

# The Immigrant's Journal

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**FREE**

Protecting God's Children From Distant Lands

Vol. V. 76

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## Consumer Advisory: Do Not Be Misled

### The Obama Administration's Immigration Announcement Is NOT an Amnesty Program!

#### What the New Policy Is Not

The Obama Administration announcement is NOT an amnesty, it is NOT about granting legal status, and is NOT something that you can sign-up for!

The Obama Administration made very clear that the announcements do NOT provide any way to "apply" for a work permit or "EAD" nor is there a new way to apply to remain in the United States. The change announced is not about giving people work permits or legal status. The announcement applies ONLY to cases already in the system, ensuring that low priority cases do not continue to clog up an already overburdened immigration court system.

#### **WARNING!**

Do NOT believe anyone who tells you they can sign you up for a work permit (Employment Authorization Document or "EAD") or get you legal status based on Secretary Napolitano's August 18, 2011 announcement!

Anyone who says that, is not to be trusted!

There is NO "safe" way to turn yourself in to immigration and there is NO guarantee that your case will be considered "low priority." ANY person who comes into contact with immigration authorities may be arrested, detained or even removed.

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#### What the New Policy Is

The Obama Administration announced

the creation of a high-level working group made up of Department of Homeland Security and Department of Justice officials

who are to do the following:

*continued on page 9*

**HOT NEWS:** Getting Married? Why You Need to Discuss Your Finances Now ...see page 7

### Latinos Outraged Over President's Massive Controversial Deportation Program, SCOMM

Latinos, immigrants and their allies rallied on Tuesday, August 16 in cities across the nation and delivered thousands of petitions to President Obama's national campaign headquarters in Chicago and other locales as part of a National Day of Action. They expressed their outrage at Obama's recent and controversial decision to aggressively expand the use of local police officers as immigration agents through the highly controversial federal program known as Secure Communities or



SCOMM.

Following his record-breaking

*continued on page 14*

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Brian Figeroux, Esq.



### DHS Announces Expansion of Prosecutorial Discretion Guidelines

BY SETH HOY

The Department of Homeland Security (DHS) announced on August 19, 2011, an agency-wide expansion of prosecutorial discretion guidelines that will hopefully allow immigration officials to focus their enforcement efforts on targeting dangerous criminals. DHS also announced the creation of a joint committee with the Department of Justice (DOJ) that will review nearly 300,000 immigra-

*continued on page 8*



Religious Leaders Applaud Speaker's Immigration Proposal  
...see page 10

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## NYC Youths Push for Legislation to Connect At-Risk Youths with Job Opportunities

With more than one-third of the nation's minority youth unemployed, U.S. Senator Kirsten Gillibrand (D-NY), State Senator Jose Peralta (D-Queens), Assembly Member Francisco Moya (D-Queens), Council Member Julissa Ferreras (D-Queens), Jeanne B. Mullgrav, Commissioner, New York City's Department of Youth and Community Development, Co-Executive Director Ana Maria Archila, Make the Road New York and Queens and Brooklyn youths today stood at Make the Road New York in Jackson Heights to continue their push for federal legislation aimed at increasing employment among at-risk youth. The Urban Jobs Act would provide federal funding to nonprofit organizations, allowing them to carry out programming to prepare youths for employment, particularly those who have dropped out of high school or have been subject to the criminal justice process.

"Supporting education and training for our Queens youths is a smart investment that will help rebuild our local economy and pay dividends over the long term," said Senator Gillibrand. "This program would give city organizations the tools and resources they need to help our youths prepare for future jobs, find employment opportunities, and reach their full potential. The skills they would acquire through this program are invaluable. Helping our youths compete in this difficult economy will have a lasting, positive impact on our community."

"We thank Senator Gillibrand for her commitment to dealing with problems that have condemned generations of minority families to a perpetual cycle of dependence and poverty," said Senator Peralta. "The Urban Jobs Act takes a comprehensive approach to helping at-risk youths by providing support services to those in school so that they stay on track to graduate, and by working with dropouts to equip them with the job and life skills necessary to succeed in the workplace."

