

MEMORANDUM

Substitute
Agenda Item No. 11(A)(45)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

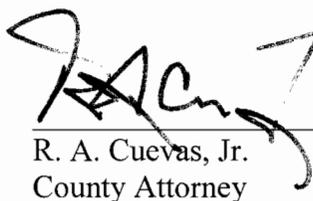
DATE: October 7, 2008

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

SUBJECT: Resolution urging the Bush
Administration to grant
temporary protected status to
Haitian Nationals seeking
refuge in the U.S. &
commending Congress for
approving \$100 million in
emergency disaster assistance in
Haiti caused by Hurricane Ike

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

This substitute differs from the original in that it commends Congress for passing \$100 million in emergency relief for Haiti in H.R. 2638 last week, rather than urging Congress to approve such relief.”



R. A. Cuevas, Jr.
County Attorney

RAC/jls

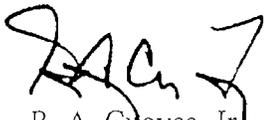


MEMORANDUM

(Revised)

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Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 11(A)(45)
10-7-08

RESOLUTION NO. _____

RESOLUTION URGING THE BUSH ADMINISTRATION TO GRANT TEMPORARY PROTECTED STATUS TO HAITIAN NATIONALS SEEKING REFUGE IN THE U.S. AND COMMENDING CONGRESS FOR APPROVING \$100 MILLION IN EMERGENCY DISASTER ASSISTANCE TO HAITI IN LIGHT OF DESTRUCTION CAUSED BY HURRICANE IKE AND OTHER RECENT STORMS

WHEREAS, Hurricane Ike is the latest in a series of four deadly storms that have struck Haiti this year in rapid succession, including Tropical Storm Fay, Hurricane Gustav, and Tropical Storm Hanna; and

WHEREAS, these storms have caused hundreds of deaths, thousands of injuries and the destruction of homes, crops and businesses; and

WHEREAS, these storms have also left an estimated 800,000 people homeless in Haiti and severely damaged Haiti's infrastructure, making it difficult to provide relief supplies to the storm-ravaged country; and

WHEREAS, Haiti was already the poorest country in the Western Hemisphere; and

WHEREAS, the Haitian government does not have the capacity to respond to the widespread death and destruction caused by storms of this magnitude; and

WHEREAS, immediate assistance from the United States is critical to meet the emergency needs of the Haitian people and begin to rebuild damaged homes and infrastructure; and

WHEREAS, members of Congress including Representatives Kendrick Meek and Ileana Ros-Lehtinen recently asked Congress to approve a \$300 million appropriation in emergency disaster assistance to Haiti; and

WHEREAS, on the floor of the House, H.R. 2638 was recently amended to include \$100 million in relief for Haiti and other Caribbean countries; and

WHEREAS, H.R. 2638 thereafter passed the House and Senate and was signed into law by the President on September 30, 2008; and

WHEREAS, the destruction caused by the storms that have hit Haiti, coupled with the ongoing armed conflict there, does not allow Haitian nationals currently in the U.S. to safely return to Haiti; and

WHEREAS, Congress established Temporary Protected Status (TPS) as a temporary immigration status granted to eligible nationals of designated countries; and

WHEREAS, Haitian President René Préval has written to President Bush requesting that TPS be extended to Haitians; and

WHEREAS, Haiti's ongoing political and economic struggles and the extraordinary destruction caused by several natural disasters more than qualifies Haitian nationals who are already in the United States for TPS; and

WHEREAS, TPS may be granted when any of the following conditions are met:

1. There is ongoing armed conflict posing a serious threat to personal safety;
2. It is requested by a foreign state that temporarily cannot handle the return of nationals due to environmental disaster; or
3. When extraordinary and temporary conditions in a foreign state exist which prevent aliens from returning.

WHEREAS, there are currently six countries that are protected under the TPS provision: Nicaragua, Honduras, El Salvador, Burundi, Somalia, and Sudan; and

WHEREAS, the original designation for Nicaragua, Honduras, and El Salvador was granted in response to similarly destructive natural disasters; and

WHEREAS, though it is only required to meet one, Haiti meets all of the requirements for TPS; and

WHEREAS, the repatriation at this time of Haitian nationals who can help Haiti through remittances may only further hinder Haiti's recovery efforts; and

WHEREAS, granting TPS to Haitian nationals in the U.S. is a bipartisan effort among Miami-Dade County's Congressional Delegation, with Representatives Lincoln Diaz-Balart, Mario Diaz-Balart, Kendrick Meek, Ileana Ros-Lehtinen and Debbie Wasserman-Schultz all recently sending letters to President Bush urging his administration to grant TPS to Haitian Nationals living in the U.S.,

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

Section 1. Urges the U.S. Secretary of Homeland Security to grant Temporary Protected Status to Haitian nationals living in the U.S.

Section 2. Commends the U.S. Congress for approving a \$100 million appropriation in emergency disaster assistance to Haiti.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to Representatives Lincoln Diaz-Balart, Mario Diaz-Balart, Kendrick Meek, Ileana Ros-Lehtinen and Debbie Wasserman-Schultz, and the remaining members of the Florida Congressional Delegation and the Secretary of the U.S. Department of Homeland Security.

Section 4. Directs the County's federal lobbyists to advocate for the action set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2008 and 2009 Federal Legislative Packages.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

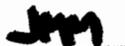
The Chairman thereupon declared the resolution duly passed and adopted this 7th day of October, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty