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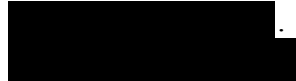


FEMA

June 18, 2017

SENT VIA E-MAIL TO: john@greenewald.com

John Greenewald
The Black Vault



Re: FEMA FOIA Case Number 2015-FEFO-00367

Dear Mr. Greenewald:

This is the final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), dated April 11, 2015 and received in this office on April 14, 2015. You are seeking records regarding, electronic or otherwise, pertaining to: Rex 84 aka Readiness Exercise 1984.

A search of FEMA's National Preparedness Directorate, National Continuity Programs, and Disclosure Branch for documents responsive to your request produced a total of 13 pages. Of those pages, I have determined that 8 pages of the records are releasable in their entirety, and 5 pages are partially releasable, pursuant to Title 5 U.S.C. § 552 (b)(6).

FOIA Exemption 6 exempts from disclosure of personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

You have the right to appeal if you disagree with FEMA's response. The procedure for administrative appeals is outlined in the DHS regulations at 6 C.F.R. § 5.8. In the event you wish to submit an appeal, we encourage you to both state the reason(s) you believe FEMA's initial determination on your FOIA request was erroneous in your correspondence, and include a copy of this letter with your appeal. Should you wish to do so, you must send your appeal within 90 days from the date of this letter to fema-foia@fema.dhs.gov, or alternatively, via mail at the following address:

FEMA
Office of the Chief Administrative Officer
Information Management Division (FOIA Appeals)
500 C Street, SW, Seventh Floor, Mail Stop 3172

Washington, D.C. 20472-3172

As part of the 2007 amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road- OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770/Toll-free: 1-877-684-6448
Facsimile: 202-741-5769

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$25 minimum, there is no charge.

If you need any further assistance or would like to discuss any aspect of your request, please contact us and refer to FOIA case number **2015-FEFO-00367**. You may send an e-mail to fema-foia@fema.gov, call (202) 646-3323, or you may contact our FOIA Public Liaison in the same manner.

Sincerely,



Eric Neuschaefter
Disclosure Branch Chief

Enclosure(s): Responsive Documents (13 pages)



Federal Emergency Management Agency

Washington, D.C. 20472

PRESS POSITION PERTAINING TO USA TODAY STORY ON "DETENTION CAMPS"

COORDINATED WITH: John Lynch
Ken Hill
Bill Tidball
Julius W. Becton, Jr.

SUPPLIED BY FAX TO: Don Mathis, White House Press Office

The Federal Emergency Management Agency (FEMA) did sponsor a classified exercise, REX-84 ALPHA, which included 32 Federal departments and agencies and was held April 5-13, 1984. NIGHT TRAIN was the companion military readiness exercise to REX-84 ALPHA. There have been civil readiness exercises called "REX," and companion military exercises, approximately every two years since the Korean War. The exercises have provided an opportunity for each Administration during this period to examine policies, plans, and procedures for the solution of emergency production, transportation, economic, civil defense, continuity of government, energy, health, and other issues related to the national defense.

REX-84 ALPHA did not simulate military operations in Central America. FEMA has no program or capability to seek out or take into custody undocumented aliens nor to establish detention centers in time of a crisis. U.S. Government plans do exist involving the care, feeding, processing and protection of a large influx of refugees, illegal immigrants and aliens entering the United States during a crisis. This type of planning helps when problems such as the fall of Vietnam and the Cuban refugee situation require coordination and cooperation between civil, volunteer and military agencies.

Press Position Paper- Detention Camps

FEMA has never received a copy of National Security Decision Directive 52, and is not aware of what it may contain. Consequently, FEMA is not aware of any issues played during REX-84 ALPHA or any other civil exercise which involved NSDD 52. FEMA has been told by the National Security Council that the subject of NSDD 52 has nothing to do with this exercise, or Central America, or other issues said to involve FEMA in the affidavit.

Following is FEMA's response to other issues mentioning FEMA which were said to be included in the affidavit filed in Federal District Court in Miami on December 15, 1986, and quoted or paraphrased to FEMA:

1. (b)(6) was not responsible for the planning and execution of REX-84 ALPHA.

2. FEMA did not exercise civil supervisory authority over Department of Defense personnel during the exercise nor at any other time. In fact, FEMA does not have any civil law enforcement deputies.

3. State Defense Forces exist in some states to replace National Guard units when the Guard is federalized in a war emergency. There are no plans for the use of State Defense Forces other than within a state under the direction of the state's governor. Players during REX-84 ALPHA did seek to identify what assistance the Department of Defense could provide to the states in resources and materials.

