

<b>Tab 1</b>	<b>SR 1064</b> by <b>Garcia</b> ; (Similar to H 01383) United States Department of State's List of Foreign Terrorist Organizations				
625402	D	S	RCS	MS, Garcia	Delete everything after 02/01 05:45 PM
<b>Tab 2</b>	<b>SB 1360</b> by <b>Wright</b> ; (Identical to H 01195) Governor's Medal of Freedom				
<b>Tab 3</b>	<b>SB 1396</b> by <b>Cruz</b> ; (Similar to H 00999) Educational Dollars for Duty Program				

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**MILITARY AND VETERANS AFFAIRS, SPACE, AND  
DOMESTIC SECURITY**

**Senator Wright, Chair**  
**Senator Harrell, Vice Chair**

**MEETING DATE:** Tuesday, February 1, 2022

**TIME:** 3:30—5:30 p.m.

**PLACE:** *Mallory Horne Committee Room, 37 Senate Building*

**MEMBERS:** Senator Wright, Chair; Senator Harrell, Vice Chair; Senators Burgess, Cruz, Gibson, Rodriguez, and Torres

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SR 1064</b> Garcia (Similar HM 1383)	United States Department of State's List of Foreign Terrorist Organizations; Opposing the removal of the Revolutionary Armed Forces of Colombia (FARC) from the United States Department of State's list of Foreign Terrorist Organizations, etc.  MS 02/01/2022 Fav/CS RC	Fav/CS Yeas 7 Nays 0
2	<b>SB 1360</b> Wright (Identical H 1195)	Governor's Medal of Freedom; Abrogating the repeal of provisions authorizing the Governor to present the Governor's Medal of Freedom to certain persons, etc.  MS 02/01/2022 Favorable RC	Favorable Yeas 7 Nays 0
3	<b>SB 1396</b> Cruz (Similar H 999)	Educational Dollars for Duty Program; Revising eligibility for the Educational Dollars for Duty program (EDD) to include members of the Florida National Guard who enroll in an accredited or licensed online degree program provided by a public or nonpublic postsecondary institution or technical center in this state or another state; conforming requirements for online courses included in the EDD; conforming requirements for adoption of tuition payment guidelines by the Adjutant General, etc.  MS 02/01/2022 Favorable ATD AP	Favorable Yeas 7 Nays 0

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

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BILL: CS/SR 1064

INTRODUCER: Committee on Military and Veterans Affairs, Space, and Domestic Security, and Senator Garcia

SUBJECT: United States Department of State's List of Foreign Terrorist Organizations

DATE: February 1, 2022      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Lloyd</u>	<u>Caldwell</u>	<u>MS</u>	<u>CS/Fav</u>
2.	_____	_____	<u>RC</u>	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SR 1064 expresses the Florida Senate's commitment to a stable and prosperous Colombia. This assistance includes Florida's support for peace, security, and prosperity and opposition to terrorist groups and those who give aid to terrorist groups. CS/SR 1064 further expresses the Florida Senate's opposition to the Revolutionary Forces of Colombia (FARC)'s removal from the designated terror organization list. The resolution provides that the Florida Senate will use all means possible, including divesture, to impede ties, commercial or otherwise, with FARC.

**II. Present Situation:**

The United States Department of State, specifically the Secretary of State, is authorized to administer and enforce the immigration and nationality laws of the nation, including those laws which affect the nationality of a person not in the United States<sup>1</sup> which also includes the designation of organizations as foreign terrorist organizations. A foreign terrorist organization has been defined in federal law to mean an organization that includes two or more individuals who engage in any of the following activities which are considered terrorist activities:

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<sup>1</sup> Immigration and Nationality Act, 8 U.S.C. §1104(a), (2021 Ed. Supp. and Supp. II (1/31/2021)), available at <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1104&num=0&edition=prelim> (last visited January 3, 2022).

- Commit or incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity;<sup>2</sup>
- Endorse or espouse terrorist activity or persuades others to endorse or espouse terrorist activity or to support a terrorist organization;
- Has received military-type training<sup>3</sup> from or on behalf of an organization that, at the time the training was received, met the definition of a terrorist organization;
- Is the spouse of or a child of an individual who would be inadmissible to the United States, if this activity occurred within the last five years; or
- Is a member of a terrorist organization unless the individual can demonstrate by clear and convincing evidence that he or she should not have reasonably known that the organization was a terrorist organization.<sup>4</sup>

If the Secretary of State determines that an organization has engaged in terrorist activity as described above or terrorism as defined in the *Foreign Relations Authorization Act*,<sup>5</sup> the Secretary is statutorily authorized to designate the organization or the individual as a terrorist organization or a terrorist. Such a designation would require notice to Congress, publication in the Federal Register, and the notification to financial institutions to freeze assets of the designated organizations and individuals.<sup>6</sup>

Besides these designations, the United States may use other classifications to identify and attempt to prohibit the entry of certain individuals into the country or inhibit their growth and access to financial and other resources. Identifying an individual as *Specially Designated Global Terrorist* (SDGT) will result in notifications to the public and international financial community impeding the individual's or an organization's ability to conduct transactions in this country, including access to any property and banking interests.<sup>7</sup> The Department of the Treasury maintains several databases of individuals and companies which are updated regularly and individuals and organizations have the ability to seek judicial review of their placement on the lists.<sup>8</sup>

### ***Executive Order 13224, As Amended, and Other Presidential Authorities***

Following a series of terrorist attacks in the United States, a national emergency was declared by President George Bush on September 23, 2001, under Executive Order 13224 (EO), as

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<sup>2</sup> A terrorist activity is defined as those actions which are covered by the definition of a "terrorist activity" under 8 U.S.C. §1182(a)(3)(B), available at <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1182&num=0&edition=prelim> (last visited January 3, 2022).

<sup>3</sup> Military type training received from or on behalf of an organization which meets the definition of a terrorist organization must meet the requirements of section 2339(D)(c)(1) of Title 18.

<sup>4</sup> 8 U.S.C. §1182(a)(3)(B)(2018 Ed. Supp. and Supp. II (1/31/2021)).

<sup>5</sup> Under the *Foreign Relations Act*, (Pub. L. No. 100-204, s. 140, 22 U.S.C. 2656f), terrorism is defined as premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents. International terrorism is defined to specifically mean involving citizens or territory of more than one country.

<sup>6</sup> 8 U.S.C. §1189(a)(2018 Ed. Supp. and Supp. II (1/31/2021)).

<sup>7</sup> United States Department of the Treasury, *Frequently Asked Questions – Specially Designated Nationals and SDN List*, available at <https://home.treasury.gov/policy-issues/financial-sanctions/faqs/topic/1631> (last visited January 3, 2022).

<sup>8</sup> United States Department of the Treasury, Office of Foreign Assets Control – Sanctions Programs and Information, available at <https://home.treasury.gov/policy-issues/office-of-foreign-assets-control-sanctions-programs-and-information> (last visited January 3, 2022).

amended,<sup>9</sup> pursuant to the powers vested in the President of the United States by the Constitution and the laws of the United States of America, including but not limited to, the *National Emergencies Act*,<sup>10</sup> *International Emergency Economic Powers Act (IEEPA)*<sup>11</sup>, section 5 of the *United Nations Participation Act of 1945, as amended*<sup>12</sup> (*UNPA*), and several United Nations Security Council Resolutions.<sup>13</sup> This EO was issued to address continuing threats to the national security, foreign policy, and the economy of the United States.

