Resolution No. 2017-437

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, URGING PRESIDENT TRUMP TO HONOR HIS CAMPAIGN PLEDGES TO THE HAITIAN-AMERICAN COMMUNITY BY EXTENDING HAITI'S TEMPORARY PROTECTED STATUS DESIGNATION FOR 18 MONTHS BEYOND JANUARY 22, 2018; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on September 16, 2016, President Donald J. Trump told Haitian Americans he would be their "greatest champion," praising their "perseverance, entrepreneurship, creativity, [and] faith" and saying "all the things that make America good and strong can be found right here, amazing people, so I come here today to say that the Haitian-American community deserves our gratitude and our respect, and I want you to know you have my respect"; and

WHEREAS, President Trump continued, "it's simply hard to believe that something like that could have happened, the turmoil and pain and suffering that so many people are going through. The 2010 Haitian earthquake unleashed a horrible and catastrophic devastation: over 300,000 dead, unbelievable, 300,000, millions displaced or injured, homes, businesses, schools reduced to rubble; amid the suffering Haiti showed the world so much heart and so much incredible resilience, but the truth is Haiti is still suffering very badly, maybe as badly, after all of the tears and all of the money and all of the work"; and

WHEREAS, President Trump continued, "The Haitian people deserve better, so I will give them better. Today we begin a new chapter, together we will build a
relationship based on mutual respect and friendship and love, and ... we will really do
something very special with our commonly shared values, because we have lots of
commonly shared values, maybe full shared values.... and whether you vote for me or
don't vote me, I really want to be your greatest champion, and I will be your champion
whether you vote for me or not.... we are going to do things for you folks that you have
really deserved for a long time. You're an amazing community, and it's an honor to be
with you"; and

WHEREAS, an issue of great concern and shared value in Haitian-American
communities is that the Trump administration should extend Haiti's Temporary
Protected Status ("TPS") designation for at least 18 months beyond its current
January 22, 2018, expiration date due to, and until it has recovered from, recent
extraordinary calamities, including the 2010 earthquake from which recovery remains
incomplete with scores of thousands of quake victims still homeless; the unchecked
cholera epidemic introduced by United Nations ("UN") peacekeepers in October 2010
(Haiti had not had cholera for at least the prior 100 years) which has killed at least
10,000 and sickened over 800,000, and for which the UN to date has raised only $10
million of its recently targeted $400 million to address the epidemic; and last October's
Hurricane Matthew, the worst in 52 years, which killed 1,000 people, left hundreds of
thousands without safe water or food, inundated vast areas and towns and destroyed
crops, livestock, and infrastructure in broad areas; struck Haiti's southern peninsula, one
of the nation's breadbaskets, exacerbating the nation's food insecurity crisis after a
three-year drought in Haiti's rice-growing Artibonite; exacerbated the unchecked cholera
epidemic, spiking cases of the water-borne disease; and caused Haiti's government recently to declare a "state of emergency" in Haiti's south; and

WHEREAS, on May 22, 2017, the U.S. Department of Homeland Security ("DHS") extended Haiti's TPS designation for only six months, warning recipients to be prepared to return to Haiti, and it is now scheduled to end on January 22, 2018; and

WHEREAS, Haiti's government has requested an extension of at least 18 months to enable it to deal with the overwhelming challenges facing the country due to these calamities, and DHS by November 23 must decide whether to terminate or extend Haiti's TPS designation; and

WHEREAS, President Trump will violate his campaign pledges to the Haitian-American community if DHS does not extend Haiti's TPS designation for 18 months; and

WHEREAS, before May 22, 2017, prior Haiti TPS extensions had always been for 18-month periods, based on an accurate assessment of Haiti conditions; and

WHEREAS, in a detailed December 2016 assessment, United States Citizenship and Immigration Services ("USCIS") concluded that conditions in Haiti warranting TPS persist, and then-Secretary of State Kerry recommended its extension; and
WHEREAS, a few months later USCIS under President Trump recommended against extension, contradicting its December assessment, and its new head of policy and strategy urged staff to find evidence of Haitian "criminality" to justify ending TPS, demonizing an entire ethnicity and despite the TPS statute's disqualification of anyone with a felony or two misdemeanors; and

WHEREAS, TPS is a humanitarian program to which such considerations are irrelevant and is violative of the President's pledges to respect and greatly champion Haitian Americans; and

WHEREAS, Haiti's government, overwhelmed by the recent extraordinary calamities of earthquake, cholera epidemic, Hurricane Matthew, and food insecurity, is struggling to cope; and

WHEREAS, the 50,000 Haitians with TPS have been in the US since at least January 12, 2011, most for seven to 15 years, and have community ties including U.S.-born children who should not have to choose between their parents and their birthright as Americans; and

WHEREAS, these 50,000 Haitians regularly send remittances that sustain about 250,000 to 500,000 relatives in Haiti, relatives who in 2015 received from Haitians in the United States $1.3 billion in remittances, constituting Haiti's chief source of foreign assistance; and
WHEREAS, Haiti's government, while struggling to recover from the recent
catastrophes described above, including scores of thousands of quake victims
remaining homeless, the unchecked cholera epidemic for which the UN to date has
raised insufficient funds, Hurricane Matthew's vast destruction, and food insecurity, not
to mention an influx of repatriates from the Dominican Republic and other challenges
until at least mid-2019, will be unable to safely receive or assimilate 50,000 or more
Haitians with TPS or to replace their remittances, which help sustain its economy,
rendering such deportations both unsafe and destabilizing; and

WHEREAS, such deportations would therefore increase desperation and
migration, resulting in tragedies at sea and requiring increased U.S. Coast Guard
interdiction resources; and

WHEREAS, Haiti's recovery and stability are in the national security interest of
the United States, and the extension of Haiti's TPS designation for no less than 18
months is therefore in the national security interests of both the United States and Haiti;
and

WHEREAS, Haiti is a textbook case for TPS and its generous extension, given
the extraordinary events and facts described above; and

WHEREAS, bipartisan political, editorial, and civil society support for a generous
extension is great and has included 100 members of Congress, major national and
Florida editorial boards, Republican Governor Scott of Florida and Governor Baker of
Massachusetts, religious leaders and professionals, among many other national and
local organizations and other leaders; and

WHEREAS, TPS recipients must pay $410 in fees each time they reregister,
NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
BROWARD COUNTY, FLORIDA:

Section 1. The Board of County Commissioners of Broward County, Florida
("Board"), urges President Donald Trump to instruct DHS to extend Haiti's TPS
designation for no less than 18 months beyond its current January 22, 2018, expiration
date.

Section 2. The Board urges Secretary of State Rex Tillerson to recommend to
President Trump and to DHS that conditions in Haiti fully warrant that DHS should
extend Haiti's TPS designation for no less than 18 months beyond its current
January 22, 2018, expiration date.

Section 3. The Board urges DHS Acting Secretary Elaine Duke to extend
Haiti's TPS designation for no less than 18 months beyond its current January 22, 2018,
expiration date.
Section 4. The Board authorizes transmission of this Resolution to President Donald J. Trump, White House Chief of Staff John F. Kelly, Secretary of State Rex Tillerson, Acting USDHS Secretary Elaine Duke, Acting USCIS Director James McCament, and the members of the Broward Congressional Delegation.

Section 5. SEVERABILITY.

If any portion of this Resolution is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Resolution. If any Court determines that this Resolution, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

Section 6. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

ADOPTED this 14 day of September, 2017.

Approved as to form and legal sufficiency:
Joni Armstrong Coffey, County Attorney

By /s/ Annika E. Ashton 09/13/17
Annika E. Ashton (date)
Assistant County Attorney