We ask that each agency on the enclosed list update, by November 29, 1993, its appendix to the 1983 immigration emergency plan, a copy of which is enclosed. For those agencies not included in the 1983 plan, or for whom a 1983 appendix was not prepared, please submit a list of the resources your agency can make available to fulfill its responsibilities under the plan.

Please submit the revised agency appendix or list of resources to D. Jerry Rubino, Director, Security and Emergency Planning Staff, Justice Management Division, by November 29, 1993. Mr. Rubino and his staff are available to assist you in the preparation of this material. Mr. Rubino's address is

Dennis Hays
Director
Cuba Desk
U.S. Department of State
2201 C Street, N.W., Room 3250
Washington, D.C. 20520
as follows: U.S. Department of Justice, Security and Emergency Planning Staff, Room 6525, 10th Street and Constitution Avenue, N.W., Washington, D.C. 20530. The telephone number is (202) 514-2360 and the fax number is (202) 514-1728.

I appreciate your cooperation in this important project.

Sincerely,

Webster L. Hubbell
Associate Attorney General

Enclosure(s)

cc: Marc Susser
SPECIAL INSTRUCTIONS:

Certain organizations receiving their appendix from the 1983 Mass Immigration Emergency Plan have provided comments on their statement of responsibilities contained in the "Operations Plan Summaries" section of the November 4, 1993 draft "Operation Distant Shore." Such agencies should ensure that the statement of responsibilities in this section of the November 4, 1993 ODS plan includes updated versions of all pertinent information contained in the 1983 appendix, including names, titles and phone numbers of points of contact plus a complete list of resources if appropriate. If you have any questions please contact Tony Vasaio or Alan Ferber on 202-514-2360.
LIST OF DEPARTMENTS AND AGENCIES
RESPONSIBLE FOR UPDATING APPENDIX
TO 1983 MASS IMMIGRATION EMERGENCY PLAN

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation
Bureau of Prisons
U.S. Marshals Service
Office of Legal Counsel
Office of Legislative Affairs
Executive Office for U.S. Attorneys
Immigration and Naturalization Service
Office of Public Affairs

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration
U.S. Coast Guard

HEALTH AND HUMAN SERVICES

Public Health Service
Administration for Children and Families

CENTRAL INTELLIGENCE AGENCY

OFFICE OF MANAGEMENT AND BUDGET

DEPARTMENT OF STATE

GENERAL SERVICES ADMINISTRATION

DEPARTMENT OF DEFENSE

DEPARTMENT OF TREASURY

U.S. CUSTOMS
From: COLGATE, STEPHEN R., AAG, JMD
To: DAG

Subject: 11-02-94 MEMO ATTACHING A PREPARED LETTER TO GOVERNOR LAWTON CHILES OF FLORIDA, INFORMING HIM OF DOJ'S PROGRESS ON THE DOJ MASS IMMIGRATION EMERGENCY PLAN "OPERATION DISTANT SHORE;" INS CONCURS; FOR DAG SIGNATURE.

Action/Information: Signature Level: DAG

Referred To: Assigned: Action:
DAG;GORELICK 11/02/94
JMD;COLGATE 11/14/94

Remarks:
(1) FOR SIGNATURE. (2) DAG SIGNED LETTER DATED 11-14-94. PACKAGE RETURNED TO JMD FOR DISPATCH. KGM J94102804377

Comments:

File: TRANSITORY-94 DAG
From: MAKRIS, JIM, EPA
To: ASG

Subject: 07-29-94 LETTER (REC'D FROM OASG), ON BEHALF OF ADMINISTRATOR BROWNER AND ELLIOTT P. LAWS, EPA, RESPONDING TO ACTING ASG/BRYSON'S MEMO DATED JULY 11, 1994, CONCERNING THE FINAL REVISION OF THE INS' OPERATION DISTANT SHORE MASS IMMIGRATION EMERGENCY PLAN, (THE PLAN). SEE E.S. 94080221355 CONTROL SHEET ATTACHED

Action/Information: Assigned: Action: NONE
Referred To: JMD; RUBINO

Remarks: INFO CC: ASG (1) FOR APPROPRIATE HANDLING.

Comments:

File: TRANSITORY-94 ASG
From: KRIMM, RICHARD W., FEMA
To: ASG

Subject: 09-06-94 LETTER (W/COver Note FROM OAG/LAIRD TO THE ASG, ODAG/WAXMAN & JMD/RUBINO DATED 09-07-94) ADVISING THAT OFFICES WITHIN FEMA ARE STILL IN THE PROCESS OF COORDINATING ON THE JUNE 1994 VERSION OF THE MASS IMMIGRATION EMERGENCY PLAN. SEE E.S. 94080221354 CONTROL SHEET ATTACHED - NO RECORD OF CORRES. FROM MR. WITT DATED MAY 1994 IN EXEC. SEC.

Action/Information: Signature Level: NONE
Referred To: Assigned: Action:
ASG; SCHMIDT 09/08/94

Remarks:
INFO CC: ODAG (WAXMAN) OASG (COVEN), JMD (RUBINO) (1) FOR INFORMATION.

Comments:

File: TRANSITORY-94 ASG
From: KRIMM, RICHARD W., FEDERAL EMERGENCY MANAGEMENT AGENCY
To: ASG
Subject:
10-07-94 LETTER (REC'D FROM OASG) ADVISING THAT FEMA HAS COMPLETED ITS REVIEW OF THE JUNE 1994 REFORMATTED COORDINATION DRAFT OF THE MASS IMMIGRATION EMERGENCY PLAN "OPERATION DISTANT SHORE." ATTACHES GENERAL COMMENTS AND SPECIFIC REVISIONS THAT WOULD BE NECESSARY TO OBTAIN FEMA CONCURRENCE ON THE DOCUMENT.

Action/Information: 
Signature Level: ASG
Referred To: ASG; SCHMIDT
Assigned: Action: 10/14/94
Remarks:
INFO CC: DAG, ODAG (COVEN), INS, JMD (RUBINO). (1) FOR APPROPRIATE HANDLING.
Comments:
File: TRANSITORY-94 ASG
January 20, 1995

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE DEPUTY ATTORNEY GENERAL

THROUGH: Seth P. Waxman
Associate Deputy Attorney General

FROM: Amy Jeffress
Special Assistant to the Deputy Attorney General

SUBJECT: Mass Immigration Emergency Plan Exercises

PURPOSE: To inform you of the schedule for the Mass Immigration Emergency Plan tabletop exercises and to invite you to make opening remarks.

TIMETABLE: The exercises are scheduled for January 25 in Tallahassee, Florida, and February 1 and 8 in Washington.

DISCUSSION:

The Department's emergency planning staff, the INS, and an exercise planning contractor have scheduled tabletop exercises of the Department's Mass Immigration Emergency Plan. We are planning three tabletop seminars for January and February, to be followed by full two-day exercises in June.

The first event will be a joint state-federal tabletop exercise in Tallahassee, Florida, on January 25. John Hogan has agreed to participate in this exercise, accompanied by Dave Nachtsheim from INS and Greg Laird, the DOD Liaison to the USMS. Julie Anbender and I will also attend, in addition to Ken Leutbecker from CRS and a number of additional participants from...
INS. John will be acting as the Department’s Immigration Emergency Coordinating Officer in this exercise.

The second tabletop exercise will be a federal interagency meeting here in the Great Hall on February 1. We expect to have approximately 100 participants from nearly twenty federal agencies. To underscore the importance of the event, we hope that you will deliver five minutes of opening remarks (now set for 8:30 a.m.). If you agree to participate and are available, I will work with Roxie to put this on your schedule.

Following your remarks, there will be a briefing on the "Incident Annex," the document you recently approved that integrates the Department’s Mass Immigration Emergency Plan with FEMA’s Federal Response Plan. Many of the participants will be familiar with the former draft of our emergency plan but will not be aware of FEMA’s new role in the process. This briefing will be followed by an overview of the exercise scenario.

After this introductory session, the participants will be divided into five groups according to their functional responsibilities. These groups will walk through the emergency scenario and discuss the issues that would be raised by the hypothetical events described in the scenario. The Department will be responsible for coordinating the leadership group (consisting of the support team director and the leaders of operations, financial management, information and planning, public and congressional relations, and international affairs). Seth Waxman has agreed to take the lead in facilitating this group. The day will conclude with a plenary session of all the participants so that each group leader can present the most significant issues raised by the exercise.