The IEEPA further authorizes the President to regulate and exert control over the nation's domestic and international economic transactions during an emergency, in consultation with Congress, and in alignment with the provisions of the *National Emergencies Act*.<sup>14</sup> The initial and ongoing authorizations under both of these Acts are published, when declared by the President or other authorized officials, in the *Federal Register*. The threats identified in that specific executive order have been reviewed annually by Congress and continued each year since its first renewal in 2002 in accordance with the notice and timing provisions of the *IEEP*.<sup>15</sup>

### *National Emergencies Act*

Under the *National Emergencies Act*, the President is required to consult with Congress in advance in every possible instance and to continue that consultation process as long as such authorities are exercised by the President. In exercising these authorities, the President must also provide:

- Regular periodic reports to Congress on the use of any Presidential authorities pursuant to the *Executive Order* as to the justification, in whole or in part, for the action;
- Explanations as to why the circumstances constituted an unusual and extraordinary threat which had its source in whole or substantial part outside the United States, to the national security, foreign policy, economy of the United States;

<sup>9</sup> Executive Order 13224, as amended, was issued on September 23, 2001 by then-President George W. Bush. The Executive Order declared a national emergency to deal with foreign terrorists and foreign terrorist organizations who posed a grave danger to the United States, its national security, foreign policy, and its economy. The Executive Order sought to block the assets of individuals and entities who provided support, services, or assistance to terrorists or terrorist organizations, including their affiliates, front organizations, associates, and subsidiaries.

<sup>10</sup> National Emergencies Act (originally enacted as Pub. L. 94-412, Sept. 14, 1976); 50 U.S.C. §1601, *et seq.*, (2018 Ed. Supp. and Supp. II (1/31/2021)), available at

<https://uscode.house.gov/view.xhtml?path=/prelim@title50/chapter34&edition=prelim> (last visited December 29, 2021).

<sup>11</sup> International Emergency Economic Powers Act (IEEP); 50 U.S.C. §1701(2018 Ed. and Supp. II (1/31/2021)), available at <https://uscode.house.gov/browse/prelim@title50/chapter35&edition=prelim> (last visited January 4, 2022).

<sup>12</sup> United Nations Participation Act (UNPA) (originally enacted as Pub. L. 89-206, Sept. 28, 1965); 22 U.S.C. §287c, (2018 Ed. and Supp. II (1/31/2021)), available at

<https://uscode.house.gov/view.xhtml?path=/prelim@title22/chapter7/subchapter16&edition=prelim> (last visited December 29, 2021).

<sup>13</sup> The United Nations Security Council Resolutions (UNSCR) which were in effect concurrently or overlapped with that of different EO's noticed national emergency time periods were UNSCR 1214 of December 8, 1998, UNSCR 1267 of October 15, 1999, UNSCR 1333 of December 19, 2000, and the sanctions contained within, and UNSCR 1363 of July 30, 2001, which established the mechanism by which the sanctions of the various UNSCRs could be monitored.

<sup>14</sup> International Emergency Economic Powers Act (IEEP), *Supra*, note 11 at §1703.

<sup>15</sup> 50 U.S.C. §1622(d) (2018 Ed. and Supp. II (1/31/2021)), available at <https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title50-section1622&num=0&saved=L3ByZWxpbUB0aXRzZTUwL2NoYXB0ZXIzNA%3D%3D%7CZ3JhbnVsZWlkOIVTQy1wcmVsaW0tdGl0bGU1MC1jaGFwdGVyMzQ%3D%7C%7C%7C0%7Cfalse%7Cprelim> (last visited December 27, 2021).

- Rationale for why the authorities to be exercised and the actions to be taken deal with those circumstances;
- Description of why the President believes the actions are necessary to deal with those circumstances;
- Identification of any foreign countries with respect to where any such actions are to be taken and why such actions are to be taken with respect to those countries.<sup>16</sup>

National emergencies declared by the President are immediately transmitted to Congress and published in the *Federal Register*.<sup>17</sup> An annual report is also sent from the Secretary to the Speaker of the House of Representatives and the Senate Committee on Foreign Relations by April 30<sup>th</sup> which provides a detailed assessment of each foreign country's acts of foreign terrorism which were considered of major significance in the Secretary's opinion, including acts of international terrorism which Congress was notified about in the past five years pursuant to terrorist activity where United States Citizens were killed in areas administered by either Israel or the Palestinian Authority, and any other information the Secretary determines should be included in the report.<sup>18</sup>

### ***Revolutionary Forces of Colombia – (FARC)***

In November 2021, the Secretary released changes to the foreign terrorist designations list and among those modifications was the revocation of a Colombian group, the *Revolutionary Forces of Colombia (FARC)*, designation as a Foreign Terrorist Organization (FTO); a designation held since October 1997.<sup>19</sup> FARC had previously sought removal of the designation which had been denied. Such statuses are reviewed on a five-year cycle.<sup>20</sup>

Formed in 1964, FARC was Colombia's largest rebel group known as a guerrilla organization focused on overthrowing the Colombian government, redistributing the country's wealth, and fighting inequality.<sup>21</sup> The organization was also known for drug trafficking, murder, bombings, extortions, and kidnappings. The European Union had removed FARC from its equivalent designated terrorist list following the signed peace agreement in 2016 having only placed FARC on the list in 2002 when the European Union designated terrorist list originated.<sup>22</sup>

<sup>16</sup> Periodic follow-up reports to Congress are expected once every succeeding six months when an exercise of authorities has occurred. These reports are considered supplemental to any reports required under the *National Emergencies Act*. See 50 U.S.C. §1703(c) (2018 Ed. Supp. and Supp. II (1/31/2021)).

<sup>17</sup> 50 U.S.C. 1621 (2018 Ed. Supp. and Supp. II. (1/31/2021)); available at <https://uscode.house.gov/view.xhtml?path=/prelim@title50/chapter34/subchapter1&edition=prelim> (last visited December 28, 2021).

<sup>18</sup> 22 U.S.C. §2656f (Annual country reports on terrorism)(2018 Ed. Supp. and Supp. II (1/31/2021)) available at [https://uscode.house.gov/view.xhtml?req=\(title:22%20section:2656f%20edition:prelim](https://uscode.house.gov/view.xhtml?req=(title:22%20section:2656f%20edition:prelim) (last visited December 29, 2021).

<sup>19</sup> Designation of Foreign Terrorist Organizations, 62 Fed. Reg. 52650, 52650 (October 8, 1997).

<sup>20</sup> Designation of Foreign Terrorist Organizations, 8 U.S.C. §1189(a)(4)(C) (2018 Ed. Supp and Supp. II (1/31/2021)), available at <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1189&num=0&edition=prelim> (last visited December 29, 2021).

<sup>21</sup> Who are the FARC?, BBC.com, available at <https://www.bbc.com/news/world-latin-america-36605769> (last visited December 29, 2021).

<sup>22</sup> Sputnik International, *EU Suspends Sanctions Against FARC After Colombia Signs Peace Deal With Rebels*, (September 27, 2016), available at <https://sputniknews.com/20160927/eu-suspends-sanctions-farc-1045733938.html> (last visited December 29, 2021).

