



Background on DeSantis' Expanded Relocation Program (SB 6-B)

Background: SB 6-B creates the Unauthorized Alien Transportation Program within the Florida Division of Emergency Management (“DEM”). The law repeals Section 185 of ch. 2022-156, Laws of Florida. Section 185, which was passed as part of the 2022-23 General Appropriations Act, appropriated \$12 million of interest earnings accrued from Florida’s share of the Coronavirus State Fiscal Recovery Fund to finance the now infamous “Relocation Program” led by the Florida Department of Transportation (“FDOT”).

SB 6-B, which Gov. DeSantis signed into law on February 15, 2023, replaces this program with an equally troubling expanded Relocation Program, to be administered by DEM. DEM will receive \$10 million in nonrecurring funds from the General Revenue Fund, and the program is set to run until June 30, 2025. Now, instead of purporting to just transport people out of Florida, the new expanded program will transport “inspected unauthorized aliens” from anywhere in the U.S. (including Florida) to other states.

Waste of Money: Under the original program, the FDOT contracted with the politically-connected Vertol Systems Company, Inc. to fly 49 Venezuelan migrants from Texas to Martha’s Vineyard at what appears to have been a cost of \$615,000 (\$12,551 per passenger). FDOT has paid a total of \$1,565,00.00 to Vertol for their services. Making matters worse, Florida has already spent over a million to defend Gov. DeSantis’ original relocation program.

Internally Incoherent: SB 6-B purports to protect Floridians from the impacts of the “border crisis,” but is based upon conducting surveillance to find out immigrants’ possible intent to come to Florida. Moreover, the definition of “inspected unauthorized alien” does not exist in federal immigration law. The bill sponsors repeatedly made clear that part of the program is intended to target immigrants in other states as well as immigrants who arrive in Florida, even if they have family and support systems in Florida.

Bad Policy: This program directs the DEM to contract with private companies. Like Vertol, none of these companies have immigration authority, training or experience; yet, they will be tasked with identifying individuals who fall within a specific, unclear subset of immigration status so as to transport them from one state to another. “Inspected Unauthorized Alien” is not a term found in immigration law. This inconsistency will create conflict between state and federal law: the U.S. Supreme Court has ruled that only the federal government has authority to regulate and enforce immigration.

This expensive and unwieldy program invites racial profiling. No one knows, or can know, who is properly deemed an “Inspected Unauthorized Alien,” and the program will inevitably lead to racial profiling because local and state law enforcement, much less contractors and DEM staff, do not have enough immigration training to understand immigration status. Immigrants themselves may not be aware of their immigration status. This will leave untrained and unqualified staff to attempt to identify “inspected unauthorized aliens,” which will inevitably result in the hunting and targeting of people of color born primarily in Latin American and Caribbean countries for relocation to another state. SB 6-B will expose non-white and foreign-born persons to discriminatory enforcement. Black and Brown migrants legally seeking asylum under U.S. and international law will be unfairly targeted.

Real Purpose: At the expense of the immigrant community, the expanded relocation program is an expensive and cruel political stunt designed to feed Gov. DeSantis’s political ambitions on a diet of xenophobic, state-sponsored harassment. Instead of looking out for the best interest of everyday Floridians, Gov. DeSantis plans to grease the path to D.C. by

harassing and harming immigrants. As was made clear in the Legislature, SB 6-B is intended to make certain immigrants know that they are not welcome in Florida.

Legal Troubles: The original program faces several serious legal challenges. These cases seek damages for the victims of the relocation program and challenge the constitutionality of the program under both the Florida and U.S. Constitutions. Repealing Section 185 will not make these legal troubles go away.

The U.S. Constitution is clear — the sole and exclusive power to regulate immigration policy is granted to the federal government, not the states. The United States of America is one unified republic, not 50 individual nations. The President and Congress have the duty to enforce our immigration laws. The governor's efforts to create a separate, competing, state-run immigration system undermines our democracy by usurping a federal role and allowing corruption.