The final meeting in this initial round of tabletop exercises will be a February 8 senior policy group exercise. The agenda will be similar to the February 1 meeting, with two exceptions: there will be a very limited number of participants and the event will only last a half day. We have invited Dick Krimm from FEMA; General Jared Bates from the Joint Staff; Judy Miller (General Counsel) and Robert Scales (Director of Military Support) from Defense; Alexander Watson and Phyllis Oakley from State; Admiral Studeman from the CIA; Eric Schwartz from the NSC; Philip Lee, Assistant Secretary, HHS; George Weise, Commissioner of the Customs Service; Roger Johnson, Administrator, GSA; and Admiral Saunders from the Coast Guard, in addition to Doris Meissner, Alex Aleinikoff, Walter Dellinger, Steve Colgate, Carl Stern, Jeff Weiss, and Richard Scruggs.

Unless you or the DAG wishes to, Seth will chair this senior policy group seminar. The group will review the phases of the plan and will focus on policy questions raised by the January 25 and February 1 exercises. Unless you wish to chair the event, we
would like you to make opening remarks for this seminar in addition to the February 1 seminar and participate in the senior policy group to the extent that you wish and your schedule permits.

RECOMMENDATION:

1. That you present five minutes of opening remarks at February 1 session.

   AGREE TO PRESENT REMARKS

   DAG SHOULD PRESENT REMARKS

2. That you make opening remarks to the senior policy group exercise on February 8.

   AGREE TO PRESENT REMARKS

   DAG SHOULD PRESENT REMARKS

AG6 Approved 1/30/95
August 8, 1994

MEMORANDUM FOR THE ATTORNEY GENERAL
AND THE DEPUTY ATTORNEY GENERAL

FROM: Seth P. Waxman
Associate Deputy Attorney General

Amy Jeffress
Special Assistant to the Deputy Attorney General

SUBJECT: Personnel Requirements for Mass Immigration Emergency Plan

PURPOSE: To advise you of the duties and responsibilities of personnel involved in Operation Distant Shore, the Mass Immigration Emergency Plan and to obtain your guidance on appointments to key positions.

TIMETABLE: Personnel decisions should be made soon in order to include the selected persons in exercises of the Plan, which are scheduled to begin in August and continue over the next six months.

DISCUSSION:

There are three personnel decisions that are critical to activation of Operation Distant Shore, the Mass Immigration Emergency Plan. In light of recent events, it is essential to designate the persons who would serve in these positions as soon as possible so that they can become acquainted with their responsibilities under the Plan and will be prepared to respond in the event of an emergency.

This memorandum describes the duties and responsibilities of each of these three officials and how each fits within the overall command structure envisioned by the Plan. The three key officials are: the Immigration Emergency Federal Coordinating Officer (IEFCO), the Lead Federal Operating Agent (LFOA), and the lead official on the Emergency Support Team (EST).
Command Structure

At the highest level, the Plan will be directed by the Immigration Emergency Response Group (IERG), which will be chaired by the Attorney General and will meet as directed by the Attorney General or the President. The IERG is composed of the heads (or their designees) of each federal agency with a role in the Plan.

The overall plans established by the IERG will be implemented by the Emergency Response Team (ERT), the working-level group that will meet at the location of the emergency to coordinate, monitor, and direct local operations during the emergency response, under the guidance of the IEFCO and the LFOA. The ERT will coordinate law enforcement, public information, congressional liaison, community relations and outreach, and other emergency response activities.

The Emergency Support Team (EST) will convene in the DOJ Command Center and coordinate response activities, on a 24-hour basis, from the Department of Justice. The EST will perform strategic and monitoring functions, while the ERT works to implement actual operations at the site of the immigration emergency.

1. Immigration Emergency Federal Coordinating Officer (IEFCO)

The IEFCO is the principal planning and operating agent of the President. The Plan provides that the Attorney General will designate the Associate Attorney General or another DOJ official to serve as the IEFCO. The IEFCO will head the Emergency Response Team (ERT) and will be responsible for coordinating overall emergency response activities, coordinating with the IERG on any matters that require national-level decisions or direction, determining and coordinating state support requirements, and tasking federal agencies to perform missions and operations in the Plan and any additional actions that become necessary. If needed, the IEFCO will raise to the IERG policy issues and problems requiring IERG coordination and resolution.

The IEFCO will be the principal spokesperson for federal activities relating to the Plan and will direct the operations of the Joint Information Center for media relations and congressional affairs in the area of emergency response operations. The IEFCO will also provide regular reports to the IERG and the Attorney General.

The Plan assumes that the Associate Attorney General would serve as the IEFCO. Because INS’s reporting authority is being transferred to the DAG, however, presumably the DAG would substitute for the Associate as the default IEFCO under the Plan. Due to the enormous amount of time that would be required if the
Plan were activated, it would probably be impractical for the DAG to serve as the IEFCO. We should therefore plan to appoint another DOJ official to serve as the IEFCO and conduct exercises based on that assumption.

The IEFCO must be a high-level federal official with the authority to give commands to the federal agencies involved in implementation of the Plan and to coordinate with the State Coordinating Officer. The IEFCO must also have the complete confidence of the Attorney General and of the IERG. The ideal candidate would also have experience in responding to crisis situations.

2. Lead Federal Operating Agent (LFOA)

The LFOA is the deputy to and the principal operating agent of the IEFCO, designated to act for and exercise the powers of the IEFCO during periods when the IEFCO is absent from the area of the mass immigration emergency. The LFOA must have the authority to guide, to coordinate, and to task daily operations of federal agencies involved in the implementation of the Plan, to coordinate with the State Coordinating Officer and the Defense Coordinating Officer, and to undertake any activities for the IEFCO in the IEFCO's absence.

The LFOA must therefore command the respect of the officials from the federal agencies involved in the Plan. Ideally, the LFOA would have significant federal government experience. The LFOA should also be familiar with the area where the immigration emergency is likely to occur so the LFOA can coordinate the federal response with state and local activities. In addition, the LFOA must have the complete confidence of the Attorney General.

In considering who to appoint as IEFCO or LFOA, please bear in mind that the INS District Director, as the official in charge of the INS office at the site of the emergency, has his own specific duties under the Plan. The INS is the lead agency in designating and training other agency personnel to assist in immigration law enforcement; patrolling ports of entry; coordinating maritime and aerial interdiction operations; coordinating immigration inspections; coordinating landing, apprehension, search, seizure, screening, staging, and transportation operations; and coordinating exclusion and deportation proceedings. The District Director at the site of the emergency would be responsible for that office's participation in these activities and for coordinating with the other agencies involved.
3. Director of Emergency Support Team

The DOJ official in charge of the Emergency Support Team will direct that team's activities, on behalf of and in the absence of the IEFCO. This official would take the lead on coordinating activities from DOJ when the IEFCO is at the site of the emergency, and will serve as the point of contact in the Command Center for communicating with the LFOA and with others working at the site of the emergency.

RECOMMENDATION:

We recommend that you consider these needs and advise us on (1) who should serve as the IEFCO; (2) who should serve as the LFOA; and (3) who should serve as the director of the Emergency Support Team.

IEFCO
High-level federal (preferably DOJ) official, responsible for overall coordination.

LFOA
Official responsible for operations and coordination at site of emergency. Ideal candidate would have significant federal experience and respect of federal agencies, familiarity with location where emergency is likely to occur, and complete confidence of Attorney General.

EST Director
Official responsible for day-to-day response coordination in DOJ Command Center.
The Honorable Tom Lewis  
United States House of Representatives  
Washington, D.C. 20515  

Dear Representative Lewis:

Thank you for the letter that you and several members of the Florida Congressional delegation forwarded, welcoming me to my new duties and offering your assistance in facilitating completion of the Federal Mass Immigration Emergency Plan. The following is an update on the status of the plan.

Revisions to the February 1994 draft are now being made to reflect requested agency changes and the recent reorganization of the Immigration and Naturalization Service. I expect these revisions to be completed by the end of next week, at which time a final coordination draft of the plan will be distributed, followed by the final proof. Please bear in mind that the remaining changes are minor, and the plan is currently operational as written.