A ceasefire and Peace Accord were finally signed in 2016 after several failed attempts, and as a condition of that Peace Accord, FARC demobilized and disarmed itself. Some dissidents disagreed with the Peace Accord and retained the FARC name and continued with the illegal activities and re-armed themselves. Those members of FARC who disarmed formally dissolved FARC and have changed its name to “Comunes” or as translated in English to “Commons,” in January 2021 in an attempt to move away from a guerilla group with the same name and its past.<sup>23</sup> The new organization has been granted seats in Congress in accordance with the Peace Accord and elections will occur in March 2022.<sup>24</sup> Prior commanders and leaders once involved with the disbanded FARC, however, are not excused from their past crimes and remain on the terrorist list for both their past and any future activities.<sup>25</sup>

Additional organizations, the *Revolutionary Armed Forces of Colombia – People’s Army (FARC – EP)* and *Segunda Marquetalia*, which developed after the Peace Accord and have continued to mobilize and engage in terrorist activity according to the Department of State, have been found responsible for the killing of former FARC members other community leaders.<sup>26</sup> *Segunda Marquetalia* has been identified as another organization, along with *FARC-EP* involved in the kidnappings and ransoming of government employees, attempted killings of political leaders, and engaging in mass destruction and assassinations.<sup>27</sup> These two organizations were added to the *Foreign Terrorist Organizations List* as FARC’s designation was revoked on November 30, 2021.<sup>28</sup> The leaders of the newly added organizations, Luciano Marin Arango, Hernan Dario Valasquez Saldarriaga, Henry Castellanos Garzon, Nestor Gregorio Fernandez, Miguel Santanilla Botache, and Euclides Espana Caicedo have also been newly designated as SDGTs under EO 13224, as amended.<sup>29</sup>

#### *Florida’s Excluded Vendor and Scrutinized Companies Provisions*

As organizations are designated as terrorist organizations at the national level, the State of Florida is also identifying organizations to ensure such entities and individuals are barred from receiving state material support or resources as state vendors.<sup>30</sup> To be eligible to conduct business with the State of Florida:

- Vendors must register with Florida Department of State’s Division of Corporations and the MyFloridaMarketPlace;
- Have a copy of their E-Verify status and current W-9 filed with the Department of Financial Services, and

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<sup>23</sup> Radina Gigova and Fernando Ramos, *Colombia’s FARC Party is Changing its Name to ‘Comunes,’* CNN.com, available at <https://www.cnn.com/2021/01/25/world/colombia-farc-changes-name-intl/index.html> (last visited December 29, 2021).

<sup>24</sup> *Id.*

<sup>25</sup> Antony J. Blinken, United States Department of State, *Revocation of the Terrorist Designations of the Revolutionary Armed Forces of Colombia (FARC) and Additional Terrorist Designations*, November 30, 2021, available at: <https://www.state.gov/revocation-of-the-terrorist-designations-of-the-revolutionary-armed-forces-of-colombia-farc-and-additional-terrorist-designations/> (last visited December 28, 2021).

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> Section 775.33, F.S.



- Not be listed on the State of Florida’s Convicted, Suspended, or Discriminatory List.<sup>31</sup>

Standard contract provisions in all state contracts prohibit the use of any vendors, suppliers, contractors, subcontractors, or consultants who appear on the state’s suspended vendor list, convicted vendor list, or discriminatory vendor list.<sup>32</sup> Those categories are explained in the chart provided below. Entities and individuals have the right to request an administrative hearing about placement on the discriminatory vendor list.<sup>33</sup>

Type of Vendor	Statutory Citation	Explanation
Convicted Vendor	287.133, F.S.	A finding of guilt of a public entity crime <sup>34</sup> , with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or nolo contendere plea.
Discriminatory Vendor	287.134, F.S.	A determination of liability by a state or federal district court for a violation of any state or federal law prohibiting discrimination on the basis of race, gender, national origin, disability, or religion has been successfully made against the vendor.
Scrutinized Companies	287.135, F.S.	Prohibition against contracting with certain scrutinized companies on the Scrutinized Company List and: <ul style="list-style-type: none"> <li>- Engaged in a Boycott of Israel;</li> <li>- Contracted greater than \$1 million with activities in the Sudan or in the Iran Petroleum Energy Sector List; or</li> <li>- Engaged in business operations in Cuba or Syria.</li> </ul>
Suspended Vendor	287.1351, F.S.	A vendor that is in default on any contract with an agency or has otherwise repeatedly demonstrated a recent inability to fulfill the terms and conditions of previous state contracts or to adequately perform its duties under those contracts. A suspended vendor may not submit a bid, proposal, or reply to an agency or enter into a renewal after being placed on the suspended vendor list.

<sup>31</sup> See Department of Management Services, *Doing Business with the State of Florida Checklist*, [https://www.dms.myflorida.com/content/download/147572/983242/Doing\\_Business\\_with\\_the\\_State\\_of\\_Florida\\_-\\_Vendor\\_Communication\\_7.2.19.pdf](https://www.dms.myflorida.com/content/download/147572/983242/Doing_Business_with_the_State_of_Florida_-_Vendor_Communication_7.2.19.pdf) (last visited December 29, 2021).

<sup>32</sup> See Sample State Term Contract, Section 5; Compliance with Laws (State Term Contract), (copy of Department of Management Services’ Standard State Term Contract on file with Committee on Military and Veterans Affairs, Space, and Domestic Security as of January 4, 2022). See also copies of executed state term contracts at *State Contracts and Agreements, Department of Management Services*, [State Contracts and Agreements / State Purchasing / Business Operations / Florida Department of Management Services - DMS \(myflorida.com\)](#) (last viewed January 3, 2022).

<sup>33</sup> Section 287.134(3)(a), F.S.

<sup>34</sup> A public entity crime is defined as a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with any agency or public subdivision or any other state or with the United States, including but not limited to any bid, proposal, reply, or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation. See section 287.133(g), F.S.



The state has also defined statutorily “terrorist” and “terrorist organization” by cross referencing its definition to the federal definition of a “terrorist organization” under section 219 of the Immigration and Nationality Act (INA).<sup>35</sup>

Under the federal definition, whichever organizations or individuals named by the Secretary of State to the Designation of Foreign Terrorist Organizations are the entities that meet the statutory definition. The designation takes effect upon publication in the *Federal Register* and is effective until revoked with a chance for the organization or individual to seek a review upon petition at specified intervals.<sup>36</sup>

### *Ongoing Divesture of State Funds*

In addition to the procurement and purchasing protections, current state law also directs the State Board of Administration to identify to the best of its abilities all scrutinized companies in which public funds are held, including those countries which are designated state sponsors of terror.<sup>37</sup>

### **III. Effect of Proposed Changes:**

CS/SR 1064 provides historical background between the United States and Colombia within the context of FARC’s role in that history through a series of opening whereas clauses.

CS/SR 1064 declares the Florida Senate’s opposition to the removal of FARC from the list of designated terrorist organizations and condemns any regime in any country which gives aid to terrorist groups in Colombia through providing training, weapons, funding, or by hosting those groups within its borders.<sup>38</sup> The resolution explicitly declares Florida’s opposition to any further efforts to change the status of countries such as Cuba or Iran in a like manner.

CS/SR 1064 further expresses the state’s interest in using all means possible, including divestiture to impede ties, commercial or otherwise, with FARC.

CS/SR 1064 recognizes that a stable and prosperous Colombia serves the needs of the Colombian people and the interests of Florida in Latin America.

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<sup>35</sup> The Secretary is authorized to designate an organization as a foreign terrorist organization in accordance with this subsection if the Secretary finds that:–

(A) The organization is a foreign organization;

(B) The organization engages in a terrorist activity (as defined in section 1182(a)(3)(B) of this title or terrorism (as defined in section 2656f(d)(2) of title 22, U.S.C.) or retains the capability and intent to engage in terrorist activity; and

(C) The terrorist activity or terrorism of the organization threatens the security of United States nationals or the national security of the United States.

<sup>36</sup> Designation of Foreign Terrorist Organizations, 8 U.S.C. §1189 (2018 Ed. Supp. and Supp. II (1/31/2021)).

<sup>37</sup> Section 215.473(2) and (3), F.S.