"I strongly support federal investments to education and training that are so necessary to help get Queens residents the skills and investment they need for high-quality, well-paid jobs," said Assembly Member Moya. "An Urban Jobs Act would ensure that the next generation

entering the workforce is not invisible and left behind, ensuring expanded opportunity for these young men and women."

"We need to invest in our City's youth, by providing organizations with adequate funding so they can provide training enabling our youths in obtaining the necessary skills needed to get a job," said Council Member Ferreras. "Our City's youths have been neglected for far too long and the Urban Jobs Act is a step in the right direction. Investing in our youths works, as I am a clear example, and I feel everyone should have the same opportunity that I was afforded. I thank Senator Gillibrand for spearheading this effort through the Urban Jobs Act."

"We know that the earlier a young person enters the workforce, the greater the earning power they'll have as adults," said Department of Youth and Community Development Commissioner Mullgrav. "Last week, Mayor Bloomberg announced a comprehensive plan for New York City's young men of color. Today, Senator Gillibrand is making a national commitment to job training, education and support services for urban youths. I commend her for investing in our young people because every dollar we put toward youth workforce development is a down payment on our future."

"The fact that almost 200,000 Latino and African American young adults in NYC are disconnected from school and work represents a huge crisis for our communities and our city," said Archila, Co-Executive Director of Make the Road New York. "Research shows that community-based programs that nurture the leadership of these young people in their communities have the potential to turn their lives around, while teaching them crucial skills needed to succeed in work and school. Our communities cannot afford to sit on the sidelines as our young people fall through the cracks of disillusion and neglect. And that is why we are so excited to work with Senator Gillibrand to make sure that the Urban Jobs Act becomes a reality."

"Before I came to Make the Road New York, I was one of the many LGBT youth who fall through the cracks, bouncing from school to school without a clear path to achieving my personal goals. But

with the support, encouragement, and training that I received at Make the Road New York, I not only got back on the track to finish school, but I attended college, and became ready for the workplace," said Daniel Puerto, 19, from Jackson Heights, Queens. "I have also become a leader in the fight to bring dignity to LGBTQ and immigrant communities. The Urban Jobs Act is going to make sure that thousands of young people like me also have the opportunity to achieve their dreams."

The average unemployment rate for minority youths in urban communities in July was approximately 39% for African Americans and 36% for Hispanics. The city's African American and Hispanic youths are twice as likely to drop out of school and make up more than 80% of the city's detention centers. Additionally, the labor force participation rate for youths without a high school diploma is about 20 percentage points lower than the labor force participation rate for high school graduates.

Lengthy periods of unemployment early in a young person's work life can have lasting negative effects on future earnings, productivity, and employment opportunities. Developing policies such as those under the Urban Jobs Act would assist youths in obtaining the education and skills necessary for success in the labor market, helping reduce youth unemployment and strengthen the economy.

The Urban Jobs Act would create an Urban Jobs Program that would award competitive grants to national non-profit organizations, in partnership with local affiliates, to provide a holistic approach for preparing youths ages 18 through 24 for entry into the job market. A national organization that received a grant would provide a comprehensive set of services that includes:

Case management services to help participants effectively utilize the services offered by the program; educational programming, including skills assessment, reading and math remediation, educational enrichment, General Education Development (GED) credential preparation, and post-secondary education; employment and job readiness activities, including mentoring, placement in community service opportunities, internships, on-the-job training, occupational skills training, job placement in unsubsidized jobs, and personal development; and support services, including health and nutrition referral, housing assistance, training in interpersonal and basic living skills, transportation, child care, clothing, and other assistance as needed.

The Urban Jobs Act would also direct the Secretary of Labor to establish a National Jobs Council Advisory Committee to analyze and advise the implementation of the Urban Jobs Program, and have successful applicants establish local jobs council advisory committees to aid in establishing community support for local implementation of the program. ●

## BIA Guts Legal Protections for Immigrants under Arrest

The American Immigration Council strongly condemns the recent ruling from the Board of Immigration Appeals (BIA) holding that immigrants arrested without a warrant are not entitled to certain Miranda-like warnings prior to questioning by immigration officers. In a precedent decision, the Board held that noncitizens need not be informed of their right to counsel or warned that their statements can be used against them until after they have been placed in formal deportation proceedings.