The two outstanding local issues are the planning of a temporary staging facility in South Florida and finding alternatives to the federal deputation of state and local law enforcement officials to provide assistance to INS. I am pleased to report that agreement has been reached on a location for a temporary staging facility. Preliminary logistical planning for this site has been completed and the appropriate contracting documents between the concerned governmental agencies are now being prepared for approval. Debbie Kilmer, of the State of Florida Office in Washington, can provide you with more details on this issue if necessary.

Regarding the deputation issue, the State of Florida has proposed entering into a mutual aid agreement with INS to provide the necessary assistance. However, it has been determined that INS lacks the authority to confer immigration enforcement power on state and local officers through such an agreement. This deficiency can be corrected through federal legislation, and we at some point may propose such a measure. In the meantime, INS District Office and the U.S. Marshals Service are taking the
appropriate preparatory steps for deputation of state and local officers. I am confident that this approach will provide the necessary assistance to INS in the event of an emergency.

Thank you again for your letter, and I look forward to working with you and the delegation to insure that the emergency plan is carefully prepared and properly implemented.

Sincerely,

William C. Bryson
Acting Associate Attorney General

cc: Jamie Gorelick, DAG
    Sheila Anthony, OLA
From: CHILES, LAWTON, GOVERNOR OF FLORIDA, TALLAHASSEE, FL
To: AG.

Subject:
05-03-91 LETTER (FAX COPY REC'D FROM OAG) REGARDING ANTICIPATED POLITICAL CHANGES IN CUBA. ADVISES THAT HE IS REESTABLISHING A FREE CUBA COMMISSION WHOSE APPOINTEES SHALL REPRESENT FEDERAL, STATE AND LOCAL GOVERNMENT, AND THE DADE COUNTY, FL, COMMUNITY. REQUESTS THAT HE BE UPDATED ON THE STATUS OF THE EXISTING MASS IMMIGRATION EMERGENCY PLAN, AND HOW DOJ INTENDS TO ALLOCATE RESOURCES FROM THE EMERGENCY TRUST FUND, COMMUNICATE WITH AFFECTED STATE AND LOCAL **

Action/Information: Signature Level: DAG

Referred To:
INS;McNARY 05/07/91
DAG;BARR 06/07/91
EXS;INS;MCNARY 07/23/91
INS;MCNARY 07/23/91

Remarks:
** OFFICIALS, AND INITIATE AND IMPLEMENT OVERALL RESPONSIBILITY FOR COORDINATING THE FEDERAL EFFORT. INFO CC: OAG, OAG (SCHALL), DAG, OLS
(1) PREPARE RESPONSE FOR DAG SIGNATURE AND RETURN THRU EXEC. SEC., ROOM 4400-AA. 05-08-91: ORIGINAL REC'D IN EXEC. SEC. & FILED IN AG FILES. (PAB) (2) W/MEMO FROM INS/MCNARY TO THE DAG DATED 06-06-91 SUBMITTING PREPARED RESPONSE FOR THE DAG'S SIGNATURE. (MAU) (SEE E.S. 91062811891.)
07-09-91: PER ODAG/FORD, DD EXT. FROM 06-14-91 TO (1) DAG SIGNED LETTER DATED 07-23-91. ORIGINAL PACKAGE FORWARDER TO INS FOR DISPATCH. (MAU) (SEE E.S. 91112119521, 92010600131.)

Comments:
07-22-91 - DOCUMENT REQUIRED REVISION. (MAU) RJF CORRECTED LTR, TO WPB 7/22/91

File: GOVERNORS
From: CHILES, LAWTON, GOVERNOR OF FLORIDA, TALLAHASSEE, FL  
To: AG.  
Date Received: 05-06-91  Date Due: 07-22-91  Control #: X910507082625  
Subject & Date  
05-03-91 LETTER (FAX COPY REC'D FROM OAG) REGARDING ANTICIPATED POLITICAL CHANGES IN CUBA. ADVISES THAT HE IS REESTABLISHING A FREE CUBA COMMISSION WHOSE APPOINTEES SHALL REPRESENT FEDERAL, STATE AND LOCAL GOVERNMENT, AND THE DADE COUNTY, FL, COMMUNITY. REQUESTS THAT HE BE UPDATED ON THE STATUS OF THE EXISTING MASS IMMIGRATION EMERGENCY PLAN, AND HOW DOJ INTENDS TO ALLOCATE RESOURCES FROM THE EMERGENCY TRUST FUND, COMMUNICATE WITH AFFECTED STATE AND LOCAL **  
  
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Remarks  
(1) DAG SIGNED LETTER DATED 07-23-91. ORIGINAL PACKAGE FORWARDED TO INS FOR DISPATCH. (MAU)  

Other Remarks:  

FILE: GOVERNORS  

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY

***************************************************************************************
The Honorable Lawton Chiles  
Governor of Florida  
The Capitol  
Tallahassee, Florida 32399-0001  

Dear Governor Chiles:

Thank you for your recent letter to the Attorney General regarding the Mass Immigration Plan for South Florida. The Department of Justice shares your concerns regarding the political situation in Cuba and appreciates your interest in the Mass Immigration Emergency Plan.

Because of these concerns, the Immigration and Naturalization Service (INS) has initiated an effort to update and refine the draft plan. The INS District Office in Miami is coordinating this effort. Three recent multi-agency planning sessions have been held; the most recent of which was conducted at the Coast Guard Station in Key West on May 10th. The goal of these planning sessions has been to develop a plan which will be acceptable to all involved Federal, State, and local agencies.

The INS plans to have incorporated the suggestions of the various participating agencies into a revised draft Mass Immigration Emergency Plan for South Florida. It is my understanding that a meeting will be rescheduled soon in Florida to review this updated draft.

In addition to representatives from your office and several local governments, the May 10th meeting was attended by representatives from the Department of Community Affairs Emergency Management Division; Florida Department of Law Enforcement; Florida National Guard; and the Florida Marine Patrol.

The Immigration Emergency Fund was discussed at some length at the meeting, and I am sure that by now you have been thoroughly briefed by your staff on this issue. Nonetheless, the following information is provided in response to specific questions raised in your letter.
At the outset of a mass immigration emergency, INS and other Federal agencies will immediately implement the plan.

Based on information from a variety of sources (including but not limited to Federal law enforcement agencies, the Intelligence Community, the Governor's office, etc.), the National Security Council will recommend to the President whether or not a Presidential Proclamation should be issued. The Immigration Emergency Fund contains provisions for reimbursement to States and localities whether or not a Presidential Proclamation has been issued; without a Proclamation, however, reimbursement to States and localities would be limited to $20 million. All requests for reimbursement will be considered by the Department of Justice, but actual disbursement will depend, of course, upon the exact nature of the emergency.

I am optimistic that in the very near future, a workable plan will be drafted and formalized by the appropriate Federal, State, and local officials. Again, I thank you for your interest in the Mass Immigration Emergency Plan for South Florida and for the excellent cooperation exhibited by the various Florida agencies.

Sincerely,

William P. Barr
Deputy Attorney General
From: CHILES, LAWTON, GOVERNOR, STATE OF FLORIDA
To: AG. 
Date Received: 09-08-92 Date Due: 09-24-92 Control #: X92091013432 
Subject & Date 08-24-92 LETTER REPORTING ON THE PROGRESS THAT HAS BEEN MADE TOWARD INCORPORATING THEIR CONCERNS INTO THE FINAL DRAFT OF THE MASS IMMIGRATION EMERGENCY PLAN FOR FLORIDA. ADVISES THAT THEY HAVE NOT YET RECEIVED A RESPONSE TO THE JULY 10, 1992, LETTER FROM DEPT. OF COMMUNITY AFFAIRS SEC. LINDA LOOMIS SHELELY TO ADAG/GREIVELDINGER RECOMMENDING THAT THE DRAFT PLAN BE REVISED TO REFLECT THE IMMEDIATE TRANSPORTATION OF REFUGEES TO TEMPORARY HOUSING AND **

Other Remarks:
(1) PREPARE RESPONSE FOR AG SIGNATURE AND RETURN THRU EXEC. SEC., ROOM 4400-AA, FOR TRANSMITTAL TO THE AG. 
09-15-92 PER ODAG/REINHARDT, CC TO ODAG CAPPUCIO. BJ 022-10-93: ADMINISTRATIVELY CLOSED OUT PER RMYAHN. (EEW)

OLA CONTACT: 9/10/92 GRG FYI; DAG CC TO GRG FOR ACTION; CC TO RJF FYI FILE: IMMIGRATION/HAITIANS I920910 1229

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
**********************************************************************
From: CHILES, LAWTON, GOVERNOR OF THE STATE OF FLORIDA
To: AG.