<sup>38</sup> On November 30, 2021, the Department of State revoked the designation of the Revolutionary Forces of Colombia (FARC) as a foreign terrorist organization under the Immigration and Nationalization Act (INA) and as a Specially Designated Global Terrorist (SDGT) pursuant to Executive Order 13224, as amended. See Revocation of the Terrorist Designations of the Revolutionary Armed Forces of Colombia (FARC) and Additional Terrorists Designations, A Press Statement by Anthony J. Blinken, Secretary of State, November 30, 2021, <https://www.state.gov/revocation-of-the-terrorist-designations-of-the-revolutionary-armed-forces-of-colombia-farc-and-additional-terrorist-designations/> (last visited December 27, 2021). The Department of State added the designation of FTO and SDGT to the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP) and Segunda Marquetella. The respective leaders of these organizations were also added to the same lists.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

To the extent that keeping FARC on the designated terrorist organization list would help Colombia reduce and eliminate public integrity fraud, corruption, murder, torture, kidnapping, and the gross violation of human rights, the private sector in Colombia may impact on improved living and working conditions in Colombia thus creating a better environment for commercial markets that were free from terrorist organizations. This change in working and living conditions in Colombia may have a trickle-down effect on goods and services received from Colombia in the United States in the extended future. The impact on the United States' private sector is unknown.

## C. Government Sector Impact:

When the United States removed FARC from the designated terrorist organization list, supporters announced the action as a step forward for the now re-branded, re-named, political group, COMMON. The action was seen as a step which would allow them to be eligible for aid and assistance from the United States as the group continues work on the 2016 peace agreement. Being eligible for grants and assistance may accelerate the implementation of certain elements of the peace agreement. Those impacted by the change also identified the stigmatization of prior combatants and that revocation would assist with the continued assimilation of these individuals into the community.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

None.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**Recommended CS by Military and Veterans Affairs, Space, and Domestic Security on February 1, 2022:**

The Senate Committee on Military and Veterans Affairs, Space, and Domestic Security adopted a CS/SR 1064 which:

- Reflected on FARC's removal from the Foreign Terrorist Organizations list;
- Expressed the Florida Senate's opposition to any future change in the current status of Iran and Cuba by the Department of State;
- Condemned any country which gives aid to Columbia through training, weapons, or hosting troops within their border;
- Encouraged the Florida Senate to use all means possible to impede ties, commercial or otherwise with FARC; and
- Recognized that a stable and prosperous Colombia serves the Colombian people first, but also Florida's interests in Latin America.

**B. Amendments:**

None.



625402

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/01/2022	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Garcia) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the resolving clause  
and insert:

That the Florida Senate declares its firm commitment to Colombia, the United States' strongest ally in Latin America, and opposes the Biden Administration's removal of FARC from the list of Foreign Terrorist Organizations.

BE IT FURTHER RESOLVED that the Florida Senate condemns any regime in any country, such as Cuba, Venezuela, and Iran, which



11 gives aid to terrorist groups in Colombia by providing training,  
12 weapons, or funding or by hosting those groups within its  
13 borders.

14 BE IT FURTHER RESOLVED that the Florida Senate opposes any  
15 effort to change the State Department designations of Cuba and  
16 Iran from their current designations as State Sponsors of  
17 Terrorism.

18 BE IT FURTHER RESOLVED that the Florida Senate has heard  
19 the concerns of Colombian Americans living in Florida, many of  
20 whom have been victims of FARC.

21 BE IT FURTHER RESOLVED that the Florida Senate will use all  
22 means possible, including divestiture if applicable, to impede  
23 ties, commercial or otherwise, with FARC.

24 BE IT FURTHER RESOLVED that the Florida Senate recognizes  
25 that a stable and prosperous Colombia serves the Colombian  
26 people first and foremost, but also serves the State of  
27 Florida's interests in Latin America.

28  
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete everything before the resolving clause  
32 and insert:

33 A bill to be entitled  
34 A resolution opposing the Biden Administration's  
35 removal of the Revolutionary Armed Forces of Colombia  
36 (FARC) from the United States Department of State's  
37 list of Foreign Terrorist Organizations.

38  
39 WHEREAS, Colombia is among the oldest standing democracies



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40 in Latin America, and

41 WHEREAS, the United States established diplomatic relations  
42 with Colombia in 1822, and

43 WHEREAS, Colombia is a constitutional republic where the  
44 people of Colombia hold the power and elect representatives to  
45 exercise that power, and

46 WHEREAS, the United States Department of State placed the  
47 Revolutionary Forces of Colombia (FARC) on the list of Foreign  
48 Terrorist Organizations in 1997, and

49 WHEREAS, after many years of violence and armed conflict,  
50 in 2022, Colombia is the United States' strongest ally in Latin  
51 America, and

52 WHEREAS, with the support of the United States and the  
53 State of Florida, Colombia has transformed itself from a  
54 volatile and near-failed state in 2001 into a rich democracy  
55 with a growing free market in 2022, and

56 WHEREAS, May 15, 2022, will mark the 10-year anniversary of  
57 the United States-Colombia Trade Promotion Agreement, which has  
58 supported economic growth and employment opportunities in  
59 Colombia, the United States, and the State of Florida, and

60 WHEREAS, the State of Florida is responsible for roughly a  
61 quarter of all trade between the United States and Colombia, and

62 WHEREAS, the United States, the State of Florida, and  
63 Colombia share a commitment to promoting security, prosperity,  
64 human rights, and democracy in Colombia and across the Western  
65 Hemisphere, and

66 WHEREAS, in recent years, the Colombian government has  
67 taken courageous steps to enforce the law, stop drug  
68 traffickers, and rein in foreign terrorist organizations like



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69 the National Liberation Army (ELN) and FARC, and

70 WHEREAS, the State of Florida continues to support the  
71 efforts of the Colombian government for peace, its support for  
72 human rights defenders, its provision of greater educational  
73 opportunities, its increases in public and private investments,  
74 and its respect for human rights and the rule of law, and

75 WHEREAS, the United States maintains a strong commitment to  
76 cooperating with the Colombian government to investigate,  
77 arrest, and prosecute members of transnational criminal  
78 organizations and to dismantle terrorist groups like the ELN,  
79 FARC, and Hezbollah, whose illicit activities, specifically  
80 narcotrafficking, devastate Colombian and other Latin American  
81 societies, and

82 WHEREAS, Colombia is an essential partner with the United  
83 States in continuing efforts to support the courageous people of  
84 Venezuela in their fight for freedom, democracy, and economic  
85 prosperity against the dictatorship of Nicolás Maduro, and

86 WHEREAS, enemies of freedom, such as the communist regime  
87 in Cuba and the Maduro regime in Venezuela, exploit and abuse  
88 vulnerable individuals and promote violent unrest, vandalism,  
89 and destruction of property against individuals simply asking to  
90 be heard, and

91 WHEREAS, the Biden Administration revoked the designation  
92 of FARC as a foreign terrorist organization in November 2021,  
93 and

94 WHEREAS, FARC has murdered, tortured, and kidnapped  
95 innocent Colombians and committed gross violations of human  
96 rights, and

97 WHEREAS, FARC opposes democratic institutions and those who





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98 have fought for them, and

99 WHEREAS, FARC has committed and supported terrorism and  
100 continues to do so, and

101 WHEREAS, the Colombian electorate in 2016 voted against a  
102 referendum that would have enacted a deal with FARC, and

103 WHEREAS, the Colombian government later ratified an  
104 agreement with FARC without the approval of the electorate, NOW,  
105 THEREFORE,

By Senator Garcia

37-01225-22

20221064\_\_

## Senate Resolution

A resolution opposing the removal of the Revolutionary Armed Forces of Colombia (FARC) from the United States Department of State's list of Foreign Terrorist Organizations.

