

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

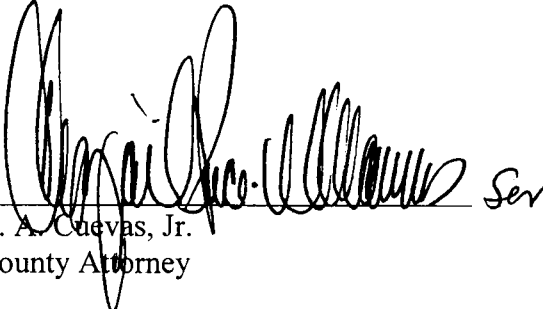
**SUBJECT:** Resolution urging President  
Obama's Administration to  
extend Temporary Protected  
Status for Haitian nationals and  
also extend the registration  
period

R-128-11

---

**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

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

**SUBJECT:** Substitute  
Agenda Item No. 11(A)(7)

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. \_\_\_\_\_ R-128-11

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]]~~<sup>1</sup>; and

<sup>1</sup> 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 **Jean Monestime** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

5

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency. Jm

Jess M. McCarty

6