Subject: 05-25-93 "DEAR JANET" LETTER (FAX) STRESSING THE NEED FOR DOJ TO CONTINUE NEGOTIATIONS WITH THE STATE OF FLORIDA AND OTHER RELEVANT LOCAL GOVERNMENTS ON A MASS IMMIGRATION EMERGENCY PLAN. ADVISES THAT ON-GOING MEETINGS HAD TAKEN PLACE UNDER THE BUSH ADMINISTRATION AND PROGRESS WAS BEING MADE. HE WOULD HOPE THAT DOJ WOULD STEP IN AND INSURE THAT THE NEGOTIATIONS AND AN EFFECTIVE PLAN ARE A PRIORITY.

Action/Information: Signature Level: AG.

Referred To: Assigned: Action:
INS; SALE 05/26/93
ASG; HUBBELL 06/17/93
OAG; RENO 06/22/93

Remarks:
INFO CC: OAG (RENO), ACTING ASG, ODAG. (1) PREPARE RESPONSE FOR AG'S SIG. AND RETURN W/CONTROL SHEET AND INCOMING CORRESPONDENCE TO EXEC SEC, ROOM 4400-AA. 06-01-93: ORIGINAL LETTER REC'D IN EXEC SEC. ON 05-28-93 AND FORWARDED TO AG FILES. (MAU) (2) W/MEMO FROM INS TO THE AG DATED 06-17-93 SUBMITTING PREPARED RESPONSE FOR AG SIGNATURE. TO ASG FOR CONCURRENCE. RETURN THRU EXEC SEC. BJ (SEE E.S. 94050913652) (3) ASG CONCURRED ON 06-21-93. TO AG FOR SIGNATURE. BJ 09-09-93: PER OAG/TEMPLETON, CLOSED OUT - AG HAS SEEN BUT NO FURTHER ACTION NECESSARY. (MAU) (SEE E.S. 93121628855)

Comments:
DOUG FRAZIER FOR INFO 5/26/93

File: INS/INS-DOJ MASS IMMIGRATION EMERGENCY PLAN
DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: CHILES, LAWTON, GOVERNOR OF THE STATE OF FLORIDA
To: AG.
Date Received: 05-25-93 Date Due: 05-29-93 Control #: X93052610543

Subject & Date
05-25-93 "DEAR JANET" LETTER (FAX) STRESSING THE NEED FOR DOJ TO CONTINUE NEGOTIATIONS WITH THE STATE OF FLORIDA AND OTHER RELEVANT LOCAL GOVERNMENTS ON A MASS IMMIGRATION EMERGENCY PLAN. ADVISES THAT ON-GOING MEETINGS HAD TAKEN PLACE UNDER THE BUSH ADMINISTRATION AND PROGRESS WAS BEING MADE. HE WOULD HOPE THAT DOJ WOULD STEP IN AND INSURE THAT THE NEGOTIATIONS AND AN EFFECTIVE PLAN ARE A PRIORITY.

Referral To: Date: Referred To: Date:
(1) INS;SALE 05-26-93 (5) W/IN:
(2) ASG;HUBBELL 06-17-93 (6)
(3) OAG;RENO 06-22-93 (7) PRTY:
(4) INTERIM BY: DATE:
Sig. For: AG. Date Released: 09-09-93 EHZ

Remarks
INFO CC: OAG (RENO), ACTING ASG, ODAG.
(1) PREPARE RESPONSE FOR AG'S SIG. AND RETURN W/CONTROL SHEET AND INCOMING CORRESPONDENCE TO EXEC SEC, ROOM 4400-AA. 06-01-93: ORIGINAL LETTER REC'D IN EXEC SEC. ON 05-28-93 AND FORWARDED TO AG FILES. (MAU)
(2) W/MEMO FROM INS TO THE AG DATED 06-17-93 SUBMITTING PREPARED RESPONSE FOR AG SIGNATURE. TO ASG FOR CONCURRENCE. 09-09-93: PER OAG/TEMPLETON, CLOSED OUT - AG HAS SEEN BUT NO FURTHER ACTION NECESSARY. (MAU) (SEE E.S. 93121628855)

Other Remarks:
RETURN THRU EXEC. SEC. BJ (SEE E.S. 94050913652)
(3) ASG CONCURRED ON 06-21-93. TO AG FOR SIGNATURE. BJ 09-09-93: PER OAG/TEMPLETON, CLOSED OUT - AG HAS SEEN BUT NO FURTHER ACTION NECESSARY. (MAU) (SEE E.S. 93121628855)

DOUG FRAZIER FOR INFO 5/26/93
FILE: INS/INS-DOJ MASS IMMIGRATION EMERGENCY PLAN

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY
**********************************************************************
The Honorable Janet Reno  
Attorney General of the United States  
Department of Justice  
10th Street and Constitution Avenue, N.W.  
Washington, D.C. 20530  

Dear Janet:

I have been watching your early days with great amusement and admiration. My pride in your nomination has only been magnified by your gritty performance thus far.

I did not want to burden you personally with this issue but the lack of an appointment of a Commissioner of the Immigration and Naturalization Service (INS) and the importance of the matter to Florida leaves me no choice.

As you know, of late any chances for a negotiated, diplomatic solution for Haiti appear bleak. With this being the case, I must stress the need for the Justice Department to continue negotiations with the State of Florida and our relevant local governments on a mass immigration emergency plan. On-going meetings had taken place under the Bush Administration and progress was being made. I would hope that your Department would step in and insure that the negotiations and an effective plan are a priority.

Several of the meetings have been held in Florida and we would welcome the opportunity to host the appropriate agency officials in either Miami or Tallahassee in the near future. State officials have been provided with copies of the latest draft and look forward to discussing it with officials from the Justice Department and the other Federal agencies who have a defined mission in the mass immigration plan.

Please contact me at (904)488-2272 or arrangements can be made with Debby Kilmer of our Washington Office at (202)624-5885. I appreciate your attention to this matter and know you fully realize its potential for Florida.

With warmest regards and best wishes,

Sincerely,

LAWTON CHILES

cc:  Commissioner Tim Moore  
Florida Department of Law Enforcement

Secretary Linda Shelley  
Florida Department of Community Affairs
From: CHILES, LAWTON, GOVERNOR OF THE STATE OF FLORIDA
To: AG.
Date Received: 05-09-94 Date Due: 05-13-94 Control #: X940509136529

Subject & Date
05-06-94 "DEAR JANET" LETTER (FAX REC'D FROM OAG) REGARDING THE RELEASE OF THE FINAL REGULATIONS GOVERNING THE MASS IMMIGRATION EMERGENCY FUND THAT THEY HAVE BEEN ANTICIPATING FOR SEVERAL YEARS. THEY ARE UNABLE TO FULLY COMPLY WITH THE "RULES" GOVERNING APPLICATIONS FOR THE FUNDS UNTIL THE REGULATIONS ARE PROMULGATED. REQUESTS AN INFORMAL CONSULTATION FOR FLORIDA "TO FACILITATE DISCUSSION OF THE NATURE OF THE ASSISTANCE PROVIDED BY STATE OR LOCAL GOVT." ADVISES THAT *

Remarks
07-26-94. CLOSE OUT, PER OASG/COVEN 07-22-94. (EEW)

Other Remarks:

FILE: GOVERNORS/GENERAL

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY

**********************************************************************
**From:** CHILES, LAWTON, GOVERNOR OF THE STATE OF FLORIDA  
**To:** AG.  
**Date Received:** 05-09-94  
**Date Due:** 05-13-94  
**Control #:** X94050913652  