WHEREAS, Colombia is among the oldest standing democracies in Latin America, and

WHEREAS, the United States established diplomatic relations with Colombia in 1822, and

WHEREAS, Colombia is a constitutional republic where the people of Colombia hold the power and elect representatives to exercise that power, and

WHEREAS, the United States Department of State placed the Revolutionary Forces of Colombia (FARC) on the list of Foreign Terrorist Organizations in 1997, and

WHEREAS, after many years of violence and armed conflict, in 2021, Colombia is the United States' strongest ally in Latin America, and

WHEREAS, with the support of the United States and the State of Florida, Colombia has transformed itself from a volatile and near-failed state in 2001 into a rich democracy with a growing free market in 2021, and

WHEREAS, May 15, 2022, will mark the 10-year anniversary of the United States-Colombia Trade Promotion Agreement, which has supported economic growth and employment opportunities in Colombia, the United States, and the State of Florida, and

WHEREAS, the State of Florida is responsible for roughly a quarter of all trade between the United States and Colombia, and

Page 1 of 4

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

37-01225-22

20221064\_\_

WHEREAS, the United States, the State of Florida, and Colombia share a commitment to promoting security, prosperity, human rights, and democracy in Colombia and across the Western Hemisphere, and

WHEREAS, in recent years, the Colombian government has taken courageous steps to enforce the law, stop drug traffickers, and rein in foreign terrorist organizations like the National Liberation Army (ELN) and FARC, and

WHEREAS, the State of Florida continues to support the efforts of the Colombian government for peace, its support for human rights defenders, its provision of greater educational opportunities, its increases in public and private investments, and its respect for human rights and the rule of law, and

WHEREAS, the United States maintains a strong commitment to cooperating with the Colombian government to investigate, arrest, and prosecute members of transnational criminal organizations and to dismantle terrorist groups like the ELN, FARC, and Hezbollah, whose illicit activities, specifically narcotrafficking, devastate Colombian and other Latin American societies, and

WHEREAS, Colombia is an essential partner with the United States in continuing efforts to support the courageous people of Venezuela in their fight for freedom, democracy, and economic prosperity against the dictatorship of Nicolás Maduro, and

WHEREAS, enemies of freedom, such as the communist regime in Cuba and the Maduro regime in Venezuela, exploit and abuse vulnerable individuals and promote violent unrest, vandalism, and destruction of property against individuals simply asking to be heard, and

Page 2 of 4

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37-01225-22 20221064\_\_

59 WHEREAS, there have been reports that the Biden  
60 Administration plans to remove FARC from the designated list of  
61 foreign terrorist organizations, and

62 WHEREAS, FARC has murdered, tortured, and kidnapped  
63 innocent Colombians and committed gross violations of human  
64 rights, and

65 WHEREAS, FARC opposes democratic institutions and those who  
66 have fought for them, and

67 WHEREAS, FARC has committed and supported terrorism and  
68 continues to do so, NOW, THEREFORE,

69

70 Be It Resolved by the Senate of the State of Florida:

71

72 That the Florida Senate declares its firm commitment to  
73 Colombia, the United States' strongest ally in Latin America,  
74 and opposes any effort by the Biden Administration or any other  
75 governmental entity to remove FARC from the list of Foreign  
76 Terrorist Organizations.

77 BE IT FURTHER RESOLVED that the Florida Senate does not  
78 condone or support the removal of FARC as a designated foreign  
79 terrorist organization.

80 BE IT FURTHER RESOLVED that the Florida Senate condemns any  
81 regime in any country, such as Cuba, Venezuela, and Iran, which  
82 gives aid to terrorist groups in Colombia by providing training,  
83 weapons, or funding or by hosting those groups within its  
84 borders.

85 BE IT FURTHER RESOLVED that the Florida Senate will use all  
86 means possible, including divestiture, to impede ties,  
87 commercial or otherwise, with FARC.

Page 3 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

37-01225-22 20221064\_\_

88 BE IT FURTHER RESOLVED that the Florida Senate recognizes  
89 that a stable and prosperous Colombia serves the Colombian  
90 people first and foremost, but also serves the State of  
91 Florida's interests in Latin America.

Page 4 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

## Committee Agenda Request

**To:** Senator Tom Wright, Chair  
Committee on Military and Veterans Affairs, Space, and Domestic Security

**Subject:** Committee Agenda Request

**Date:** January 19, 2022

---

I respectfully request that **Senate Bill 1064**, relating to United States Department of State's List of Foreign Terrorist Organizations, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink, appearing to read "Ileana Garcia", written over a horizontal line.

Senator Ileana Garcia  
Florida Senate, District 37

2-1-22

Meeting Date

# The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to  
Senate professional staff conducting the meeting

1084

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Jess M. McCarty, Executive Assistant County Attorney Phone 305-979-7110

Address 111 NW 1st Street Email jmm2@miamidade.gov

Street

Miami

FL

33128

City

State

Zip

Speaking:  For  Against  Information **OR** Waive Speaking:  In Support  Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

**Miami-Dade County**

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1: [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

---

BILL: SB 1360

INTRODUCER: Senator Wright

SUBJECT: Governor's Medal of Freedom

DATE: January 24, 2022

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brown	Caldwell	MS	<b>Favorable</b>
2.			RC	

---

**I. Summary:**

SB 1360 saves from repeal the Governor's Medal of Freedom. The Governor's Medal of Freedom authorizes the Governor to present a medal of freedom to a person who has made an especially meritorious contribution to the state.

The bill replaces the term "citizens" with "residents."

The repealer date of July 1, 2022, is removed from statute.

**II. Present Situation:**

**Governor's Medal of Freedom**

The Governor's Medal of Freedom, enacted in the state in 2020<sup>1</sup>, authorizes the Governor to present a medal to a person who has made an especially meritorious contribution to the citizens of the state, its culture, or other significant public or private endeavor.<sup>2</sup> The medal itself contains an inscription and a ribbon.<sup>3</sup>

If the Governor has selected a recipient who has died prior to being awarded the medal, the Governor may present the medal to a person otherwise designated.<sup>4</sup>

Authority for the Governor's Medal of Freedom is set to expire July 1, 2022. Florida is the only state to statutorily authorize a Governor's Medal of Freedom.

---

<sup>1</sup> Ch. 2020-114, Laws of Fla.

<sup>2</sup> Section 14.35, F.S.

<sup>3</sup> Section 14.35(1), F.S.

<sup>4</sup> Section 14.35(2)(a), F.S.

### **Previous Recipients of the Medal of Freedom**

The Governor has previously twice awarded the Medal of Freedom. On April 7, 2021, the Governor awarded the inaugural Medal of Freedom to Bobby Bowden, long-time head football coach for the Florida State University.<sup>5</sup> In support, the Governor cited not only Coach Bowden's formidable achievement in launching the Florida State University Seminoles into a top nationally-recognized football program, but also his positive and enduring influence on the student athletes.<sup>6</sup> During the ceremony, the Governor proclaimed April 7, 2021, Bobby Bowden Day.<sup>7</sup>

On September 16, 2021, the Governor presented the Medal of Freedom to Felix Rodriguez, a former paramilitary officer in the CIA who served during the Bay of Pigs Invasion, and also as an Army Colonel during the conflict in Vietnam.<sup>8</sup> At the presentation ceremony, the Governor noted, "Felix's life has been dedicated to fighting communism, to supporting freedom, to supporting liberty, and we appreciate Felix as a brave and courageous freedom fighter."<sup>9</sup> In addition to awarding the Medal of Freedom, the Governor proclaimed September 16, 2021 Felix I. Rodriguez-Mendigutia Day.<sup>10</sup>

### **III. Effect of Proposed Changes:**

SB 1360 saves from repeal the Governor's Medal of Freedom, thereby enabling the Governor to award Medals of Freedom. The Governor may present a Medal of Freedom to a person who has made an especially meritorious contribution to the state.

