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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(15)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 16, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution supporting H.R. 5406, H.R. 5408, H.R. 5450, S. 2779 or similar legislation that would authorize the United States Government to revoke the citizenship and passports of United States citizens who fight for Islamic State in Iraq and in the Levant ("ISIL"); supporting S. RES. 538, H. RES. 720 or Similar legislation expressing condolences to the families of James Foley and Steven Sotloff, two individuals who were executed by ISIL, and condemning the terrorist acts of ISIL

Resolution No. R-828-14

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

FR

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 16, 2014

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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**

_____ **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)(15)
9-16-14

RESOLUTION NO. R-828-14

RESOLUTION SUPPORTING H.R. 5406, H.R. 5408, H.R. 5450, S. 2779 OR SIMILAR LEGISLATION THAT WOULD AUTHORIZE THE UNITED STATES GOVERNMENT TO REVOKE THE CITIZENSHIP AND PASSPORTS OF UNITED STATES CITIZENS WHO FIGHT FOR ISLAMIC STATE IN IRAQ AND IN THE LEVANT ("ISIL"); SUPPORTING S. RES. 538, H. RES. 720 OR SIMILAR LEGISLATION EXPRESSING CONDOLENCES TO THE FAMILIES OF JAMES FOLEY AND STEVEN SOTLOFF, TWO INDIVIDUALS WHO WERE EXECUTED BY ISIL, AND CONDEMNING THE TERRORIST ACTS OF ISIL

WHEREAS, the Islamic State in Iraq and in the Levant ("ISIL") is a terrorist organization that controls hundreds of square miles in Syria and Iraq and is known for carrying out mass executions, crucifixions and rapes; and

WHEREAS, ISIL has killed thousands of Syrians and Iraqis; and

WHEREAS, the Central Intelligence Agency (CIA) estimates that ISIL has grown from 10,000 to as many as 31,500 fighters over the summer; and

WHEREAS, between August 19, 2014 and September 13, 2014, ISIL executed two United States citizens and one British citizen and released the videos on the internet; and

WHEREAS, one of the United States citizens executed by ISIL was journalist Stephen Sotloff from Miami-Dade County; and

WHEREAS, intelligence reports estimate that more than 100 Americans have signed on as fighters with ISIL; and

WHEREAS, United States government officials have expressed concern that the return of these Americans to the United States from fighting with ISIL poses a national security danger; and

WHEREAS, under current law, a United States citizen who serves in the armed forces of a foreign state engaging in hostilities against the United States may have his or her citizenship revoked, but this law may not apply to ISIL because it is a stateless terrorist organization; and

WHEREAS, several bills have been introduced in the United States Congress that would revoke the citizenship and/or passports of individuals fighting for ISIL; and

WHEREAS, on September 8, 2014, three such bills were filed for consideration by the United States Congress:

- Senator Ted Cruz (R-Texas) introduced S. 2779, the Expatriate Terrorists Act, which would strip the citizenship of an individual who joins a terrorist organization;
- Representative Ted Poe (R-Texas) introduced H.R. 5406, the F.T.O. Passport Revocation Act, which would direct the Secretary of State to revoke a passport previously issued to an individual who is affiliated with a terrorist organization;
- Representative Michelle Bachmann (R-Minnesota) introduced H.R. 5408, the Terrorist Denaturalization and Passport Revocation Act, which would which strip the citizenship of any individual who joins a terrorist organization and direct the Secretary of State to revoke a passport previously issued to any individual who is affiliated with a terrorist organization; and

WHEREAS, on September 15, 2014, a fourth bill was filed by Representative Edward Royce (R- California), H.R. 5450, the house companion bill to S. 2779; and

WHEREAS, on September 9, 2014, Senator Jeanne Shaheen (D – New Hampshire) introduced Senate Resolution 538 and on September 11, 2014, Representative Carol Shea-Porter (D – New Hampshire) introduced House Resolution 720, expressing condolences to the families of James Foley and Steven Sotloff, two individuals who were executed by ISIL, and condemning the terrorist acts of ISIL; and

WHEREAS, Senators Bill Nelson and Marco Rubio are cosponsors of Senate Resolution 538 and Representatives Ileana Ros-Lehtinen, Debbie Wasserman Schultz and Frederica S. Wilson are cosponsors of House Resolution 720,

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 enact S. 2779, H.R. 5406, H.R. 5408, H.R. 5450, or similar legislation that would authorize the Unites States Government to revoke the citizenship and passports of Unites States citizens who fight for ISIL.

Section 2. Supports S. Res. 538, H. Res. 720 or similar legislation expressing condolences to the families of James Foley and Steven Sotloff, two individuals who were executed by ISIL, and condemning the terrorist acts of ISIL.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to U.S. Senators Ted Cruz, Bill Nelson and Marco Rubio and U.S. Representatives Michelle Bachmann, Ted Poe, Ileana Rep Ros-Lehtinen, Edward Royce, Carol Shea-Porter, Debbie Wasserman Schultz and Frederica S. Wilson and the remaining members of the Florida Congressional Delegation.

Section 4. Directs the County's federal lobbyists to advocate for the passage of the legislation as set forth in Sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2014 Federal Legislative Package to include this item and to include this item in the 2015 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 **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman	**aye**		
Lynda Bell, Vice Chair	**absent**		
Bruno A. Barreiro	**absent**	Esteban L. Bovo, Jr.	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of September, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MP

Matthew Papkin