**Subject & Date:**  
05-06-94 "DEAR JANET" LETTER (FAX REC'D FROM OAG) REGARDING THE RELEASE OF THE FINAL REGULATIONS GOVERNING THE MASS IMMIGRATION EMERGENCY FUND THAT THEY HAVE BEEN ANTICIPATING FOR SEVERAL YEARS. THEY ARE UNABLE TO FULLY COMPLY WITH THE "RULES" GOVERNING APPLICATIONS FOR THE FUNDS UNTIL THE REGULATIONS ARE PROMULGATED. REQUESTS AN INFORMAL CONSULTATION FOR FLORIDA "TO FACILITATE DISCUSSION OF THE NATURE OF THE ASSISTANCE PROVIDED BY STATE OR LOCAL GOVT." ADVISES THAT *  

**Remarks:**  
* CONDITIONS IN HAITI, AS WELL AS THE BAHAMAS, CONTINUE TO COMPEL HAITIANS TO FIND A SAFE HAVEN. IT IS INCUMBENT UPON THE FEDERAL GOVT TO PLAN AND PROVIDE FOR THESE PEOPLE. REQUESTS THAT THIS LETTER BE CONSIDERED AS ANOTHER APPLICATION FOR FUNDS FROM THE EMERGENCY RELIEF FUNDS. (SEE E.S. 94031508187(9), 93121628855(9), 93061612359, 93052610543 AND 93101823427 CONTROL SHEETS ATTACHED.)  

**Other Remarks:**  
INFO CC: OAG (RENO), ODAG (MARKUS), INS, OLS.  
(1) FOR APPROPRIATE HANDLING. SEE E.S. 94031508187(9) - PREPARED RESPONSE IN ODAG FOR CONCURRENCE - COMPLETE FILE ATTACHED. ORIG LTR REC'D & FORWARDED TO AG FILES. (EHZ)  

05-10 AG NOTED  

FILE: GOVERNORS/GENERAL
May 6, 1994

Honorable Janet Reno
United States Attorney General
Department of Justice
Tenth and Constitution Avenue, NW
Washington, DC 20530

Dear Madam Attorney General:

For several years we have been anticipating the release of the final regulations governing the Mass Immigration Emergency Fund. As you know, we are unable to fully comply with the "rules" governing applications for the funds until the regulations are promulgated. We are frustrated that they are still not available in final form; however, I intend to use them as guidance in this request. Therefore, this letter will serve as Florida's request for informal consultation "to facilitate discussion of the nature of the assistance provided by state or local government."

There is no way for anyone to accurately predict the onslaught of a mass immigration influx. At the same time, there is absolutely nothing which assures me that the State will not continue to receive entrants daily. During the month of April alone, the Border Patrol apprehended 439 Haitians and 42 Cubans; the Coast Guard apprehended 612 Haitians and 726 Cubans. Of this number of Haitians, only 212 were repatriated, and none of these numbers reflect the 105 Haitians and 6 Cubans picked up already in May. These detected entries, and other entries not detected, have occurred from as far south as the Keys to as far north as Martin County. Simply put, the people of Florida continue to experience the overwhelming burden of illegal immigration.

When the 411 Haitians arrived on April 21, the US Public Health Service requested assistance with the health processing from the Florida Department of Health and Rehabilitative Services Administrator located in the Miami area. In addition, the Florida Department of Corrections was requested to stand by with buses for use as transport for Haitians to the Krome Detention Center; the Florida Department of Law Enforcement staff was also on call, as was the Florida Division of Emergency Management.

General, I believe that these requests made by the federal government to the state government, demonstrate clearly that the federal government "requires the resource of a state or local government to ensure the proper administration of the immigration laws of the United States or to meet urgent demands arising from the presence of aliens in a state or local government's jurisdiction."
I further believe that no matter what measuring stick is used in this instance, Florida should be allowed access to the emergency funds. There may be other costs at both the state and local level, which I will be prepared to document as we draw from the emergency fund.

Conditions in Haiti as well as in the Bahamas continue to compel Haitians to find a safe haven. It is incumbent upon the federal government to plan and provide for these people. The state of Florida does not enact or enforce US immigration policy and consequently does not believe we should bear the financial burden of illegal aliens. Please consider this letter as another application for funds from the emergency relief funds.

As always, I appreciate your cooperation and the openness of your staff. With kind regards, I am

Sincerely,

[Signature]

Lawton Chiles

LC/dn
Fax Cover Sheet

Following 3 pages (including cover sheet)

Date: 5/6/94

To: General Janet Reno

Fax #: 202-514-0055

From: LC

Executive Office of the Governor
Phone (904) 488-5603
Fax (904) 922-4292

Message:

Fax Operator

Fax Sec-222
From: CHILES, LAWTON, GOVERNOR OF FLORIDA
To: AG.
Date Received: 12-15-93 Date Due: NONE
Subject & Date
12-09-93 LETTER CALLING THE AG'S ATTENTION TO THREE SPECIFIC CONCERNS REGARDING THE THOUSANDS OF WOULD-BE-REFUGEES WHO HAVE REACHED FLORIDA'S SHORES DURING THE PAST YEAR: (1) THE CUMULATIVE EFFECT OF THE ENTRANTS IS WEARING DOWN FLORIDA'S CAPABILITY TO EFFECTIVELY CARE FOR THEM; (2) MANY OF THE HAITIANS WHO HAVE TAKEN UP RESIDENCE IN THE BAHAMAS ARE NOW SEEKING ENTRY INTO THE U.S. THROUGH FLORIDA; AND (3) THE IDENTIFICATION AND ESTABLISHMENT OF RECEPTION FACILITIES IN*

Referred To: Date: Referred To: Date:
(1) ASG; HUBBELL 03-11-94 (5) OAG; RENO 04-22-94 SPEC:
(2) OAG; RENO 03-15-94 (6)
(3) OAG; RENO 04-15-94 (7)
(4) DAG; GORELICK 04-15-94 (8)

INTERIM BY: Date: Date Released: OPR: Sig. For: AG.

Remarks
(1) W/MEMO FROM INS TO THE AG DATED 03-09-94 SUBMITTING A PREPARED RESPONSE FOR AG SIG; THRU ASG FOR CONCURRENCE. (CYN)
(2) ASG CONCURRED ON 03-11-94 TO AG FOR SIGNATURE. KGM
(3) W/MEMO (COPY) FROM THE ASG TO THE AG DATED 04-13-94, SUBMITTING A PREPARED RESPONSE FOR AG SIG. (ORIGINAL PACKAGE WAS DELIVERED DIRECTLY TO OAG/TEMPLETON AND A COPY WAS PROVIDED TO ODAG/CORRIGAN) UPDATED CONTROL SHEET

Other Remarks:
PROVIDED TO INS. KGM (SEE E.S. 94050913652)
(4) ORIGINAL PKG RECEIVED FROM OAG/TEMPLETON FOR FORWARDING TO DAG FOR REVIEW AND CONCURRENCE ASAP. KGM
(5) DAG INITIALED AND forwarded TO AG FOR SIG. (CYN)
3/11/94 /S/ TO E.S.
04-15 TO E.S. FOR DAG CONCURRENCE

FILE: IMMIGRATION/GENERAL
From: CHILES, LAWTON, GOVERNOR OF FLORIDA
To: AG.
Date Received: 12-15-93 Date Due: 01-04-94 Control #: X93121628855

Subject & Date
12-09-93 LETTER CALLING THE AG's ATTENTION TO THREE SPECIFIC CONCERNS REGARDING THE THOUSANDS OF WOULD-BE-REFUGEES WHO HAVE REACHED FLORIDA's SHORES DURING THE PAST YEAR: (1) THE CUMULATIVE EFFECT OF THE ENTRANTS IS WEARING DOWN FLORIDA's CAPABILITY TO EFFECTIVELY CARE FOR THEM; (2) MANY OF THE HAITIANS WHO HAVE TAKEN UP RESIDENCE IN THE BAHAMAS ARE NOW SEEKING ENTRY INTO THE U.S. THROUGH FLORIDA; AND (3) THE IDENTIFICATION AND ESTABLISHMENT OF RECEPTION FACILITIES IN*

Remarks
* FLORIDA FOR THE "TEMPORARY" DETENTION OF ENTRANTS. THE GOVT HAS MADE NO COMMUNICATION WITH THE STATE ON THIS MATTER AND THE UNCERTAINTY OF WHERE THESE PEOPLE WOULD BE DETAINED IN THE IMMEDIATE STAGES OF AN EMERGENCY IS OF GRAVE CONCERN TO HIM. REQUESTS A STATUS REPORT ON THE IDENTIFICATION PROCESS. (SEE EXEC. SEC. 93101823427, 93061612359, 93052610543 AND 93040105001 CONTROL SHEETS ATTACHED.)