The bill replaces the term "citizens" with "residents."

The repealer date of July 1, 2022, is removed from statute.

The bill takes effect July 1, 2022.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

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<sup>5</sup> The Florida Channel, *4/7/21 Ceremony to Honor Florida Medal of Freedom Recipient Bobby Bowden*, available at [4/7/21 Ceremony to Honor Florida Medal of Freedom Recipient Bobby Bowden - The Florida Channel](#)

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> Executive Office of the Governor, *Press Release: Governor Ron DeSantis Awards Felix Rodriguez with Governor's Medal of Freedom*, Sept. 17, 2021, available at [Governor Ron DeSantis Awards Felix Rodríguez with Governor's Medal of Freedom \(flgov.com\)](#)

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*



C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

A fiscal impact is not expected; therefore, an appropriation is not needed.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 14.35 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Wright

14-00982-22

20221360\_\_

1 A bill to be entitled  
2 An act relating to the Governor's Medal of Freedom;  
3 amending s. 14.35, F.S.; abrogating the repeal of  
4 provisions authorizing the Governor to present the  
5 Governor's Medal of Freedom to certain persons;  
6 providing an effective date.  
7

8 Be It Enacted by the Legislature of the State of Florida:  
9

10 Section 1. Section 14.35, Florida Statutes, is amended to  
11 read:

12 14.35 Governor's Medal of Freedom.—

13 (1) The Governor may present, in the name of the State of  
14 Florida, a medal to be known as the "Governor's Medal of  
15 Freedom," which shall bear a suitable inscription and ribbon of  
16 appropriate design, to any person who has made an especially  
17 meritorious contribution to the interests and residents ~~citizens~~  
18 of this ~~the~~ state, its culture, or other significant public or  
19 private endeavor.

20 (2) (a) In the event of the death of an individual ~~who has~~  
21 ~~been~~ chosen to receive the Governor's Medal of Freedom, the  
22 medal may be presented to a designated representative of the  
23 chosen recipient.

24 (b) The Governor's Medal of Freedom may only be presented  
25 to an individual once.

26 ~~(3) This section expires July 1, 2022.~~

27 Section 2. This act shall take effect July 1, 2022.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

---

BILL: SB 1396

INTRODUCER: Senator Cruz

SUBJECT: Educational Dollars for Duty Program

DATE: January 24, 2022

REVISED: 02/01/22

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brown	Caldwell	MS	<b>Favorable</b>
2.			ATD	
3.			AP	

**I. Summary:**

Senate Bill 1396 increases program options for current members of the state National Guard to include an online degree program provided by a public or nonpublic postsecondary institution or technical center (voc-tech) in the state or another state, subject to accreditation.

The Educational Dollars for Duty program presently caps payment of tuition and fees. Payment is capped at the highest in-state cost charged for tuition and fees at a public postsecondary institution or vocational-technical center. If the program is an online degree program, the bill bases the cap on the highest tuition rate charged by a public postsecondary institution in this state or another state. The highest tuition rate imposed in another state could be significantly higher than that charged in Florida.

**II. Present Situation:**

The Educational Dollars for Duty Program, established in 2009, provides an educational benefit exclusively for members of the state National Guard. Specifically, the program affords tuition and fee assistance to qualifying members of the state National Guard who are presently domiciled in the state.<sup>1</sup> The program provides financial assistance to an eligible member enrolled in an authorized course of study at an accredited public or private postsecondary institution or voc-tech center.<sup>2</sup> Preference and priority is given to a person previously deployed on federal military orders while serving in the National Guard.<sup>3</sup>

---

<sup>1</sup> Section 250.10(7), F.S.; ch. 2009-123, Laws of Fla.

<sup>2</sup> *Id.*

<sup>3</sup> Section 250.10(8)(a), F.S.; s. 3, ch. 2009-123, Laws of Fla.

Administered by the Department of Military Affairs, funding is subject to legislative appropriation.<sup>4</sup> In Fiscal Year 2021-2022, the Legislature allocated \$4,167,900 for the program.<sup>5</sup> The appropriation included limitations on spending, which are:

- Applicants seeking undergraduate or postgraduate degrees in science, technology, engineering, or math are prioritized for funding.
- No more than \$450,000 of the appropriation may be used to fund tuition for non-STEM postgraduate degrees.
- Funding for a postgraduate degree must be matched at a rate of fifty percent by the applicant.

When appropriated, the department may pay the full cost of tuition and fees for current National Guard members who take courses at a public postsecondary institution or voc-tech program (s. 250.10(8), F.S.) If, however, the eligible member is enrolled at a private postsecondary institution or voc-tec program, payment is set at up to the highest in-state tuition and fees at a public postsecondary education institution or public vocational-technical program.

During the 2020-2021 fiscal year, the program provided educational assistance to 3,123 state National Guard members. As of January 14, 2022, 2,600 state National Guard members participate in the program.<sup>6</sup>

### **III. Effect of Proposed Changes:**

This bill increases program options for current members of the state National Guard to authorize an online degree program provided by a public or nonpublic postsecondary institution or technical center in the state or another state, subject to accreditation.

The Educational Dollars for Duty program presently caps payment of tuition and fees. Payment is capped at the highest in-state cost charged for tuition and fees at a public postsecondary institution or voc-tech center. If the program is an online degree program, the bill bases the cap on the highest tuition rate charged by a public postsecondary institution in this state or another state. The highest tuition rate imposed in another state could be significantly higher than that charged in Florida.

The bill takes effect July 1, 2022.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

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<sup>4</sup> Section 250.10(7) and (8), F.S.

<sup>5</sup> Specific Appropriation 2931, Section 6, General Government, General Appropriations Act.

<sup>6</sup> Florida Department of Education, *2022 Agency Legislative Bill Analysis, Senate Bill 1396* (Jan. 13, 2022) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill would provide more paid options for members of the National Guard who seek educational assistance.

C. Government Sector Impact:

The Educational Dollars for Duty program presently caps payment of tuition and fees at the highest in-state cost at a public postsecondary institution or voc-tech program for tuition and fees. If the program is an online degree program, the bill bases the cap on the highest tuition rate charged by a public postsecondary institution in this state or another state. The highest tuition rate imposed in another state could be significantly higher than that charged in Florida.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 250.10 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Cruz

18-01296-22

20221396\_\_

A bill to be entitled

An act relating to the Educational Dollars for Duty program; amending s. 250.10, F.S.; revising eligibility for the Educational Dollars for Duty program (EDD) to include members of the Florida National Guard who enroll in an accredited or licensed online degree program provided by a public or nonpublic postsecondary institution or technical center in this state or another state; conforming requirements for online courses included in the EDD; conforming requirements for adoption of tuition payment guidelines by the Adjutant General; providing an effective date.

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

Section 1. Subsection (7) of section 250.10, Florida Statutes, is amended to read:

250.10 Appointment and duties of the Adjutant General.—

(7) The Adjutant General shall develop an education assistance program for members in good standing of the Florida National Guard who enroll in an authorized course of study at a public or nonpublic postsecondary institution or technical center in ~~this the~~ state, or who enroll in an authorized course of study through an online degree program provided by a public or nonpublic postsecondary institution or technical center in this state or another state, which postsecondary institution or technical center has been accredited by an accrediting body recognized by the United States Department of Education or

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20221396\_\_

licensed by the Commission for Independent Education. Education assistance also may be used for training to obtain industry certifications approved by the Department of Education pursuant to s. 1008.44 and continuing education to maintain license certifications. The education assistance program shall be known as the Educational Dollars for Duty program (EDD).