FEMA Position Paper - Detention Camps

4. FEMA does have a secure area on the fifth floor of its headquarters building, just as other Federal agencies which must work with classified materials have such areas. Former FEMA General Counsel George Jett had nothing to do with the establishment of this area. The existence of this secure area was unrelated to the planning and conduct of REX-84 ALPHA. The planning and responsibility for conducting REX-84 ALPHA was done by FEMA elements not located in that space.


COORDINATION SHEET

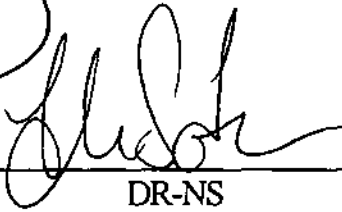
FROM: John P. Carey
General Counsel

Congressman James Talent's Washington and Missouri staff recently asked CA for information about Operation Garden Plot -- what is it? and what is FEMA's role? CA asked my office to prepare a response.

My proposed response is attached. I would appreciate your careful review of it and any suggestions you might have on it.

COORDINATION:


MSLO 8 SEP 95
Date

 FOR Catherine H. Light
DR-NS 8 SEP 95
Date

Not a PT issue, per Tony Reid Henn 9/8/95
PT Date


RR 9-8-95
Date


Date John P. Carey

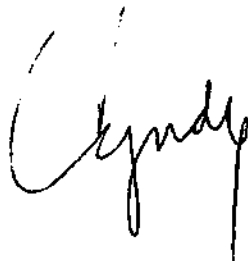
MEMORANDUM FOR: CRANE MILLER
FROM: CYNDY LITTLEFIELD
RE: DRAFTING RESPONSE FOR OPERATION GARDENPLOT

Crane, as I had mentioned to you, I will be gone the week of August 26 via Nantucket. But, I wanted to give you this information.

I have taken numerous calls on Operation Gardenplot. I have talked with DOD and Justice and of course went through a futile effort to describe this Operation. I am enclosing for you information from Phil Cogan (if you don't already have this) and drafted information from Laura Bookbinder's operation.

I took a number of calls from Representative Jim Talent's office both from the District and here in D.C. Unfortunately, with all my verbose skills I was not able to convince them that they didn't need to have anything written down from FEMA. So, they want a letter addressed to Representative Talent explaining FEMA's role in Operation Gardenplot. I told them that the counsel who works on these issues was on vacation, but, that I would ask you to do this. Hopefully, what I have enclosed is enough information for you. Although there are numerous ironies in this story. One is that Laura Bookbinder's office told me that we only have a role as per the Presidential directive, but, our role is minimal. Phil Cogan, of course, has been reiterating FEMA's non role. Although if we have a non role, how come the plan is locked in the safe in Bookbinder's office? You don't have to answer that. It is now, unclassified.

At any rate, I will return after Labor Day and we can talk about this further. Many thanks.



FEMA's Role in "Garden Plot"

- FEMA does not have a direct role in Garden Plot or in responding to civil disturbances.
- Garden Plot describes relationships between the Department of Defense and the Department of Justice for military support in performance of domestic law enforcement missions.
- FEMA's interest in Garden Plot stems from a need to coordinate with the Department of Justice in emergencies which involve concurrent law enforcement operations and disaster operations. For example, Garden Plot was implemented in St. Croix following Hurricane Hugo and in Los Angeles following the Rodney King trial. In both situations, FEMA led a concurrent operation focused on disaster relief.
- While the missions are different, they address the same community at the same time with some of the same responding departments and agencies. FEMA is working with the FBI to develop an operational framework that will identify and resolve potential competing requirements.
- Quoting from Garden Plot:

Implementation of Garden Plot normally will be authorized by a presidential directive or executive order. Exceptions to this condition are limited to:

1 - Sudden and unexpected civil disturbances (including civil disturbances incident to earthquake, fire, flood, or such calamity endangering life) and where immediate response is required and where the lack of communications prevent an immediate response.

2 - Protection of federal property and functions.

3 - The use of military forces to respond to domestic terrorist incidents pursuant to specific statutory authority (as part of assistance to the FBI in combatting terrorism).

INFORMATION PAPER

1. On May 4, 1995, Phil Cogan, Deputy Director, Office of Emergency Information and Public Affairs (PA) contacted Catherine H. Light, Director, Office of National Security Coordination (NS) requesting information to support a public affairs inquiry. The request was for information concerning FEMA's role in *Operation Garden Plot*, and related information.