Other Remarks:
INFO CC: OAG (RENO), ASG, OASG (COVEN), OLS.
(1) PREPARE RESPONSE FOR AG SIG AND RETURN W/CONTROL SHEET AND INCOMING CORRESPONDENCE TO EXEC. SEC., ROOM 4400-AA.
02-03-94: OASG/ANDRE REQ. COPY OF INCOMING. (MLH)

FILE: IMMIGRATION/GENERAL
MEMORANDUM FOR THE ATTORNEY GENERAL
THE DEPUTY ATTORNEY GENERAL

FROM: William C. Bryson
Acting Associate Attorney General

Phyllis A. Coven
Deputy Associate Attorney General

SUBJECT: Letter to Governor Chiles Regarding Illegal Immigration

PURPOSE: To obtain the signature of the Attorney General to a letter to Governor Chiles responding to several concerns he has raised regarding the impact of illegal immigration in Florida.

TIMETABLE: The Attorney General has requested expedited handling.

SYNOPSIS: Letter outlines the measures being taken by the Justice Department to address the issue of costs to state and local governments of illegal immigration.

RECOMMENDATION: Approve and forward to Governor Chiles.

APPROVE ________________

Concurring components:

DISAPPROVE ________________

OTHER ________________

Exec Sec: Original has been provided to OAG/ Templeton
Copy has been provided to DAG/ Corrigan
Dear Madam Attorney General:

You are well aware that during the past year thousands of would-be-refugees have reached Florida's shores. I know that your Department and the Immigration and Naturalization Service are working to stem that tide. However, I must call to your attention three specific concerns which are most troublesome at this time.

First, the cumulative effect week after week of hundreds of entrants is wearing down the State's capability to effectively care for these people. It is in fact a mass migration in slow motion with an impact which is just as damaging to the fabric of our communities as a mass influx. I acknowledge full well the very serious humanitarian dilemma the immigrants are experiencing but also must protect the providers and people of South Florida who are still suffering the aftereffects and strains of Hurricane Andrew.

Second, the blockade appears to be discouraging Haitians from leaving Haiti; however, many of the 25,000 to 40,000 Haitians who have taken up residence in the Bahamas are now seeking entry into the U.S. through Florida. That flow seems to be uninterrupted with boatloads arriving weekly in Florida. I have written to Secretary Christopher to urge that during negotiations concerning the stabilization of a democratic government in Haiti, the issue of thousands of Haitians in the Bahamas also be discussed with both Haitian and Bahamian officials. It would seem beneficial to protect those Haitians in the Bahamas or another third country until a government is recognized in their homeland.

Finally, in the State's continuous negotiations with the Justice Department and other federal agencies on the development of a mass immigration emergency plan, I am very pleased with the progress under the leadership of your Department. There is one issue which remains unresolved that, in my view, is key to the effectiveness of the overall plan. That is the identification and establishment of reception facilities in Florida for the temporary detention of entrants. It is the opinion of State officials that the responsibility for this mission has been assigned to the INS in conjunction with the GSA. It is still unclear whether any progress has been made in such an identification. In fact, no communication has been made with the State on this matter. State officials did meet with the Department of Defense and reported to
me that it is clear that the Department is prepared to accept large numbers of immigrants from the fifth day onward under the supervision of DoD and INS officials. However, the uncertainty of where these same people would be detained in the immediate stages of an emergency - days one through five - is of grave concern to me as I believe this time is at the crux of the problem. I would appreciate a status report on this identification process.

In closing, I do appreciate all the efforts made to bring this mass immigration plan to reality. As much has been accomplished in the last ten months as has been accomplished in the last ten years, including the publication of the proposed rules on the emergency fund. We look forward to seizing the opportunity afforded by the establishment of such a fund.

With best wishes to you,

Sincerely,

[Signature]

LAWTON CHILES

LC/jth/dk

cc: President Bill Clinton
Florida's Congressional Delegation
Department Of Justice
Executive Secretariat
Control Sheet

Date Of Document: 06/15/93
Date Received: 06/16/93
Due Date: 06/30/93

Control No.: 930616-12359
ID No.: 175122

From: CHILES, LAWTON, GOVERNOR OF FLORIDA
To: AG.

Subject:
06-15-93 LETTER (FAX) REQUESTING THAT THE AG UTILIZE HER AUTHORITY, IN ACCORDANCE WITH THE TERMS OF SECTION 404, 66 STAT. 280, AS AMENDED (SEE NOTES, 8 U.S.C. SECTION 1101), TO ALLOCATE FUNDS UNDER THE IMMIGRATION EMERGENCY FUND TO REIMBURSE AND ASSIST AGENCIES IN SOUTH FLORIDA IN RESPONDING TO THE NEEDS OF THOUSANDS OF WOULD-BE REFUGEES SEEKING ASYLUM IN THEIR STATE. ADVISES THAT THE STATE'S INABILITY TO CARE FOR WOULD-BE REFUGEES IS INTENSIFIED **

Action/Information: 
Signature Level: AG.

Referred To: INS;SALE
Assigned: Action: 06/16/93

Remarks:

Comments:
07-15-93 ASG REPLIED BY LETTER DATED 07-14-93. (TJ)

File: INS/INS-DOJ MASS IMMIGRATION EMERGENCY PLAN
From:  CHILES, LAWTON, GOVERNOR OF FLORIDA
To:    AG.

Subject:  03-14-94 LETTER EXPRESSING HIS CONCERN BY THE COSTS THAT ARE IMPOSED ON
STATE AND LOCAL GOVERNMENTS AS A RESULT OF THE PRESENCE OF UNDOCUMENTED
REFUGEES IN OUR COMMUNITIES. SINCE IMMIGRATION POLICY AND ENFORCEMENT IS A
FEDERAL RESPONSIBILITY, IT IS HIS BELIEF THAT THE FEDERAL GOVERNMENT
SHOULD BEAR THE BURDEN OF ITS INABILITY TO ENFORCE LAWS. ATTACHES A REPORT
WHICH POINTS OUT THE COST TO FLORIDA OF UNDOCUMENTED IMMIGRANTS IN 1993.
HOPES THIS REPORT WILL **

Action/Information:    Signature Level:  AG.
Referred To: Assigned: Action:

INS; MEISSNER 03/15/94
OAG; RENO 04/15/94
EXS; DAG; GORELICK 04/15/94
DAG; GORELICK 04/15/94
OAG; RENO 04/22/94
DAG; GORELICK 05/06/94
OAG; RENO 05/10/94
DAG; MARKUS 05/17/94
DAG; MARKUS 05/17/94
OAG; RENO 05/17/94

Remarks:
** AID IN THE QUEST TO OBTAIN COMPENSATION FOR THE UNFAIR BURDEN IMPOSED ON THE STATES BY ILLEGAL IMMIGRANTS. (REC'D FROM OAG) INFO CC W/INCOMPLETE ATTACHMENTS: OAG (RENO), ASG, OASG (COVEN), OLS. (1) PREPARE RESPONSE FOR AG SIG. & RETURN W/ENCLOSURES TO EXEC. SEC., ROOM 4400-AA. ORIGINAL ENCLOSURE TO INS. (2) W/MEMO (COPY) FROM THE ASG TO THE AG DATED 04-13-94, SUBMITTING A PREPARED RESPONSE FOR AG SIG. (ORIGINAL PACKAGE WAS DELIVERED DIRECTLY TO OAG/TEMPLETON AND A COPY WAS PROVIDED TO ODAG/CORRIGAN) UPDATED CONTROL TO INS. (1) ORIGINAL PKG RECEIVED FROM OAG/TEMPLETON FOR FORWARDING TO DAG FOR REVIEW AND CONCURRENCE ASAP. (PROPOSED RESPONSE ALSO Responds to E.S. 94031107750(9) AND 93121628855(9).) (2) INITIALED BY THE DAG AND FORWARDED TO AG FOR SIG. (CYN) (SEE E.S. 94033009878(9)). (3) PER OASG/COVEN, REVISED LETTER Forwarded to ODAG/MARKUS FOR REVIEW. RETURN TO EXEC SEC. (CYN) 05-09-94: DUE DATE CHANGED TO "NONE". SEE FURTHER LETTER FROM GOV. CHILES - E.S. 94050913652. (4) ODAG/MARKUS CONCURRED ON 05-09-94. TO AG FOR SIG. KGM (1) W/NOTE FROM OASG/COVEN TO OAG/TEMPLETON DATED 05-17-94, SUBMITTING A REVISED RESPONSE FOR AG SIG. TO ODAG/MARKUS FOR CONCURRENCE. KGM (2) ODAG/MARKUS INITIALED ON THE "THRU" LINE. TO AG FOR SIGNATURE. KGM 05-19-94 AG SIGNED LETTER DATED 05-19-94 BY OAG. ORIGINAL MAILED BY EXEC. SEC. ON 05-19-94. CC TO INS. (TJ) SEE E.S. 94060816369

Comments:
04-15 TO E.S. FOR DAG CONCURRENCE

File:
From: CHILES, LAWTON, GOVERNOR OF FLORIDA  
To: CLINTON, PRESIDENT BILL (CC: AG.)  

Subject:  

Remarks:  
** OF ANY IMMINENT SITUATIONS WHICH COULD SIGNIFY OR PROMPT A MASS IMMIGRATION. INFO CC: OAG (RENO), DAG, ASG, OASG (COVEN), OLS. (1) FOR INFORMATION. (SEE E.S. 93121628855, 94050913652)

Comments:  
10/18 TO NATHAN FOR INFO;

File: IMMIGRATIONS/HAITIANS
From: CHILES, LAWTON, GOVERNOR, TALLAHASSEE, FLORIDA
To: AG.
Subject: 08-18-94 LETTER (FAX REC'D FROM OAG) ADVISING THAT HE HAS ISSUED AN EXECUTIVE ORDER FORMALLY DECLARING THAT THE CURRENT CUBAN REFUGEE CRISIS CONSTITUTES A STATE OF EMERGENCY FOR THE STATE OF FLORIDA. IMPLORES THE AG TO IMMEDIATELY IMPLEMENT THE FEDERAL MASS IMMIGRATION EMERGENCY PLAN, TO PROTECT THE PEOPLE AND COMMUNITIES OF FLORIDA. ENCLOSURE. (SEE E.S. 94050913652(9) & 94062918435 - SHEETS ATTACHED.)

Action/Information: 
Referred To: INS; MEISSNER
Assigned: Action: 08/18/94

Remarks:
NOTE: OAG HAND CARRIED COPY TO OAG (HOGAN). INFO CC: OAG (RENO), ODAG (MARKUS, WAXMAN), ASG, OASG (COVEN), OPL. (1) PREPARE RESPONSE FOR AG SIGNATURE. RETURN W/CONTROL SHEET AND INCOMING LETTER TO EXEC. SEC., ROOM 4400-AA. 08-25-95: ORIGINAL REC'D AND FORWARDED TO AG FILES. (EHZ) (2) PER INS, REASSIGN TO ODAG/JEFFRESS. PREPARE RESPONSE FOR AG. SIG. RETURN W/CONTROL SHEET & INCOMING LETTER TO EXEC. SEC., ROOM 4400-AA. (DAN) 01-30-95: PER NOTE, ODAG/JEFFRESS MET WITH DEBBIE KILMER OF MR. CHILES OFFICE REGARDING THIS MATTER - CLOSED OUT. KGM

Comments: MTG BETWEEN JEFFRESS & DEBBIE KILMER CLOSED OUT CASE
File: INS/DOJ-INS MASS IMMIGRATION EMERGENCY PLAN
From: CHILES, LAWTON, GOVERNOR, TALLAHASSEE, FLORIDA  
To: AG.  
Date Received: 08-18-94  
Date Due: 12-15-94  
Date Released: 01-30-95
Subject & Date
08-18-94 LETTER (FAX REC'D FROM OAG) ADVISING THAT HE HAS ISSUED AN EXECUTIVE ORDER FORMALLY DECLARING THAT THE CURRENT CUBAN REFUGEE CRISIS CONSTITUTES A STATE OF EMERGENCY FOR THE STATE OF FLORIDA. IMPLORES THE AG TO IMMEDIATELY IMPLEMENT THE FEDERAL MASS IMMIGRATION EMERGENCY PLAN, TO PROTECT THE PEOPLE AND COMMUNITIES OF FLORIDA.

ENCLOSURE.
(SEE E.S. 94050913652(9) & 94062918435 - SHEETS ATTACHED.)

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<th>Referral To</th>
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<td>(5)</td>
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<td>DAG; JEFFRESS</td>
<td>12-01-94</td>
<td>(6)</td>
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INTERIM BY:
Sig. For: AG.  
Date Released: 01-30-95

Remarks
NOTE: OAG HAND CARRIED COPY TO OAG (HOGAN).
INFO CC: OAG (RENO), ODAG (MARKUS, WAXMAN), ASG, OASG (COVEN), OPL.
(1) PREPARE RESPONSE FOR AG SIGNATURE. RETURN W/CONTROL SHEET AND INCOMING LETTER TO EXEC. SEC., ROOM 4400-AA. 08-25-95: ORIGINAL REC'D AND FORWARDED TO AG FILES. (EHZ)
(2) PER INS, REASSIGN TO ODAG/JEFFRESS. PREPARE RESPONSE

Other Remarks:
FOR AG. SIG. RETURN W/CONTROL SHEET & INCOMING LETTER TO EXEC. SEC., ROOM 4400-AA. (DAN)
01-30-95: PER NOTE, ODAG/JEFFRESS MET WITH DEBBIE KILMER OF MR. CHILES OFFICE REGARDING THIS MATTER - CLOSED OUT. KGM
MTG BETWEEN JEFFRESS & DEBBIE KILMER CLOSED OUT CASE
FILE: INS/DOJ-INS MASS IMMIGRATION EMERGENCY PLAN

REMOVE THIS CONTROL SHEET PRIOR TO FILING AND DISPOSE OF APPROPRIATELY

******************************************************************************
August 18, 1994

Honorable Janet Reno
United States Attorney General
Department of Justice
Tenth and Constitution Avenue, NW
Washington, DC 20530

Dear Madam Attorney General:

Today, I have issued the attached Executive Order formally declaring that the current Cuban refugee immigration crisis constitutes a state of emergency for the State of Florida. Accordingly, I implore you to immediately implement the Federal Mass Immigration Emergency Plan—to protect the people and communities of Florida and to protect the lives of the refugees.

Already, state and local resources are being expended as necessary to respond to the logistical and humanitarian needs created by this crisis. For the short term—until federal resources and personnel are in place and operational—I have begun to implement Florida's Emergency Immigration Plan.

Candidly, however, I strongly insist that the federal government quickly assume its proper role of first, direct and long-term responsibility for logistics, humanitarian needs and costs. Florida expects and deserves reimbursement for costs that we are expending. I renew my consistent appeal for release of critically needed dollars from the Immigration Emergency Fund, for which Florida submitted an application several weeks ago.

Surely, our shared commitment is to respond to the need for both protection of our people and communities—and meeting the human needs of the refugees. I await your timely reply to our urgent requests.

With kind regards, I am

Sincerely,

Lawton Chiles

cc: Florida's Congressional Delegation
    Members of Florida's Cabinet
    Honorable Pat Thomas
    Honorable Bo Johnson
    Honorable Ken Jenne
    Honorable John Long
    Chief Justice Stephen Grimes
WHEREAS, numerous small and large watercraft are arriving daily in Dade and Monroe County transporting refugees from Cuba, and this situation is expected to continue indefinitely, and

WHEREAS, the current dramatic influx of Cuban refugees seeking political asylum is creating continuing and serious problems of health, shelter and traffic control, and

WHEREAS, certain additional specialized equipment and personnel may be required to assist in refugee interdiction, sheltering and related efforts

NOW, THEREFORE, I, LAWTON CHILES, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a), Florida Constitution, Section 252.31 et seq., Florida Statutes, Section 250.06, Florida Statutes (1993), and all other applicable laws do hereby promulgate the following Executive Order:

Section 1

A state of emergency exists in Dade and Monroe Counties as a result of the dramatic increase in the number of Cuban refugees.

