

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 23-208 (Emergency Management – Impacts of War in Israel)

WHEREAS, in the early morning hours of October 7, 2023, Iran-backed Hamas terrorists from Gaza and the surrounding region infiltrated Israel's borders and began indiscriminately murdering, kidnapping, and raping innocent men, women, and children while additional Hamas terrorists located in the Gaza Strip simultaneously bombarded innocent Israeli communities with thousands of rockets; and

WHEREAS, this coordinated attack on the State of Israel is estimated to have claimed the lives of over 1,200 Israelis and other citizens, including at least 27 American nationals, and has injured at least an additional 2,900 people; and

WHEREAS, this attack has resulted in the single deadliest day for the Jewish people since the Holocaust; and

WHEREAS, the Israeli government, invoking its right of self-defense, has declared war against Hamas and is launching counterattacks against Hamas's infrastructure, weapons caches, and personnel in the Gaza Strip; and

WHEREAS, according to news reports, several Americans in the region remain unaccounted for, and some are among the estimated 150 hostages captured by Hamas terrorists; and

WHEREAS, Hamas leaders are calling for others to join the war against Israel and are calling for protests in the region and around the world; and

WHEREAS, there are more than 20,000 Americans, including many Floridians, in Israel who wish to return home but have been prevented from doing so because of commercial flight cancellations and other travel and logistics disruptions due to the ongoing war in the region; and

WHEREAS, unlike the governments of other countries, the Biden Administration has failed to launch any form of rescue or evacuation operations for Americans, including Floridians, stranded in the region, and has failed to provide information requested by the State of Florida about any plans for such operations; and

WHEREAS, Floridians stranded in Israel are requesting help from the Executive Office of the Governor and from nearly every member of Florida's congressional delegation, because they are not receiving timely assistance from the U.S. Embassy in Israel and are not receiving any follow-up after enrolling in the U.S. Department of State's Smart Traveler Enrollment Program; and

WHEREAS, Florida is home to one of the largest Jewish populations in the world, including large numbers of dual Israeli-American citizens and Floridians with relatives and businesses in Israel; and

WHEREAS, the attack on Israel has prompted demonstrations and fundraising campaigns throughout the United States, including Florida, intended to intimidate and threaten the Jewish population and to support Hamas, a U.S. Secretary of State-designated foreign terrorist organization; and

WHEREAS, beginning on October 7 and continuing to the present date, the State of Florida responded immediately by surging law enforcement resources upon request to prevent violence at these demonstrations and to protect the Jewish population in their schools and places of worship; and

WHEREAS, the Florida Highway Patrol has deployed Quick Reaction Force (QRF) teams throughout the state in partnership with the Florida Department of Law Enforcement and local law enforcement agencies; and

WHEREAS, the Governor, the Florida Department of State, the Florida Highway Patrol, the Florida Department of Law Enforcement, the Florida Attorney General, the Florida Department of Education, and the State University System Board of Governors have deployed numerous resources, including legal guidance, to impacted communities and law enforcement agencies throughout the state to ensure that Florida does not tolerate the harassment of its citizens and to prevent terrorist activities, including the unlawful harboring and financial support of foreign terrorist organizations; and

WHEREAS, these ongoing protective operations are expected to strain state and local law enforcement resources, which have already been deployed in Orlando, Miami, Ft. Myers, Jacksonville, Tallahassee, Palm Beach, and other communities; and

WHEREAS, pursuant to section 252.34(4), Florida Statutes, any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population of Florida is an emergency; and

WHEREAS, pursuant to section 252.36(1)(a), Florida Statutes, and as the Governor of Florida, I am responsible for meeting the dangers presented to the people of Florida by any emergency; and

WHEREAS, as the Governor of Florida, I am responsible for ensuring the safety, security, and general welfare of all Floridians.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida

Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, which are expected to constitute a major disaster, I declare that a state of emergency exists in the State of Florida.

Section 2. I designate the Director of the Division of Emergency Management (“Director”) as the State Coordinating Officer for the duration of this emergency and direct him to execute the State’s Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency, including any logistical, rescue, or evacuation operations. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(6)-(12), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Executive Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Invoke and administer the Emergency Management Assistance Compact (“EMAC”) (sections 252.921-252.9335, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as to best meet the dangers presented by this emergency.

B. Seek direct assistance and enter into agreements with any and all agencies of the federal government as may be needed to meet this emergency.

C. Direct all state, regional, and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the response, recovery, and mitigation needs created by this emergency, and to place all such personnel

under the direct command and coordination of the State Coordinating Officer to meet this emergency.

D. Direct the actions of any state agency as necessary to implement the Federal Emergency Management Agency's National Disaster Recovery Framework.

E. Designate Deputy State Coordinating Officers and Deputy State Disaster Recovery Coordinators, as necessary.

F. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency. In accordance with section 252.3611(1), Florida Statutes, any such order, declaration, or other action shall specify each statute or rule being amended or waived, if applicable, and the expiration date for the order or action.

G. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46(1)-(2) and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer. No such order shall remain in effect beyond the expiration of this Executive Order, including any extension thereof.

Section 3. I order the Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency. I further order the Director of the State Guard to activate the Florida State Guard, as needed, to respond to the emergency.

Section 4. I find that the special duties and responsibilities resting upon some state, regional, and local agencies and other governmental bodies in responding to this emergency may require them to suspend or waive certain statutes, rules, ordinances, and orders they administer. Therefore, I issue the following authorizations:

A. Pursuant to section 252.36(6)(a), Florida Statutes, the Executive Office of the Governor may suspend all statutes and rules affecting budgeting to the extent necessary to provide

budget authority for state agencies to cope with this emergency. The requirements of sections 252.46(1)-(2) and 120.54(4), Florida Statutes, do not apply to any such suspension issued by the Executive Office of the Governor. No such suspension shall remain in effect beyond the expiration of this Executive Order, including any extension thereof.

B. Each state agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. In accordance with section 252.3611(1), Florida Statutes, any agency order, declaration, or other action suspending a statute or rule shall specify each statute or rule being amended or waived, if applicable, and the expiration date for the order or action. The requirements of sections 252.46(1)-(2) and 120.54(4), Florida Statutes, shall not apply to any such suspension issued by a state agency. No such suspension shall remain in effect beyond the expiration of this Executive Order, including any extension thereof.

C. All state agencies entering emergency orders, emergency rules, or other emergency actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable thereafter, and, pursuant to section 252.36(3)(b), Florida Statutes, shall file the order or declaration with the Division of Administrative Hearings within five days of issuance.

Section 5. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and may be inadequate to pay the costs of coping with this disaster. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys from the Emergency Preparedness and Response Fund created under section 252.3711, Florida Statutes.

Section 6. All actions taken by the Director of the Division of Emergency Management as the State Coordinating Officer with respect to this emergency before the issuance of this Executive Order are ratified, and he is directed to continue to execute the State of Florida Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with this emergency.

Section 7. This Executive Order is effective immediately and shall expire sixty (60) days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 12th day of October, 2023.



RON DESANTIS, GOVERNOR

ATTEST:



SECRETARY OF STATE

2023 OCT 12 PM 2:00
DEPARTMENT OF STATE
TALLAHASSEE, FL

FILED