

# Memorandum



**Date:** April 13, 2016

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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a light blue horizontal line.

**Subject:** Inquiry Regarding Possible Human Rights Violation of the Code of Miami-Dade County

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As outlined in Section 11A-2(8) of the Code of Miami-Dade County (Code), discrimination is defined as:

"any difference, distinction or preference in treatment, access or impact because of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status, gender identity, gender expression, sexual orientation, source of income, or actual or perceived status as a victim of domestic violence, dating violence or stalking."

I am writing to request an official opinion as to whether Carnival Corporation's subsidiary, Fathom, is in violation of the Code, as defined above. Specifically, whether Fathom is discriminating based on "national origin" because the subsidiary is following current Cuban law prohibiting Cuban-born passengers from re-entering Cuba via a maritime border. In fact, it is my understanding that a Cuban-born American citizen is prohibited from even purchasing a ticket to board the vessel.

Fathom has been authorized by the U.S. government to sail to Cuba from PortMiami. As Mayor of Miami-Dade County, I oversee PortMiami and lead the government that oversees the most-populous County in Florida with 2.7 million residents, hundreds of thousands of which are Cuban-born. As a Cuban-born, naturalized American citizen myself, it is clear to me that this policy violates the Code.

If you agree that this is a violation of our Code, what are the penalties? Are Carnival Corporation and Fathom in breach of their contract with Miami-Dade County and PortMiami? If so, what are the remedies?

Your immediate attention to this matter is greatly appreciated.

c: Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners  
Office of the Mayor Senior Staff  
Joseph Centerino, Executive Director, Commission on Ethics  
Christopher Agrippa, Clerk of the Board