

MEMORANDUM

Agenda Item No. 11(A)(31)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging
President Joseph R. Biden
and the Secretary of the
United States Department
of Homeland Security to
redesignate Temporary
Protected Status for Haitian
nationals

Resolution No. R-476-21

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



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

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County Attorney

SUBJECT: Agenda Item No. 11(A)(31)

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)(31)
5-4-21

RESOLUTION NO. R-476-21

RESOLUTION URGING PRESIDENT JOSEPH R. BIDEN AND
THE SECRETARY OF THE UNITED STATES DEPARTMENT
OF HOMELAND SECURITY TO REDESIGNATE
TEMPORARY PROTECTED STATUS FOR HAITIAN
NATIONALS

WHEREAS, Temporary Protected Status (“TPS”) may be granted to nationals in the United States who are from countries enduring conditions that temporarily prevent them from returning safely or, in certain circumstances, where countries are unable to handle the return of their nationals adequately; and

WHEREAS, the Secretary of the United States Department of Homeland Security (“DHS”) may designate a country for TPS due to any of the following temporary conditions in the country: (1) ongoing armed conflict, such as civil war; (2) environmental disaster, such as earthquake or hurricane; or (3) any other extraordinary and temporary condition; and

WHEREAS, on January 15, 2010, DHS granted TPS for Haitian nationals who were in the United States as of January 12, 2010, the date of the devastating earthquake in Haiti; and

WHEREAS, the TPS designation allowed eligible Haitian nationals to continue to safely live and work in the United States; and

WHEREAS, TPS was made available to Haitian nationals for 18 months from January 12, 2010 to July 22, 2011 and was extended several times due to the devastation in Haiti; and

WHEREAS, on November 20, 2017, the Trump administration announced its decision to terminate TPS for Haiti, with an 18-month transition period; and

WHEREAS, the Trump administration decided to terminate TPS for five other countries as well—El Salvador, Honduras, Nepal, Nicaragua, and Sudan—sparking multiple lawsuits against the federal government throughout the nation; and

WHEREAS, on October 3, 2018, in *Ramos v. Nielsen*, the United States District Court for the Northern District of California enjoined DHS from implementing and enforcing the decisions to terminate TPS for Sudan, Nicaragua, Haiti, and El Salvador, pending further resolution of the case; and

WHEREAS, on April 11, 2019, in *Saget v. Trump*, the United States District Court for the Eastern District of New York also enjoined the termination of TPS for Haiti, pending a final decision on the merits of the case; and

WHEREAS, as a result, the Trump administration’s terminations of TPS have yet to take effect; and

WHEREAS, although TPS will be extended for Haitian nationals through October 4, 2021, it is crucial that President Joseph R. Biden redesignate TPS for Haitian nationals in light of the extraordinary political crisis Haiti is currently facing as well as the other deplorable conditions from which Haiti has yet to recover; and

WHEREAS, anger and frustration have continued to boil over into the streets of Haiti since its president’s announcement that he would not leave office, leading to incessant violence, destruction, and fear of the rivaling and warring factions and gangs; and

WHEREAS, in addition, Haiti has not recovered from the 2010 earthquake as the nation continues to suffer from economic crises, alarming levels of death and disease, as well as the devastating effects of Hurricane Matthew in 2016; and

WHEREAS, Hurricane Matthew was the first Category 4 hurricane to hit Haiti in 50 years, which left at least 1.4 million people in need of emergency aid, killed nearly 1,000 people, dramatically increased the number of cholera cases in Haiti, and completely destroyed entire towns; and

WHEREAS, because the distressing conditions in Haiti persist, this Board urges the federal government to redesignate TPS for Haiti,

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

Section 1. Urges President Joseph R. Biden and the Secretary of the United States Department of Homeland Security to redesignate Temporary Protected Status for Haitian nationals.

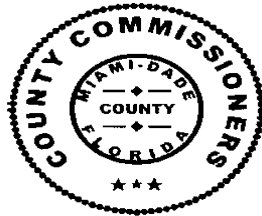
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, to the Members of the Florida Congressional Delegation and to the Secretary of the United States Department of Homeland Security.

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 amend the 2021 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Jean Monestime**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of May, 2021. 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: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

APP

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