

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: May 2, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging President Donald Trump, the United States Congress and applicable federal agencies to impose sanctions against officials or persons acting on behalf of the Venezuelan government and governments of other countries whom the President determines are responsible for, or complicit in, the commission of serious human rights abuses, money laundering, drug smuggling and other illicit activities

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



Abigail Price-Williams *for*
County Attorney

APW/cp



MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(5)
5-2-17

RESOLUTION NO. _____

RESOLUTION URGING PRESIDENT DONALD TRUMP, THE UNITED STATES CONGRESS AND APPLICABLE FEDERAL AGENCIES TO IMPOSE SANCTIONS AGAINST OFFICIALS OR PERSONS ACTING ON BEHALF OF THE VENEZUELAN GOVERNMENT AND GOVERNMENTS OF OTHER COUNTRIES WHOM THE PRESIDENT DETERMINES ARE RESPONSIBLE FOR, OR COMPLICIT IN, THE COMMISSION OF SERIOUS HUMAN RIGHTS ABUSES, MONEY LAUNDERING, DRUG SMUGGLING AND OTHER ILLICIT ACTIVITIES

WHEREAS, Nicolás Maduro has been the President of Venezuela since April 2013; and

WHEREAS, there is no separation of powers or independent institutions in Venezuela;

and

WHEREAS, President Maduro controls the Presidency, a majority of the municipalities, the Supreme Court, the military leadership, and the leadership of Petróleos de Venezuela, the Venezuelan state-owned oil and natural gas company; and

WHEREAS, since 2013, the price of oil, the popularity of Venezuela's government, and its socioeconomic status have plummeted; social programs once financed by the government have largely disappeared, and inflation, crime, poverty and hunger have soared to record levels; and

WHEREAS, further, the country is also facing a health crisis due to shortages in necessary medications and medical supplies and increasing outbreaks of diseases; and

WHEREAS, Venezuela's deep economic and health crises amplify the escalating calamity facing the nation; and

WHEREAS, moreover, allegations of human rights abuses, fraud, corruption, excessive force and other allegations of brutality against and by President Maduro, the Venezuelan government, police, and military officials are widespread; and

WHEREAS, in addition to admittedly engaging in political arrests, government, police and military officials have allegedly engaged in numerous atrocities, including unlawful killings, mass unwarranted detentions, torturing prisoners, arbitrary deportations, money laundering and drug smuggling; and

WHEREAS, investigations by the United States Drug Enforcement Administration, United States Department of Justice and other federal agencies have implicated prominent Venezuelan government officials in drug trafficking and other illegal activities; and

WHEREAS, for instance, in 2017, the United States Treasury Department designated Venezuela's Vice-President, Tareck El Aissami, a "Specially Designated Narcotics Trafficker" due to his involvement in an international drug trafficking ring and, because of sanctions, froze all of his assets in the United States; and

WHEREAS, similarly, in 2016, the United States government indicted two high ranking Venezuelan officials for drug trafficking; and

WHEREAS, despite President Maduro's use of authoritarian measures in response to dissenters, some of which have been acknowledged by the government and others alleged by protestors, widespread anger and unease fuel the civil unrest currently spreading across Venezuela; and

WHEREAS, hundreds of thousands of protestors in at least a dozen cities have united and are standing in solidarity, demanding elections and accountability for the eroding democracy, sinking economy, and government corruption; and

WHEREAS, during the 113th United States Congress, Senators Marco Rubio (R-Florida) and Bob Menendez (D-New Jersey) sponsored the Venezuela Defense of Human Rights and Civil Society Act of 2014 (the “Act”), which was adopted by and signed into law by President Barack Obama in December 2014; and

WHEREAS, the Act imposed targeted sanctions on persons, including current or former officials of the Venezuelan government and those acting on their behalf, who committed serious human rights abuses against or directed the arrest or prosecution of antigovernment protestors contrary to their exercise of freedom of expression or assembly in Venezuela; and

WHEREAS, according to Senator Menendez, the Act was a direct response to the systematic dismantling of democracy in Venezuela by President Maduro and his predecessor, which among other things, “removed checks on the executive, corrupted the judiciary and the rule of law, usurped the powers of the legislature, politicized the military, and suppressed freedom of the press;” and

WHEREAS, likewise, the Venezuela Defense of Human Rights and Civil Society Extension Act of 2016, which extended the Act through December 31, 2019, was enacted during the 114th Congress; and

WHEREAS, this Board has previously adopted legislation condemning the actions of the Venezuelan government, its officials or individuals acting on behalf of such government or officials; and

WHEREAS, specifically: (1) Resolution No. R-253-14 supported the Act and condemned the Venezuelan government for using violence and intimidation against its political opposition, expressed support for Venezuelans who were fighting to restore democracy and urged the federal

government to take immediate diplomatic action; and (2) Resolution No. R-362-14 urged Congress to enact legislation that would direct the President to impose sanctions against certain government officials or other persons acting on behalf of those governments whom the President determines are responsible for, or complicit in, the commission of serious human rights abuses; and

WHEREAS, as part of the United States government's diplomatic efforts to address the pressing and escalating economic and political turmoil in Venezuela, this Board believes that sanctions should be imposed upon Venezuelan officials as well any other persons acting on behalf of the Venezuelan government and governments of other countries that perpetrate human rights abuses,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges President Donald Trump, the United States Congress and applicable federal agencies to impose sanctions against officials or persons acting on behalf of the Venezuelan government and governments of other countries whom the President determines are responsible for, or complicit in, the commission of serious human rights abuses, money laundering, drug smuggling and other illicit activities.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, the Secretary of State and Members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the actions set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2017 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- | | |
|-------------------------------------|----------------------|
| Esteban L. Bovo, Jr., Chairman | |
| Audrey M. Edmonson, Vice Chairwoman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe " Diaz | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Jean Monestime | Dennis C. Moss |
| Rebeca Sosa | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of May, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Shanika A. Graves