

MEMORANDUM

Agenda Item No. 11(A)(21)

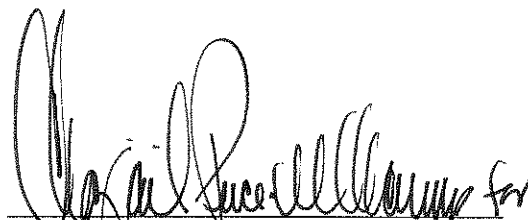
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 4, 2013

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

SUBJECT: Resolution urging President Barack Obama and the United States Secretary of Homeland Security to immediately establish a Haitian Family Reunification Parole Program, similar to the Cuban Family Reunification Parole Program

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



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 4, 2013

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

SUBJECT: Agenda Item No. 11(A) (21)

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 Mayor'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 _____

Agenda Item No. 11(A)(21)
9-4-13

RESOLUTION NO. _____

RESOLUTION URGING PRESIDENT BARACK OBAMA AND THE UNITED STATES SECRETARY OF HOMELAND SECURITY TO IMMEDIATELY ESTABLISH A HAITIAN FAMILY REUNIFICATION PAROLE PROGRAM, SIMILAR TO THE CUBAN FAMILY REUNIFICATION PAROLE PROGRAM

WHEREAS, on January 12, 2010, the Republic of Haiti was devastated by an unprecedented 7.0 Richter Scale earthquake that killed more than 300,000 people, left an estimated 1.6 million people homeless, and destroyed important Haitian institutions and infrastructure; and

WHEREAS, prior to the January 12, 2010 earthquake, the United States Department of Homeland Security had approved immigrant visa petitions for tens of thousands of Haitian beneficiaries that were at that point waiting for the ability to enter the United States; and

WHEREAS, on February 15, 2011, this Board enacted Resolution No. R-120-11, which urged President Barack Obama's Administration to allow these Haitian beneficiaries with approved immigrant visa petitions to enter the United States; and

WHEREAS, there are now approximately 112,000 Haitian beneficiaries with approved immigrant visa petitions waiting to enter the United States; and

WHEREAS, President Obama's Administration has the legal authority to promptly allow these 112,000 Haitian beneficiaries to enter the United States; and

WHEREAS, the Immigration and Nationality Act provides that the Department of Homeland Security may exercise its discretionary parole authority "for urgent humanitarian reasons or significant public benefit" pursuant to section 212(d)(5)(A) of the Immigration and

Nationality Act, 8 United States Code section 1182(d)(5)(A); 8 Code of Federal Regulation section 212.5(c) & (d); and

WHEREAS, exercising this authority would reunite families, provide for orderly migration and ease the burden on Haiti's overwhelmed government without cost to the United States; and

WHEREAS, Haiti's prompt recovery and the preservation of its democracy are in the best interest of the United States as well as Miami-Dade County given Haiti's proximity and our large Haitian-American population; and

WHEREAS, the Department of Homeland Security has not yet implemented a program to expeditiously parole into the United States all or some of the most vulnerable and deserving of the now 112,000 Haitian beneficiaries with immigrant visa petitions approved by the Department of Homeland Security; and

WHEREAS, the need for action is more urgent than ever given still-dire conditions in Haiti; and

WHEREAS, in 2007, President George W. Bush's Administration created a Cuban Family Reunification Parole Program under which over 30,000 approved Cuban beneficiaries have been allowed to enter the United States since 2009 alone; and

WHEREAS, Haitian-American leaders nationwide have urged President Obama and the Department of Homeland Security to create a Haitian Family Reunification Parole Program, similar to the Cuban Family Reunification Parole Program; and

WHEREAS, there has been bipartisan support for the creation of a Haitian Family Reunification Parole Program; and

WHEREAS, during the 2013 session, the Florida Legislature enacted Senate Memorial 1478, which urged the United States Secretary of Homeland Security to create the Haitian Family Reunification Parole Program; and

WHEREAS, this Board would like to urge President Barack Obama and the United States Secretary of Homeland Security to immediately establish a Haitian Family Reunification Parole Program,

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

Section 1. Urges President Barack Obama and the United States Secretary of Homeland Security to immediately establish a Haitian Family Reunification Parole Program, similar to the Cuban Family Reunification Parole Program.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to President Barack Obama, the members of the Florida Congressional Delegation and the United States Secretary 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 amend the 2013 Federal Legislative Package to include this item and to include this item in the 2014 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. 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:

	Rebeca Sosa, Chairwoman	
	Lynda Bell, Vice Chair	
Bruno A. Barreiro		Esteban L. Bovo, Jr.
Jose "Pepe" Diaz		Audrey M. Edmonson
Sally A. Heyman		Barbara J. Jordan
Jean Monestime		Dennis C. Moss
Sen. Javier D. Souto		Xavier L. Suarez
Juan C. Zapata		

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of September, 2013. 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

6