

# MEMORANDUM

Agenda Item No. 11(A)(25)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners


**DATE:** June 4, 2019

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

**SUBJECT:** Resolution urging the United States Congress to enact HR 2413 or similar legislation that would extend temporary protected status for Nicaraguan nationals; and urging the United States President and the Secretary of the United States Department of Homeland Security to extend temporary protected status for Nicaraguan nationals

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr.

  
\_\_\_\_\_  
Abigail Price-Williams  
County Attorney

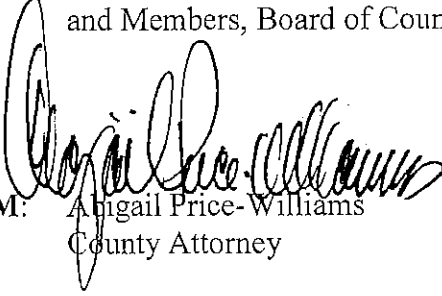
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**MEMORANDUM**  
(Revised)

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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
- Statement of social equity 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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)(25)  
6-4-19

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT HR 2413 OR SIMILAR LEGISLATION THAT WOULD EXTEND TEMPORARY PROTECTED STATUS FOR NICARAGUAN NATIONALS; AND URGING THE UNITED STATES PRESIDENT AND THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO EXTEND TEMPORARY PROTECTED STATUS FOR NICARAGUAN NATIONALS

**WHEREAS**, since April 18, 2018, the people of Nicaragua have protested against the Nicaraguan government, demanding a transparent non-corrupt government, demanding access to necessities such as food and medicine, and demanding free, fair and multiparty elections; and

**WHEREAS**, the United States Department of State's Country Reports on Human Rights Practices for 2018 stated that human rights in Nicaragua deteriorated markedly during the year, citing at least 325 deaths, more than 2,000 injuries and hundreds more illegally detained and tortured leading to more than 52,000 fleeing to neighboring countries between April 18, 2018 and late November 2018; and

**WHEREAS**, other examples of human rights violations include unlawful and arbitrary killings committed by the government or its agents; forced disappearance by paramilitary forces; torture; physical abuse, including rape by government officials; arbitrary arrest and detention; and attacks on the Roman Catholic Church and Church officials; and

**WHEREAS**, on April 4, 2019, the Inter-American Commission on Human Rights of the Organization of American States condemned the human rights abuses perpetrated by the Nicaraguan government, and highlighted the government's efforts to silence independent media by burning media offices, confiscating news material, and even threatening death on journalists; and

**WHEREAS**, recognizing the human rights abuses, the United States Department of Treasury sanctioned six Nicaraguan leaders for corruption and gross violations of human rights; and

**WHEREAS**, the current conditions in Nicaragua are extraordinary and prevent Nicaraguan nationals from safely returning to Nicaragua; and

**WHEREAS**, Temporary Protected Status (TPS) is a humanitarian program which provides temporary immigration status to nationals of countries experiencing problems that place them at risk if deported to their country of origin; and

**WHEREAS**, Nicaragua was first designated TPS on January 5, 1999 after the devastating effects of Hurricane Mitch; and

**WHEREAS**, House of Representatives ("HR") 2413 was introduced for consideration during the 116th United States Congress by United States Representative Mario Diaz-Balart (R – Florida) and United States Representative Donna Shalala (D – Florida); and

**WHEREAS**, HR 2413 would designate Nicaragua under section 244 of the Immigration and Nationality Act in order to extend TPS for Nicaraguan nationals for a period of 18 months; and

**WHEREAS**, this Board supports HR 2413 or similar legislation that would extend TPS for nationals from Nicaragua,

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

**Section 1.** Urges the United States Congress to enact HR 2413 or similar legislation that would extend Temporary Protected Status for Nicaraguan nationals.

**Section 2.** Urges President Donald J. Trump and the Secretary of Homeland Security to extend Temporary Protected Status for Nicaraguan nationals.

**Section 3.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, United States Representative Mario Diaz Balart, United States Representative Donna Shalala, the remaining Members of the Florida Congressional Delegation, and the Secretary of the United States Department of Homeland Security.

**Section 4.** Directs the County's federal lobbyists to advocate for the legislation set forth in section 1 above and the action set forth in section 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2019 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. 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:

Audrey M. Edmonson, Chairwoman  
Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.  
Jose "Pepe" Diaz  
Eileen Higgins  
Joe A. Martinez  
Dennis C. Moss  
Xavier L. Suarez

Daniella Levine Cava  
Sally A. Heyman  
Barbara J. Jordan  
Jean Monestime  
Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of July, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

APP

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