(a) The program shall establish application requirements, including, but not limited to, requirements that the applicant:

1. Be 17 years of age or older.

2. Be presently domiciled in the state.

3. Be an active drilling member and in good standing in the Florida National Guard at the beginning of and throughout the entire academic term for which benefits are received.

4. Maintain continuous satisfactory participation in the Florida National Guard for the school term for which benefits are received.

5. Upon enrollment in the program, complete a memorandum of agreement to:

a. Comply with the rules of the program.

b. Serve in the Florida National Guard for the period specified in the member's enlistment or reenlistment contract.

c. Authorize the release of information pursuant to subparagraph (d)6. by the postsecondary institution or technical center to the education service office of the Department of Military Affairs, subject to applicable federal and state law.

(b) The program shall define those members of the Florida National Guard who are ineligible to participate in the program and those courses of study which are not authorized for the program.

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59 1. Ineligible members include, but are not limited to, a  
60 member, commissioned officer, warrant officer, or enlisted  
61 person who has obtained a master's degree using the program.

62 2. Inactive members of the Florida National Guard and  
63 members of the Individual Ready Reserve are not eligible to  
64 participate in the program.

65 3. Courses not authorized include noncredit courses,  
66 courses that do not meet degree requirements, courses that do  
67 not meet requirements for completion of career training, or  
68 other courses as determined by program definitions.

69 4. The program may not pay repeat course fees.

70 (c) The program may include, but is not limited to:

71 1. Courses at a public or nonpublic postsecondary  
72 institution or technical center in this the state, or online  
73 degree program courses provided by a public or nonpublic  
74 postsecondary institution or technical center in this state or  
75 another state, which postsecondary institution or technical  
76 center is accredited by an accrediting body recognized by the  
77 United States Department of Education or licensed by the  
78 Commission for Independent Education.

79 2. Training to obtain industry certifications, limited to  
80 certifications approved by the Department of Education under s.  
81 1008.44.

82 3. Continuing education to maintain a license or  
83 certification. Notwithstanding subparagraph (b)1., members who  
84 have obtained a master's degree using the program are eligible  
85 for funding under this subparagraph.

86 4. Licensing and industry certification examination fees.  
87 Notwithstanding subparagraph (b)1., members who have obtained a

Page 3 of 5

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88 master's degree using the program are eligible for funding under  
89 this subparagraph.

90 5. Notwithstanding subparagraph (b)3., developmental  
91 educational courses.

92 (d) The Adjutant General shall adopt rules for the overall  
93 policy, guidance, administration, implementation, and proper use  
94 of the program. Such rules must include, but need not be limited  
95 to:

96 1. Guidelines for certification by the Adjutant General of  
97 a guard member's eligibility.

98 2. Procedures for notification to a postsecondary  
99 institution or technical center of a guard member's termination  
100 of eligibility.

101 3. Guidelines for approving courses of study that are  
102 authorized for the program, including online courses, industry  
103 certification training, and continuing education to maintain  
104 license certifications.

105 4. Guidelines for approving the use of program funds for  
106 licensing and industry certification examination fees.

107 5. Procedures for restitution when a guard member fails to  
108 comply with the penalties described in this section.

109 6. Procedures that require a public or nonpublic  
110 postsecondary institution or technical center that receives  
111 funding from the program to provide information regarding course  
112 enrollment, course withdrawal, course cancellation, course  
113 completion, course failure, and grade verification of enrolled  
114 members to the education service office of the Department of  
115 Military Affairs.

116 7. Guidelines for the payment of tuition and fees, not to

Page 4 of 5

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117 exceed the highest in-state tuition rate charged by a public  
118 postsecondary institution in ~~this the state~~ or, in the case of  
119 an online degree program, the highest tuition rate charged by a  
120 program provided by a public postsecondary institution in this  
121 state or another state.

122 Section 2. This act shall take effect July 1, 2022.



The Florida Senate

## Committee Agenda Request

**To:** Senator Tom Wright, Chair  
Committee on Military and Veterans Affairs, Space, and Domestic Security

**Subject:** Committee Agenda Request

**Date:** January 12, 2022

---

I respectfully request that **Senate Bill # 1396**, relating to Educational Dollars for Duty Program, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in blue ink, appearing to read "Janet Cruz", written over a horizontal line.

Senator Janet Cruz  
Florida Senate, District 18



## 2022 AGENCY LEGISLATIVE BILL ANALYSIS

### Florida Department of Education

#### BILL INFORMATION

<b>BILL NUMBER:</b>	Senate Bill 1396
<b>BILL TITLE:</b>	Educational Dollars for Duty Program
<b>BILL SPONSOR:</b>	Senator Cruz
<b>EFFECTIVE DATE:</b>	July 1, 2022

#### COMMITTEES OF REFERENCE

1) Military and Veterans Affairs, Space, and Domestic Security
2) Appropriations Subcommittee on Transportation, Tourism, and Economic Development
3) Appropriations
4)
5)

#### CURRENT COMMITTEE

Military and Veterans Affairs, Space, and Domestic Security
---

#### SIMILAR BILLS

<b>BILL NUMBER:</b>	HB 999
<b>SPONSOR:</b>	Representative Daley

#### PREVIOUS LEGISLATION

<b>BILL NUMBER:</b>	
<b>SPONSOR:</b>	
<b>YEAR:</b>	
<b>LAST ACTION:</b>	

#### IDENTICAL BILLS

<b>BILL NUMBER:</b>	
<b>SPONSOR:</b>	

#### Is this bill part of an agency package?

No.
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#### BILL ANALYSIS INFORMATION

<b>DATE OF ANALYSIS:</b>	1/13/2022
<b>LEAD AGENCY ANALYST:</b>	Caleb Hawkes, Director of External Governmental Affairs, Florida College System
<b>ADDITIONAL ANALYST(S):</b>	Cameron Reed, Operations and Management Consultant, Career and Adult Education
<b>LEGAL ANALYST:</b>	Judy Bone, Deputy General Counsel
<b>FISCAL ANALYST:</b>	Suzanne Pridgeon, Deputy Commissioner, Finance and Operations

## POLICY ANALYSIS

### 1. EXECUTIVE SUMMARY

#### Section 1. Amends Section (s.) 250.10, Florida Statutes, to:

Expand eligibility for the Educational Dollars for Duty (EDD) program to include members of the Florida National Guard who enroll in an authorized course of study through an online degree program at a public or nonpublic postsecondary institution or technical center in this state or another state that is accredited by an accrediting body recognized by the United States Department of Education (USDOE) or licensed by the Commission for Independent Education.

### 2. SUBSTANTIVE BILL ANALYSIS

#### 1. PRESENT SITUATION:

Under s. 250.10, F.S., Florida's Adjutant General maintains the EDD program that provides education assistance to Florida National Guard members who are in good standing and enroll in an authorized course of study at one of Florida's public or private postsecondary institutions or technical centers. Members may also use EDD program assistance for training to earn industry certifications approved by the Florida Department of Education.

The program establishes application requirements, defines which members of the Florida National Guard are ineligible to participate in the program, defines which courses of study are not authorized, what education assistance the program may cover and provides that Florida's Adjutant General shall adopt rules for the overall policy guidance, administration, implementation and proper use of the program.

According to data received from the Florida Department of Military Affairs, the EDD program provided educational assistance to 3,123 Florida National Guard members during the 2020-21 fiscal year and, as of January 14, 2022, is currently providing assistance to 2,600 Florida National Guard members during the 2021-22 fiscal year.

#### 2. EFFECT OF THE BILL:

This bill would:

- Expand the EDD program to include authorized online degree programs provided by any postsecondary institution in the United States that is accredited by an accrediting body recognized by the USDOE or licensed by the Commission for Independent Education;
- Provide greater flexibility and additional educational opportunities to specific Florida National Guard members who wish to pursue further training or certifications;
- Provide that the cost of courses in the online program would be covered; and
- Provide that the Adjutant General's rules governing the guidelines for the payment of the tuition and fees will not exceed the highest tuition rate charged by the online program provided by a public institution in this state or another state.

#### 3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES?    Y N

If yes, explain:	
Is the change consistent with the agency's core mission?	Y <input type="checkbox"/> N <input type="checkbox"/>
Rule(s) impacted (provide references to F.A.C., etc.):	

#### 4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

Proponents and summary of position:	Unknown
Opponents and summary of position:	Unknown

**5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL?**

Y  N

If yes, provide a description:	
Date Due:	
Bill Section Number(s):	

**6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS BILL?**

Y  N

Board:	
Board Purpose:	
Who Appoints:	
Changes:	
Bill Section Number(s):	

**FISCAL ANALYSIS**

**1. FISCAL IMPACT TO LOCAL GOVERNMENT**

Y  N

Revenues:	Public and nonpublic postsecondary institutions in the state of Florida could see an increase in the number of Florida National Guard servicemembers attending their institution due to this benefit. The rise in enrollment can lead to additional EDD dollars sent directly to institutions from the Department of Military Affairs. At this time, additional revenue is indeterminable due to the unknown increase in the number of eligible participants.
Expenditures:	With the increased enrollment of Florida National Guard servicemembers, public and private postsecondary institutions may experience increased expenditures; however, the impact on expenditures is indeterminable at this time.
Does the legislation increase local taxes or fees? If yes, explain.	No.
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	

**2. FISCAL IMPACT TO STATE GOVERNMENT**

Y  N

Revenues:	
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Expenditures:	
Does the legislation contain a State Government appropriation?	
If yes, was this appropriated last year?	

**3. FISCAL IMPACT TO THE PRIVATE SECTOR**

**Y  N**

Revenues:	See "Fiscal Impact to Local Government – Revenues" Eligible Florida National Guard servicemembers would benefit from having tuition paid for online postsecondary learning options for education that could lead toward a degree, technical certificate or license.
Expenditures:	
Other:	

**4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES?**

**Y  N**

If yes, explain impact.	
Bill Section Number:	

**TECHNOLOGY IMPACT**

**1. DOES THE BILL IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)?**

**Y  N**

If yes, describe the anticipated impact to the agency including any fiscal impact.	
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**FEDERAL IMPACT**

**1. DOES THE BILL HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)?**

**Y  N**

If yes, describe the anticipated impact including any fiscal impact.	
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**ADDITIONAL COMMENTS**

**LEGAL - GENERAL COUNSEL'S OFFICE REVIEW**

<p>Issues/concerns/comments:</p>	<p>L. 118-121 Authorizes payment for an on-line program as high as the rate charged by a public postsecondary institution in Florida and in another state. Consider whether payment should be limited to the highest rate charged by public postsecondary institutions in Florida, similar to the limit for traditional courses.</p>
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Judy Bone  
**Legal Analyst Signature**

1/19/2022  
**Date**

**APPROVALS**

Caleb Hawkes  
**Lead Program Policy Analyst**

1/13/2022  
**Date**

850-245-9464  
**Phone Number**

Kathy Hebda  
**Chancellor/Director/Direct Report**

1/13/2022  
**Date**

Suzanne Pridgeon  
**Fiscal Analyst**

1/19/2022  
**Date**

Jessica A. Fowler  
**Governmental Relations**

1/20/2022  
**Date**



# CourtSmart Tag Report

**Room:** SB 37

**Case No.:**

**Type:**

**Caption:** Senate Military and Veterans Affairs, Space, and Domestic Security Committee

**Judge:**

**Started:** 2/1/2022 3:32:32 PM

**Ends:** 2/1/2022 3:55:12 PM **Length:** 00:22:41

**3:32:31 PM** Meeting called to order by Chair Wright  
**3:32:41 PM** Roll call by CAA Lois Graham  
**3:32:53 PM** Quorum announced  
**3:33:03 PM** Pledge of Allegiance led by Senator Burgess  
**3:33:23 PM** Chair Wright with opening comments  
**3:33:56 PM** Tab SR 1064 United State Department of State's List of Foreign Terrorist Organizations  
**3:34:07 PM** Senator Garcia explains the bill  
**3:35:14 PM** Amendment Barcode 625402 by Senator Garcia  
**3:35:55 PM** Senator Garcia explains the amendment  
**3:36:32 PM** Senator Garcia waives close  
**3:36:47 PM** Amendment is adopted  
**3:36:52 PM** Senator Cruz with question  
**3:37:03 PM** Senator Garcia responds  
**3:38:38 PM** Senator Cruz with follow-up  
**3:38:44 PM** Senator Garcia responds  
**3:38:51 PM** Senator Cruz with question  
**3:38:54 PM** Senator Garcia responds  
**3:38:59 PM** Senator Cruz with follow-up  
**3:39:04 PM** Senator Garcia responds  
**3:40:47 PM** Senator Cruz with follow-up  
**3:40:54 PM** Senator Garcia responds  
**3:42:32 PM** Senator Gibson with question  
**3:42:41 PM** Senator Garcia responds  
**3:43:20 PM** Senator Gibson with follow-up  
**3:43:27 PM** Senator Garcia responds  
**3:43:47 PM** Senator Gibson with follow-up  
**3:43:52 PM** Senator Garcia responds  
**3:44:47 PM** Senator Gibson with follow-up  
**3:44:55 PM** Senator Garcia responds  
**3:45:12 PM** Senator Gibson with question  
**3:45:16 PM** Senator Garcia responds  
**3:46:20 PM** Senator Torres with question  
**3:46:26 PM** Senator Garcia responds  
**3:47:39 PM** Appearance Form  
**3:47:44 PM** Jess McCarty, Miami-Dade County waives in support  
**3:47:52 PM** Senator Harrell in debate  
**3:48:45 PM** Senator Torres in debate  
**3:49:34 PM** Senator Gibson in debate  
**3:50:16 PM** Senator Garcia closes on the bill  
**3:50:27 PM** Roll call on SR 1064  
**3:51:03 PM** CS/SR 1064 is reported favorably

**3:51:22 PM** Tab 3 SB 1396 Educational Dollars for Duty Program  
**3:51:29 PM** Senator Cruz explains the bill  
**3:52:28 PM** Senator Cruz waives close  
**3:52:40 PM** Roll call on SB 1396  
**3:52:47 PM** SB 1396 is reported favorably  
**3:52:57 PM** Chair to Vice-Chair Harrell  
**3:53:07 PM** Tab 2 SB 1360 Governor's Medal of Freedom  
**3:53:20 PM** Chair Wright explains the bill  
**3:53:49 PM** Chair Wright waives close  
**3:54:05 PM** Roll call on SB 1360  
**3:54:13 PM** SB 1360 is reported favorably  
**3:54:21 PM** Chair back to Chair Wright  
**3:54:34 PM** Senator Harrell Moves to allow staff to make any technical or conforming changes to the CS  
**3:54:52 PM** Motion adopted  
**3:54:59 PM** Senator Gibson moves to adjourn  
**3:55:02 PM** Meeting adjourned