2. On May 4, 1995, Thomas L. Forman, Team Leader, NS did a search of NS files and was unable to locate a copy of the *Garden Plot OPLAN*. However, the files which were available indicated that the title and general nature of the plan was unclassified. Calls were placed to the Office of the Deputy Chief of Staff for Operations (ODCSOPS), Military District of Washington (MDW) (proponent for the *Garden Plot OPLAN*) and Presidential Contingency Programs (PCP), White House Military Office (WHMO) (who first made this office aware of this program). Both offices had closed for the evening, and therefore, in order to ensure that no mistakes were made in handling the press inquiry, a decision was made to wait until May 5th and attempt to re-contact the MDW ODCSOPS.

3. On May 5, 1995, Tom Forman contacted (b)(6) (point of contact for all MDW related actions) and he provided the following new contact: (b)(6) (b)(6) Plans NCO, ODCSOPS, MDW.

4. On May 5, 1995, Tom Forman contacted (b)(6) and discussed the pending media request. During the initial and a follow up telephone conversation, the following information was obtained:

- The *Garden Plot OPLAN*, which was previously classified CONFIDENTIAL, is now Unclassified. (The term is simply a nickname.)
- *Garden Plot* is the Department of Defense (DoD) Civil Disturbance Plan, and is dated February 15, 1991.
- The proponent for the plan is the Directorate of Military Support (DOMS).
- The plan is written so that it is applicable throughout the country; within the Washington, DC area MDW has the operational responsibility to implement this plan.
- FEMA is not tasked, either in a Lead or Supporting role, in the plan.
- Although FEMA has no specific role in this plan, military authorities do have FEMA personnel (Region III) on their contact list and would notify them if the plan was activated.

- DoD views FEMA's role as simply consequence management. If an area (like Washington DC) was extensively damaged due to the civil disturbance, FEMA (upon a Presidential Disaster Declaration) would be who the military would turn to manage the clean up effort.

5. (b)(6) stated that based upon his discussion with (b)(6) Plans Officer (Pentagon, (b)(6)) the following could be provided to the reporter:

- a. There is a DoD plan called "Garden Plot."
- b. It is the Department of Defense (DoD) Civil Disturbance Plan.
- c. It does not specify any role for the Federal Emergency Management Agency (either in a lead or supporting capacity).
- d. FEMA's only role in this situation would be if a civil disturbance caused widespread and extensive damage, to the extent that the President declared an area a "disaster area," FEMA could be requested to coordinate the activities of the Federal departments and agencies charged with cleaning up the damage.
- e. For additional information, you can contact the Public Affairs Offices at the Office of the Secretary of Defense or the Military District of Washington.

6. On May 5, 1995, Tom Forman contacted (b)(6) directly and coordinated the above statements with him to ensure that they were acceptable to DoD. (b)(6) concurred with the above five statements and recommended that FEMA PAO coordinate with DoD PAO before a response is given so that they are prepared to respond.

(b)(6) - DoD ASP(PA) - Plans

Said refer calls to DDI

(b)(6)

Tom F.
2937

Author: David Pendergast at -HQFENF1

Date: 7/3/96 12:39 PM

Priority: Normal

Receipt Requested

TO: Crane Miller

TO: (b)(6)

CC: (b)(6)

Subject: Rep. Barrett, Garden Plot inquiry

----- Message Contents -----

We have recently received a number of inquiries on Operation Garden Plot. Representative Bill Barrett of Nebraska has requested a letter from FEMA on our role in this exercise.

It seems as though there is a radio station and special interest group newsletters which are claiming that FEMA is carrying out these exercises. It is alleged that FEMA is evacuating people from their homes and then searching their property.

In the specific Nebraska report, the Representatives office has let us know that they had heard (but NOT verified) that some reports had the Sheriff's Office of Grant County, Nebraska confirming that Operation Garden Plot is a FEMA operation.

The Representative would like a letter from FEMA addressing the existence of Garden Plot; the Role of FEMA in the Operation; does FEMA have the legal authority to carry out an exercise as previously described.

The Representative's office is requesting a response by the close of business Monday, July 8, 1996. If it is not possible Crane would you let me know? I can be reached by phone at x-4500.

