



RICK SCOTT
GOVERNOR

May 15, 2018

Dear Governors:

As Americans, we understand the value and critical importance of freedom and liberty in our everyday lives. Unfortunately, many people around the world are deprived of this virtue, and as Americans, it is our duty to support those who are oppressed by dictators and denied the right to live their lives free of tyranny. Over the past several years, Florida has stood in direct opposition to the brutal regime of Nicolas Maduro and his efforts to rob the people of Venezuela of their liberty.

Recently, the Trump Administration acted to hold the Maduro Regime accountable by imposing economic sanctions on those who have profited from the regime's power grab. These sanctions have sent a clear message to the world that America stands with those who are working to obtain freedom, not with dictators who have snuffed out liberty at every turn. The families of Venezuela have suffered greatly from Maduro and his gang of thugs' work to refuse fair elections and unjustly imprison political opponents.

In Florida, we have also taken definitive action to hold the Maduro Regime accountable. In August 2017, the Florida Cabinet and I directed that the agency charged with the management of the state's pension system to impose a ban on investing with companies that do business with the Maduro regime. To take this action a step further, we worked with the Florida Legislature to codify this policy and prohibit any state agency from doing business that benefits the Maduro Regime's brutality. To be clear, these policies are aimed squarely at the regime, not at companies who provide needed goods and services to people living in Venezuela. By putting these measures into Florida law, we are prohibiting future tax dollars from being spent to prop up a brutal dictatorship.

I have attached a detailed description of the measures we have enacted in Florida. I urge you to carefully review these steps and take similar action in your state. If our states stand together against the brutality of Nicolas Maduro, we can usher in peace and democracy for families in Venezuela. Just like the families living in our states, they too deserve access to food, clean water, medicine and other necessities that are becoming more and more scarce as Maduro's reign continues.

Sincerely,

A blue ink signature of Rick Scott, written in a cursive style.

Rick Scott
Governor

Attachments

Proposed SBA Agenda Item or Legislation

1. Prohibited Investments. Until such as time as the SBA determines it is otherwise prudent to do so, the SBA is prohibited from investing in:
 - a. Any financial institution or company domiciled in the United States, or foreign subsidiary of a company domiciled in the United States, which directly or through a United States or foreign subsidiary and in violation of federal law, makes any loan, extends credit of any kind or character, advances funds in any manner, or purchases or trades any goods or services in or with the government of Venezuela; and
 - b. Any securities issued by the government of Venezuela or any company that is majority-owned by the government of Venezuela.

[Note: Para (a) generally tracks the statutory approach to the SBA's prohibited investments in Cuba under section 215.472, Fla. Stat.]

2. Proxy Voting. The SBA will not vote in favor of any proxy resolution advocating the support of the Maduro Regime in Venezuela.

[Note: This generally tracks the statutory approach to proxy voting for Cuba and Syria under section 215.471(2) without the fiduciary reference.]

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2 An act relating to state investments; amending s.
3 215.471, F.S.; requiring the State Board of
4 Administration to divest specified investments and
5 prohibiting it from investing in specified investments
6 of institutions or companies doing business in or with
7 the government of Venezuela or any of its agencies or
8 instrumentalities in violation of federal law;
9 defining the term "government of Venezuela";
10 authorizing the Governor to waive the investment
11 prohibitions if certain conditions exist; prohibiting
12 the State Board of Administration from voting in favor
13 of any proxy resolution advocating expanded United
14 States trade with the government of Venezuela;
15 amending s. 215.472, F.S.; prohibiting state agencies
16 from investing in specified financial entities that
17 extend credit, trade or buy goods or services with the
18 government of Venezuela or investing in any company
19 doing business with Venezuela in violation of federal
20 law; defining the term "government of Venezuela";
21 authorizing the Governor to waive the investment
22 prohibitions under specific circumstances; providing
23 an effective date.
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WHEREAS, the people of Venezuela believe the current government of Venezuela is intolerable because it has used and continues to use extreme violence and political persecution in the orchestrated suppression of human rights, and

WHEREAS, the Maduro regime continues to unjustly detain and prosecute political prisoners in spite of international calls for their freedom, and

WHEREAS, the State of Florida stands in unity with the people of Venezuela in their fight for democracy and freedom from the oppressive Maduro regime, and

WHEREAS, the United States deems the situation in Venezuela as an extraordinary threat to national security and foreign policy, and

WHEREAS, the United States Department of the Treasury's Office of Foreign Assets Control has issued sanctions against Venezuelan officials, including Nicolás Maduro who has been identified as a "Specially Designated National" and labeled a dictator, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 215.471, Florida Statutes, is amended to read:

215.471 Divestiture by the State Board of Administration; reporting requirements.—

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50 (1) The State Board of Administration shall divest any
51 investment under s. 121.151 and ss. 215.44-215.53, and is
52 prohibited from investment in stocks, securities, or other
53 obligations of:

54 (a) Any institution or company domiciled in the United
55 States, or foreign subsidiary of a company domiciled in the
56 United States, doing business in or with Cuba, or with agencies
57 or instrumentalities thereof in violation of federal law.

58 (b) Any institution or company domiciled outside of the
59 United States if the President of the United States has applied
60 sanctions against the foreign country in which the institution
61 or company is domiciled pursuant to s. 4 of the Cuban Democracy
62 Act of 1992.

63 (c)1. Any institution or company domiciled in the United
64 States, or foreign subsidiary of a company domiciled in the
65 United States, doing business in or with the government of
66 Venezuela, or with any agency or instrumentality thereof, in
67 violation of federal law. The term "government of Venezuela"
68 means the government of Venezuela, its agencies or
69 instrumentalities, or any company that is majority-owned or
70 controlled by the government of Venezuela.

71 2. The Governor may waive the requirements of this
72 paragraph if the existing regime in Venezuela collapses and
73 there is a need for immediate aid to Venezuela before the
74 convening of the Legislature or for other humanitarian reasons

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75 as determined by the Governor.

76 (2) The State Board of Administration may not be a
77 fiduciary under this section with respect to voting on, and may
78 not have the right to vote in favor of, any proxy resolution
79 advocating expanded United States trade with Cuba, ~~or~~ Syria, or
80 Venezuela. The board's staff shall report on its activities in
81 its annual proxy voting report.

82 Section 2. Subsection (3) is added to section 215.472,
83 Florida Statutes, to read:

84 215.472 Prohibited investments.—Notwithstanding any other
85 provision of law, each state agency, as defined in s. 216.011,
86 is prohibited from investing in:

87 (3)(a) Any financial institution or company domiciled in
88 the United States, or foreign subsidiary of a company domiciled
89 in the United States which, directly or through the United
90 States or foreign subsidiary, extends credit of any kind or
91 character, advances funds in any manner, or purchases or trades
92 any goods or services with the government of Venezuela, or any
93 company doing business in or with the government of Venezuela,
94 in violation of federal law. The term "government of Venezuela"
95 means the government of Venezuela, its agencies or
96 instrumentalities, or any company that is majority-owned or
97 controlled by the government of Venezuela.

98 (b) The Governor may waive the requirements of this
99 subsection if the existing regime in Venezuela collapses and

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100 | there is a need for immediate aid to Venezuela before the
101 | convening of the Legislature or for other humanitarian reasons
102 | as determined by the Governor.

103 | Section 3. This act shall take effect July 1, 2018.