Section 2

The Adjutant General of the Florida National Guard is hereby authorized to call to active duty all personnel and equipment of
the Florida National Guard as are necessary to support civil authorities during this emergency. All requests for the assistance of the Florida National Guard shall be coordinated through the Division of Emergency Management Florida Department of Community Affairs.

Section 3

The executive director of the Florida Department of Law Enforcement, acting under the Governor as the state's chief law enforcement officer, shall serve as liaison and guide the flow of requests from local law enforcement for requesting law enforcement services from the Florida National Guard, should that become necessary.

Section 4

The Emergency Mass Immigration Standard Operating Procedure in the State Comprehensive Emergency Management Plan is hereby activated. The State Coordinating Officer shall have the power, authority and duties to take any and all action under the Plan necessary for the preservation of the health, welfare and safety of the people of Florida.

Section 5

The Director, Department of Community Affairs, Division of Emergency Management, shall be the State Coordinating Officer. All State Executive Departments, State agencies and all county and municipal agencies having emergency capabilities or facilities shall render all available assistance as may be
requested through the State Coordinating Officer. The State Coordinating Officer is authorize-\textup{d}, in accordance with s. 252.41, Florida Statutes, to provide such support from available personnel, equipment and other resources of state agencies and political subdivisions of the state as may be necessary to reinforce emergency management support forces in areas impacted by this emergency.

Section 6

All agencies and persons having information relating to this emergency shall report such information to the Division of Emergency Management, Florida Department of Community Affairs.

Section 7

This executive order shall be effective for a period of sixty days unless extended or dissolved earlier.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, on this 18th day of August, 1994.

GOVERNOR

ATTEST:

SECRETARY OF STATE
MEMORANDUM FOR THE ATTORNEY GENERAL
AND THE DEPUTY ATTORNEY GENERAL

THROUGH: Seth P. Waxman
Associate Deputy Attorney General

FROM: Amy Jeffress
Special Assistant to the Deputy Attorney General

SUBJECT: Coordination with FEMA and Exercise Planning on Mass Immigration Emergency Plan

PURPOSE: To inform you of the progress in coordinating FEMA's Federal Response Plan with the Department's Mass Immigration Emergency Plan and of the tentative schedule for plan exercises.

DISCUSSION:

Over the past few months, there has been some confusion over the role that FEMA should play in a mass immigration emergency. The Department's Mass Immigration Emergency Plan, Operation Distant Shore, envisioned that the Justice Department would be the lead agency in coordinating the federal response to mass immigration and that FEMA would have a role as a consultant and support agency. When Fidel Castro announced in July that he would no longer enforce departure restrictions and Cubans began arriving in Florida in large numbers, we quickly realized that the Department does not have the logistical expertise necessary to take the lead in planning the operational response to a mass immigration emergency. At that point, FEMA was called upon to support the Department in a logistical management role. As a result of the change in the policy toward the Cuban rafters, which took place shortly thereafter, FEMA's participation was not ultimately needed. We still believe, however, that if a mass immigration emergency were to overwhelm Justice Department capabilities and resources, it would be necessary to have FEMA coordinate the federal response.

On September 19, 1994, Jamie Gorelick, Seth Waxman, and I met with Morton Halperin of the NSC, FEMA Director James Witt, and two senior FEMA officials to discuss FEMA's role in immigration emergency planning. We agreed to plan to have FEMA
participate as lead agency in managing the federal response to a mass immigration emergency (within the continental U.S.). The FEMA officials agreed that FEMA would work closely with the Department in revising the Mass Immigration Emergency Plan and would take part in upcoming exercises of the Plan that the Department has arranged with Titan Corporation.

Following that meeting, on September 28, representatives of the Department, including INS officials, met with FEMA planning officers to confirm this understanding and to set a timetable for proceeding with the emergency plan development and exercises. This working group1/ has begun to discuss how the Department and FEMA will divide responsibilities in a mass immigration emergency. The goal is to develop a "bridge" document to facilitate a transition from Operation Distant Shore to FEMA's Federal Response Plan in the event that an immigration emergency overwhelms the Department's capabilities.

A tentative calendar for the coordination and development of the plan, including the exercise schedule, is attached.

cc: Alan Ferber
    Greg Laird
    Jerry Rubino
    Tony Vasaio

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1/ I am participating in this group, along with Greg Laird, Defense Department liaison to the Marshals Service; Tony Vasaio, Assistant Director, Department of Justice Emergency Planning Group; Alan Ferber, Attorney Advisor, Emergency Planning Group; and Dave Nachtsheim, INS, Office of the Assistant Commissioner for Intelligence.
FEMA/DOJ Mass Immigration Emergency Planning
Tentative Calendar for Planning Coordination and Exercises

Week of October 3: FEMA and INS will submit to the working group an initial draft of the bridging document linking Operation Distant Shore and the Federal Response Plan.

Week of October 10: Working group reviews/approves draft of bridging document and submits to DOJ and FEMA leadership for approval.

Titan Corporation assists INS in developing concept of exercise.

Week of October 17: Bridging document is reviewed/approved within FEMA and DOJ.

Week of October 24: Plan submitted to other agencies for coordination.

INS and Titan Corporation begin meeting with Florida and federal regional officials to discuss exercise plans.

Week of October 31: Titan interviews federal officials to develop exercise plans.

Week of November 14: Titan develops tabletop exercise based on interviews with Florida and federal officials.

Week of November 21: Final draft of bridging document reviewed/approved by other participating agencies and finalized.

Week of December 5: Participants of tabletop exercises scheduled for January are notified.

Week of December 19: Completion of training for facilitators of January exercises.

Week of January 3: INS and Titan complete dry run of tabletop exercise.
Week of January 16: Tabletop exercise held in Washington.

Week of January 23: Tabletop exercise held in Florida.

Week of January 30: DOJ/INS and FEMA meet with Titan to develop plans for full field exercise.
### ROUTING AND TRANSMITTAL SLIP

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**REMARKS**

Once the joint draft has been signed by DOJ, FEMA would like to do a joint transmittal letter to the Department of Agencies. I will work on a format and clear it through FEMA's protocol specialists.

Please telephone me once the package is signed. (I will be on leave next week.)

202-646-3491

**DO NOT** use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: [Name, org. symbol, Agency/Post]  
Lisa Wilson  

**OPTIONAL FORM 41 (Rev. 7-76)**

Prepared by EEA  
FPMR (41 CFR) 101-11.204
MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE DEPUTY ATTORNEY GENERAL

THROUGH: Seth P. Waxman
Associate Deputy Attorney General

FROM: Amy Jeffress
Special Assistant to the Deputy Attorney General

SUBJECT: Document Integrating FEMA's Federal Response Plan with the DOJ Mass Immigration Emergency Plan

PURPOSE: To obtain your approval of the attached Annex to the Mass Immigration Emergency Plan.

DISCUSSION:

The attached document was drafted by a working group of Department of Justice and FEMA representatives to establish procedures for FEMA's participation in responding to a mass immigration emergency. The document is an Annex to Operation Distant Shore, the Department's Mass Immigration Emergency Plan, and integrates that plan with FEMA's Federal Response Plan. Seth and I have reviewed the document with FEMA representatives and Eric Schwartz from the NSC to ensure that it reflects our understanding of the role that FEMA would play in an immigration emergency.

The document has been approved by FEMA Director James Witt and is attached at Tab A for your signature. Once you have approved this draft, it will be circulated for comment to the other agencies involved in the Mass Immigration Emergency Plan. The few remaining issues to be resolved, which are described in the footnotes of the document, will be addressed and incorporated into the final version of this document, along with any acceptable changes suggested by other agencies during the comment process.

The Mass Immigration Emergency Plan itself is being revised in light of new understanding of the roles of FEMA and the NSC. Because the plan will be revised further to incorporate changes...
arising from the January and February exercises, it will not be circulated until those changes have also been made. A new revised plan should be ready for circulation this spring.

RECOMMENDATION:

That you approve and sign the attached Plan to be circulated to other agencies for coordination.

APPROVE:

Dated: January 10, 1995

DISAPPROVE:

OTHER: