

# MEMORANDUM

Agenda Item No. 11(A)(2)

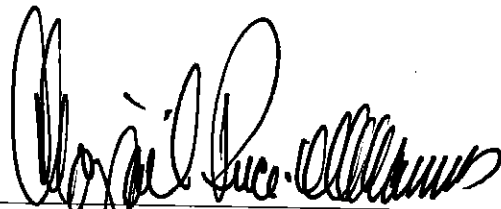
**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** April 10, 2018

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution urging the United States Congress to appropriate funds necessary to provide pay to United States Military personnel during any future government shutdowns; urging the United States Congress to enact H.R. 1928, S. 2430, the families of Fallen Servicemembers First Act, or similar legislation that provides a permanent appropriation for payment of death gratuities and related benefits to survivors of deceased members of the uniformed services during any future government shutdowns

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



Abigail Price-Williams  
County Attorney

APW/lmp

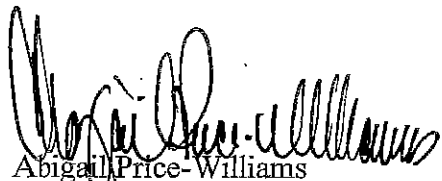


# MEMORANDUM

(Revised)

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

**DATE:** April 10, 2018

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County Attorney

**SUBJECT:** Agenda Item No. 11(A)(2)

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)(2)

4-10-18

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE UNITED STATES CONGRESS TO APPROPRIATE FUNDS NECESSARY TO PROVIDE PAY TO UNITED STATES MILITARY PERSONNEL DURING ANY FUTURE GOVERNMENT SHUTDOWNS; URGING THE UNITED STATES CONGRESS TO ENACT H.R. 1928, S. 2430, THE FAMILIES OF FALLEN SERVICEMEMBERS FIRST ACT, OR SIMILAR LEGISLATION THAT PROVIDES A PERMANENT APPROPRIATION FOR PAYMENT OF DEATH GRATUITIES AND RELATED BENEFITS TO SURVIVORS OF DECEASED MEMBERS OF THE UNIFORMED SERVICES DURING ANY FUTURE GOVERNMENT SHUTDOWNS

**WHEREAS**, the United States government shut down from midnight on January 20, 2018, until the evening hours on Monday, January 22, 2018; and

**WHEREAS**, during this period of shutdown, the 1.3 million members of the uniformed United States Military continued to work but faced uncertainty as to whether they would be paid on a regular basis should the shutdown continue; and

**WHEREAS**, additionally, during this period of shutdown, there was no appropriation for federal death benefits, which assist families of deceased service members in meeting their financial needs during the period immediately following a service member's death and before other survivor benefits become available; and

**WHEREAS**, the United States government also previously shut down from October 1, 2013, until October 17, 2013, and

**WHEREAS**, on September 30, 2013, just before the 2013 shutdown began, the United States Congress passed and President Barack Obama signed H.R. 3210, the Pay Our Military Act, that appropriated money to pay the United States military personnel despite the shutdown; and

**WHEREAS**, after the 2013 shutdown, the United States Congress passed and President Barack Obama signed H.R. 91, the Honoring Families of Fallen Soldiers Act, which provided a continuing appropriation for military survivor death benefits, but only for fiscal year 2014; and

**WHEREAS**, on April 5, 2017, Congressman Gerald E. Connolly (D-Virginia) introduced the Families of Fallen Servicemembers First Act, H.R. 1928, for consideration during the 115th Congress; and

**WHEREAS**, on February 14, 2018, Senator Christopher A. Coons (D-Delaware) introduced the identical Senate companion bill, S. 2430, for consideration during the 115th Congress; and

**WHEREAS**, H.R. 1928 and S. 2430 provide a permanent appropriation of funds for the payment of death gratuities and related benefits for survivors of deceased members of the uniformed services in event of any period of lapsed appropriations; and

**WHEREAS**, on January 19, 2018, Senator Richard Durbin (D-Illinois) introduced the Pay Our Military Act of 2018, S. 2328, for consideration during the 115th Congress; and

**WHEREAS**, on January 20, 2018, Congresswoman Betty McCollum (D-Minnesota) introduced the identical House Companion Bill, H.R. 4871, for consideration during the 115th Congress; and

**WHEREAS**, S. 2328 and H.R. 4871 provide fiscal year 2018 appropriations for military pay during any period in which interim or full-year appropriations for fiscal year 2018 are not in effect; and

**WHEREAS**, all four of these bills are currently pending before the 115<sup>th</sup> Congress; and

**WHEREAS**, threats to the United States continue during a government shutdown; and

**WHEREAS**, the United States Military personnel dedicate their lives to defending our

country, and the United States government should continue to pay these military personnel and provide federal death benefits during any government shutdown; and

**WHEREAS**, this Board supports the United States military personnel and wishes to ensure all troops are paid for their service even during a federal government shutdown,

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

**Section 1.** Urges the United States Congress to appropriate funds necessary to provide pay to United States military personnel during any future government shutdowns.

**Section 2.** Urges the United States Congress to enact H.R. 1928, S. 2439, the Families of Fallen Servicemembers First Act, or similar legislation that provides a permanent appropriation for payment of death gratuities and related benefits to survivors of deceased members of the uniformed services during any future government shutdowns.

**Section 3.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation and the U.S. Secretary of Defense.

**Section 4.** Directs the County's federal lobbyists to advocate for the action set forth in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2018 Federal Legislative Package when it is presented to the Board.

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  
Jose "Pepe" Diaz  
Barbara J. Jordan  
Jean Monestime  
Rebeca Sosa  
Xavier L. Suarez  
Daniella Levine Cava  
Sally A. Heyman  
Joe A. Martinez  
Dennis C. Moss  
Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 10<sup>th</sup> day of April, 2018. 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.

MSM for

Laura E. Wade

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