

MEMORANDUM

Substitute
Agenda Item No. 11(A)(7)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

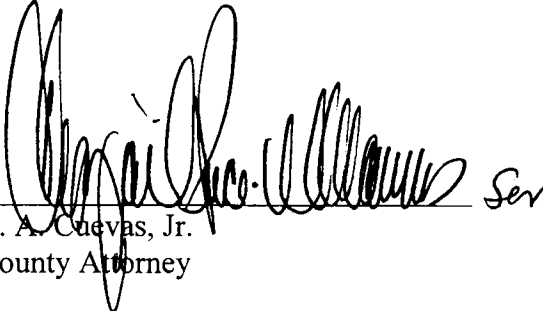
DATE: February 15, 2011

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

SUBJECT: Resolution urging President
Obama's Administration to
extend Temporary Protected
Status for Haitian nationals and
also extend the registration
period

This substitute differs from the original in that certain background information is revised in the whereas clauses.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime and Co-Sponsor Commissioner Rebeca Sosa.


R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 15, 2011

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Substitute
Agenda Item No. 11(A)(7)
2-15-2011

RESOLUTION NO. _____

RESOLUTION URGING PRESIDENT OBAMA'S
ADMINISTRATION TO EXTEND TEMPORARY PROTECTED
STATUS FOR HAITIAN NATIONALS AND ALSO EXTEND
THE REGISTRATION PERIOD

WHEREAS, on January 15, 2010, the U.S. Department of Homeland Security (DHS) announced that it would provide Temporary Protected Status (TPS) for Haitian nationals who were in the U.S. as of January 12, 2010, the date of the devastating earthquake in Haiti; and

WHEREAS, the TPS designation allows eligible Haitian nationals to continue living and working in the U.S.; and

WHEREAS, TPS was made available to Haitian nationals for 18 months from January 12, 2010 to July 22, 2011; and

WHEREAS, the earthquake was now more than one year ago, but Haiti is still dealing with many issues in its wake, including a cholera epidemic, homelessness, a painfully slow reconstruction and political turmoil; and

WHEREAS, a year after the earthquake, an estimated 1.3 million Haitians are still displaced from their homes, the cholera outbreak has killed more than 2,500 people and hospitalized another 58,000, >>and<< the preliminary results of the recent presidential election escalated into violence ~~[[and most recently, the former dictator Jean-Claude "Baby Doc" Duvalier returned to Haiti]]~~¹; and

¹ The differences between the substitute and the original item are indicated as follows: words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

WHEREAS, absent an extension of TPS, Haitian nationals would be expected to depart the U.S. by no later than July 22, 2011; and

WHEREAS, conditions in Haiti have not improved sufficiently from the earthquake for DHS to end TPS for Haitian nationals on July 22, 2011, and it too should be extended for an additional 18 months; and

WHEREAS, prior to DHS granting TPS to Haitian nationals, TPS had been granted to nationals from a number of countries, including El Salvador, Honduras, Nicaragua, Somalia and Sudan, and TPS for immigrants from these countries has been extended; and

WHEREAS, in addition to extending TPS for Haitian nationals past July 22, 2011 for an additional 18 months, the period for Haitian nationals in the U.S. to apply for and register for TPS should also be extended; and

WHEREAS, Haitian nationals initially had from January 12, 2010 to July 20, 2010 to register for TPS; and

WHEREAS, on July 12, 2010, DHS announced that it would extend the registration period from July 20, 2010 to January 18, 2011; and

WHEREAS, due to devastation in Haiti, some nationals continue to have difficulty obtaining documents needed for the TPS application process; and

WHEREAS, other nationals may need further opportunity to gather funds for the application fees or determine eligibility for fee waivers; and

WHEREAS, thus far about 55,000 Haitian nationals have filed applications for TPS, but it is estimated that between 70,000 and 100,000 Haitian nationals currently in the U.S. are eligible for TPS, yet as many as 45,000 have not yet applied for TPS; and

WHEREAS, the registration period needs to be further extended,

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

Section 1. Urges President Obama's administration to extend Temporary Protected Status for Haitian nationals for another 18 months from the current expiration of July 22, 2011; and further extend the registration period for Haitian nationals to apply for Temporary Protected Status another six months from January 18, 2011 to July 17, 2011.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation and the Secretary of the U.S. Department of Homeland Security.

Section 3. Directs the County's federal lobbyists to advocate for the action set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2011 Federal Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime and the Co-Sponsor is Commissioner Rebeca Sosa. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

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The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of February, 2011. 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