

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HM 935 Haitian American Heritage & Caribbean American Heritage
SPONSOR(S): Local, Federal & Veterans Affairs Subcommittee, Jacquet and others
TIED BILLS: IDEN./SIM. **BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	13 Y, 0 N, As CS	Renner	Miller
2) Government Accountability Committee	23 Y, 0 N	Renner	Williamson

SUMMARY ANALYSIS

Congress has passed legislation relating to national observances and commemorative months on several occasions. For example, Congress has passed legislation to commemorate or authorize the President to proclaim February as "National African American History," November as "American Indian Heritage Month," May as "Jewish American Heritage Month," May as "Asian Pacific Heritage Month," and the period beginning September 15 and ending October 15 as "National Hispanic Heritage Month."

The memorial urges Congress to recognize January 1 as "Haitian Independence Day," the month of May as "Haitian American Heritage Month," May 18 as "Haitian Flag Day," and the month of June as "Caribbean-American Heritage Month."

Legislative memorials are not subject to the Governor's veto power and are not presented to the Governor for review. Memorials have no force of law, as they are mechanisms for formally petitioning the federal government to act on a particular subject.

This memorial does not have a fiscal impact on state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Haiti

Located in the Caribbean on the western one-third of the island of Hispaniola, Haiti is a country of approximately 10 million people.¹ Due in part to Haiti's close proximity to the United States, there are approximately 1.5 million² people of Haitian descent living in this country – a large portion of whom reside in and around the city of Miami and the greater South Florida area.

The month of May is of great cultural significance to the people of Haiti and the Haitian diaspora, and as such, many events and celebrations are held during the month throughout the country. "Haitian Flag Day," which is among Haiti's most celebrated holidays, is celebrated on May 18th. Toussaint L'Ouverture, one of the leaders of the Haitian Revolution, is reported to have been born on May 20, 1743.

In addition, various governmental entities in the U.S. have issued resolutions or proclamations recognizing the importance of May in Haitian and Haitian American culture, including, but not limited to, the following:

- In 2001, Miami-Dade County passed a resolution designating May as "Haitian Cultural Heritage Month" and has held annual celebrations in the county ever since;³
- In 2016, the Governor of the Commonwealth of Massachusetts proclaimed the month of May 2015 to be "Haitian Heritage Month;"⁴
- In 2015, the Mayor of the City of Boston and the City of Boston City Council issued separate proclamations to designate the month of May as "Haitian Heritage Month" and to specifically honor "Haitian Flag Day."⁵

At the federal level, several resolutions have been introduced in the U.S. House of Representatives to recognize May as 'Haitian American Heritage Month'. For example, House Resolution 777, sponsored by former Congressman Kendrick Meek, was introduced, but never heard, during the 109th Congress.⁶ Additionally, House Resolution 224, sponsored by Congresswoman Frederica Wilson, was introduced, but never heard, during the 113th Congress.⁷

Congress has passed legislation relating to national observances and commemorative months on several occasions. For example, Congress has passed legislation to commemorate or authorize the

¹ See Haiti's 'Country Profile' on the United States Central Intelligence Agency's World Factbook website at <https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html> (last visited March 16, 2017).

² U.S. Census Bureau, 2013 & 2014 American Community Survey.

³ See Miami-Dade County's press release on the county's 15th Annual Haitian Cultural Heritage Month celebrations at <http://www.miamidade.gov/district02/releases/2015-04-24-haitian-month.asp>. See also the text of County Resolution R-452-01 at <http://www.miamidade.gov/govaction/matter.asp?matter=011622&file=false&yearFolder=Y2001> (last visited March 16, 2017).

⁴ See the "Issued Proclamations" page of the Official website of the Governor of Massachusetts at <http://www.mass.gov/governor/constituent-services/recognition/issued-proclamations/2016/haitian-heritage-month.html> (last visited March 16, 2017).

⁵ A copy of the resolution is on file with the Local, Federal & Veterans Affairs Subcommittee.

⁶ See additional information on House Resolution 777 on the Congress.gov website at <https://www.congress.gov/bill/109th-congress/house-resolution/777?q=%7B%22search%22%3A%5B%22%5C%22hres777%5C%22%22%5D%7D&resultIndex=5> (last visited March 16, 2017).

⁷ See additional information on House Resolution 224 on the Congress.gov website at <https://www.congress.gov/bill/113th-congress/house-resolution/224?q=%7B%22search%22%3A%5B%22%5C%22hres224%5C%22%22%5D%7D&resultIndex=2> (last visited March 16, 2017).

President to proclaim February as “National African American History Month,” November as “American Indian Heritage Month,” May as “Jewish American Heritage Month,” May as “Asian Pacific Heritage Month,” and the period beginning September 15 and ending October 15 as “National Hispanic Heritage Month.”⁸

Caribbean

The Caribbean, often referred to as the West Indies, includes more than 7,000 islands located to the southeast of the Gulf of Mexico.⁹ Of those islands, 13 are independent island countries.¹⁰ The major languages are Spanish, English, and French patois.¹¹ The population of the Caribbean is roughly 36 million people.¹²

Various proclamations have been proclaimed recognizing the Caribbean including, but not limited to, the following:

- In 2005, the U.S. House of Representatives adopted a concurrent resolution¹³ recognizing the Caribbean people and their descendants and established the month of June as “Caribbean American Heritage Month.” The U.S. Senate passed the resolution in 2006.¹⁴
- In 2016, the White House proclaimed June as “National Caribbean American Heritage Month.”¹⁵
- In 2016, the Governor of the Commonwealth of Massachusetts proclaimed the month of June, 2016 “Caribbean American Heritage Month.”¹⁶

Effect of the Memorial

The memorial urges Congress to recognize January 1 as “Haitian Independence Day,” the month of May as “Haitian American Heritage Month,” May 18 as “Haitian Flag Day,” and the month of June as “Caribbean-American Heritage Month.”

Copies of the memorial will be sent to the President of the United States, to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, and to each member of the Florida delegation to the U.S. Congress.

Legislative memorials are not subject to the Governor’s veto power and are not presented to the Governor for review. Memorials have no force of law, as they are mechanisms for formally petitioning the federal government to act on a particular subject.

B. SECTION DIRECTORY:

Not applicable.

⁸ See the Library of Congress’s webpage on “Commemorative Observances” on its website at <http://www.loc.gov/law/help/commemorative-observations/index.php> (last visited March 16, 2017).

⁹ WorldAtlas webpage on the *Caribbean*, at <http://www.worldatlas.com/webimage/countrys/carib.htm> (last visited March 16, 2017).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ House Concurrent Resolution 71, 109th Congress (Feb. 14, 2006), <https://www.congress.gov/bill/109th-congress/house-concurrent-resolution/71> (last visited March 16, 2017).

¹⁴ *Id.*

¹⁵ The White House Office of the Press Secretary, *Presidential Proclamation-National Caribbean-American Heritage Month, 2016*, <https://obamawhitehouse.archives.gov/the-press-office/2016/05/31/presidential-proclamation-national-caribbean-american-heritage-month> (last visited March 16, 2017).

¹⁶ See Issued Proclamations page of the Official website of the Governor of Massachusetts, <http://www.mass.gov/governor/constituent-services/recognition/issued-proclamations/2016/caribbean-american-heritage-month.html> (last visited March 17, 2017).

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.