Author: David Pendergast at -HQFENF1
Date: 7/3/96 12:53 PM
Priority: Normal
TO: Crane Miller
Subject: Reprmentative Barrett address

----- Message Contents -----

Representative Bill Barrett
1213 Longworth House Office Building
Washington, D.C. 20515-2502

The representative's Staff asked that we fax a copy of FEMA letter to:

(b)(6) at 225- 0207

Again, Thank you. Dave Pendergast



Federal Emergency Management Agency

Washington, D.C. 20472

JUL 16 1996

The Honorable Bill Barrett
1213 Longworth House Office Building
Washington, DC 20515-2703

Dear Representative Barrett:

You recently asked for information about Operation Garden Plot and asked about FEMA's role in Operation Garden Plot. Operation Garden Plot is the Department of Defense (DoD) Civil Disturbance Plan, dated February 15, 1991. The plan describes relationships between the Department of Defense and the Department of Justice for military support in performance of domestic law enforcement missions.

FEMA does not have a direct role in Garden Plot, nor in responding to civil disturbances. FEMA's interest in Garden Plot derives from a need to coordinate with the Department of Justice in emergencies that involve concurrent law enforcement operations and disaster operations. For example, Garden Plot was implemented in St. Croix following Hurricane Hugo, and in Los Angeles following the Rodney King trial. In these situations, while the Department of Justice led law enforcement actions, FEMA led a concurrent operation focused on disaster relief. Garden Plot is normally implemented through a presidential directive, except in sudden and unexpected civil disturbances where immediate response is required, where protection of federal property and functions is needed, and where military forces are used to respond to domestic terrorist incidents under specific statutory authority.

Although FEMA has no specific role in Garden Plot, military authorities contact FEMA personnel if they activate the plan. FEMA's role would be in consequence management. If an area is extensively damaged because of a civil disturbance or terrorist incident, and the President declares an emergency or major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, FEMA would coordinate the Federal efforts for response to and recovery from the incident.

I hope that this letter responds fully to your inquiry. If you need additional information, please contact our Office of Congressional and Governmental Affairs at (202) 646-4500.

Sincerely,

John P. Carey
General Counsel



Federal Emergency Management Agency

Washington, D.C. 20472

JUL 16 1996

The Honorable Spencer Bachus
127 Cannon House Office Building
Washington, DC 20515-0106

Dear Representative Bachus:

You recently asked for information about Operation Garden Plot and asked about FEMA's role in Operation Garden Plot. Operation Garden Plot is the Department of Defense (DoD) Civil Disturbance Plan, dated February 15, 1991. The plan describes relationships between the Department of Defense and the Department of Justice for military support in performance of domestic law enforcement missions.

FEMA does not have a direct role in Garden Plot, nor in responding to civil disturbances. FEMA's interest in Garden Plot derives from a need to coordinate with the Department of Justice in emergencies that involve concurrent law enforcement operations and disaster operations. For example, Garden Plot was implemented in St. Croix following Hurricane Hugo, and in Los Angeles following the Rodney King trial. In these situations, while the Department of Justice led law enforcement actions, FEMA led a concurrent operation focused on disaster relief. Garden Plot is normally implemented through a presidential directive, except in sudden and unexpected civil disturbances where immediate response is required, where protection of federal property and functions is needed, and where military forces are used to respond to domestic terrorist incidents under specific statutory authority.

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I hope that this letter responds fully to your inquiry. If you need additional information, please contact our Office of Congressional and Governmental Affairs at (202) 646-4500.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Carey".

John P. Carey
General Counsel



Federal Emergency Management Agency

Washington, D.C. 20472

SEP - 8 1995

The Honorable James M. Talent
1022 Longworth House Office Building
Washington, DC 20515-2502

Dear Representative Talent:

You recently asked for information about Operation Garden Plot and asked about FEMA's role in Operation Garden Plot. Operation Garden Plot is the Department of Defense (DoD) Civil Disturbance Plan, dated February 15, 1991. The plan describes relationships between the Department of Defense and the Department of Justice for military support in performance of domestic law enforcement missions.

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Although FEMA has no specific role in Garden Plot, military authorities contact FEMA personnel if they activate the plan. DoD views FEMA's role as consequence management. If an area is extensively damaged because of a civil disturbance or terrorist incident, and the President declares an emergency or major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, FEMA would coordinate the Federal efforts for response to and recovery from the incident.

I hope that this letter responds fully to your inquiry. If you need additional information, please contact our Office of Congressional and Governmental Affairs at (202) 646-4500.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Carey". The signature is stylized and cursive.

John P. Carey
General Counsel