For decades, immigrants placed under arrest have been entitled to these critical advisals. Like "Miranda" warnings for criminal suspects, such notifications help to ensure that statements made during questioning are not the product of coercion. As a result, of last week's ruling, noncitizens under arrest will now be even more vulnerable to pressure from interrogating officers, and immigration judges will face greater difficulty determining whether statements made during questioning were truly voluntary.

"This decision epitomizes the substandard system of justice that's been created and imposed on immigrants in the United States," said Melissa Crow, Director of the AIC's Legal Action Center. "The Board's ruling renders the advisals practically meaningless and makes immigrants less likely to remain silent when questioned and less likely to assert their right to counsel."

The Board of Immigration Appeals is the highest administrative tribunal on immigration and nationality matters in the United States. Decisions of the Board may be subject to review by federal courts or by the Attorney General. The ruling came in the Matter of E-R-M-F- & A-S-M-, 25 I&N Dec. 580 (BIA 2011). ●

## Reminder: TPS for Haitians

Responding to the January 12, 2010 earthquake tragedy in Haiti, Temporary Protective Status (TPS) was initially granted to Haitians by the U.S. government. On May 17, 2011 there was an announcement of the extension of the designation of Haiti for TPS as well as the re-designation of Haiti for TPS. Haitian nationals who have already been granted TPS under the original designation of Haiti for TPS must apply to re-register for TPS by Monday, August 22, 2011 in order to maintain their TPS status.

Haitian nationals who do not have TPS but who have been residing in the United States since January 12, 2011, must apply for TPS by Tuesday, November 15, 2011.

Haitian nationals granted TPS under the re-designation, or granted TPS under the re-registration, will have their TPS valid through January 22, 2013. ●

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The Immigrant's Journal Legal & Educational Fund, Inc. is an organization dedicated to the educational and economic empowerment of all immigrants and immigrant organizations here in the United States. We at the Journal recognize the enormous contribution of immigrants to this country economically, socially and politically. Since September 11, 2001, however, immigrants have increasingly been discriminated against and Congress has passed legislation curtailing the rights of immigrants here in the U.S., broadly claiming that immigrants are a threat to "National Security." We at the Journal believe that these charges are unfounded, unsubstantiated and exaggerated. The Immigrant's Journal Volunteer Intern Program: was introduced to give our volunteers the opportunity to work in an immigrant friendly environment while developing the necessary skills for college or law school. They assist our staff in resolving immigration and other legal concerns through personal interviews, radio, email and telephone contact. They also assist the public with citizenship applications and in researching whether or not children of naturalized U.S. citizens have derived citizenship from their parents. Some of our volunteers assist our legal staff by engaging in legal research and writing letters on other legal issues. Volunteer interns are also assigned various other jobs in our Youth Programs.

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## Takes Two to Tango

BY JORGE-MARIO CABRERA, CHIRLA

President Obama stepped up to the podium recently to address the largest and most powerful annual gathering of Chicano/Latinos and he was smiling. It was at the same NCLR annual conference that in 2008, then-candidate Barack Obama, made one of the most stirring rebukes of this nation's immigration enforcement policies:

*"The system isn't working when 12 million people live in hiding, and hundreds of thousands cross our borders illegally each year; when companies hire undocumented immigrants instead of legal citizens to avoid paying overtime or to avoid a union; when communities are terrorized by ICE immigration raids — when nursing mothers are torn from their babies, when children come home from school to find their parents missing, when people are detained without access to legal counsel."*

And days before the election that would catapult him to the White House, Mr. Obama once again promised *"to develop the right formula during my first year in office to reform our immigration laws. I am committed to do that."*

Without a doubt, the immigrant community, yours truly included, perked up in those days before the 2008 presidential election and cranked up the volume to hear more of what this senator from Illinois had to say. The melody Mr. Obama was inviting us to dance to was sweet music to our ears. The song's tone, rhythm, and lyrics were orchestrated so eloquently as to defy logic, partisanship, and history. But, it worked. The Pied Piper of Illinois had so defiantly spoken against conformism and paralysis in Washington, DC, that six out of ten Latino voters gave Barack Obama the nod. Even Florida Latinos cast their vote for Obama!

But the magic of the moment fizzled soon after President Obama was elected. The party favors, orchestra, and minstrels soon disappeared and the defiant and catchy melody turned grave and bewildered.

While there were a few well-meaning efforts to address immigration reform in the House and Senate under Democratic leadership, no progress was made. Outside Washington, DC, between President Obama's first day in office and the end of June 2011, one million immigrants and families have been detained, deported, or fired from their place of work. In addition, the well-oiled enforcement machine led by ICE in collaboration with local police departments under the rubric of the wrongly-named *"Secure Communities,"* I-9 audits, and 287(g) agreements, just to name a few, is running full speed ahead.

Understandably, when the president argued once again at this year's NCLR conference that he is unable to do much on his own unless Republicans acquiesce and change our broken immigration laws, the chorus of *"yes, you can"* politely and in crescendo interrupted him.

During his speech, President Obama went to great pains to remind listeners that his administration is *"keeping our promises."* The audience must have nodded that when it came to the economy, gay and les-



bian rights, and women's issues, the president has indeed delivered. But when President Obama pivoted to immigration reform, he blamed Republicans for the impasse, chided those who call on him to use his executive authority to alleviate the suffering of immigrant families, and committed to keep up the fight while encouraging the community to *"keep the heat on me and Democrats."* Lastly the Pied Piper in Chief, dressed in a most charming outfit, conceded he knows *"very well the real pain and heartbreak that deportations cause"* and he made an appeal we have heard once before: *"Let's be honest. I need a dance partner, and the floor's empty."*

It must not be an easy for President Obama to be at a party and not have a partner he can enjoy the music with. Although his political advisors are telling the president he has Latinos in the bag in 2012, the jury is by far-out deliberating whether or not this president means it when he says he will fight the fight with us on the moral and practical issue of immigration reform. Does he mean it when he says we will not be stepped upon again? Thousands and thousands, millions even, of families throughout the United States are suffering on a daily basis the failure of this administration and this Congress to update our immigration laws. In the absence of real reform, immigrant communities everywhere have endured two and a half years of sustained torture led by none other than another "friend" of the community, Secretary Janet Napolitano, and face an increasing chorus of legislatures approving anti-immigrant, discriminatory, and unconstitutional laws. This song's tune is not for dancing.

Thus, the president must have surely felt the heat even while he read his speech at the NCLR conference. If he did, he kept his composure and was as eloquent and convincing as he was in 2008. But President Obama, Republicans and Democrats should recognize that we have danced together quite a lot during the past two years and a half and our feet are getting tired. Not tired enough to stop our fight for justice and changes in immigration laws so that they accurately reflect our nation's compassion, values, and interest. Not tired enough not to register millions more and switch the tune at the ballot box if this one does not suit us. Certainly we are not tired enough to remind our national elected leaders that even the most avid dancer can trip if he is not careful. ●

*The Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA) is a non-profit organization working to advance the human and civil rights of immigrants and refugees in Los Angeles.*

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# Statutory Numbers

1. This bulletin summarizes the availability of immigrant numbers during September. Consular officers are required to report to the Department of State documentarily qualified applicants for numerically limited visas; U.S. Citizenship and Immigration Services in the Department of Homeland Security reports applicants for adjustment of status. Allocations were made, to the extent possible, in chronological order of reported priority dates, for demand received by August 8th. If not all demand could be satisfied, the category or foreign state in which demand was excessive was deemed oversubscribed. The cut-off date for an oversubscribed category is the priority date of the first applicant who could not be reached within the numerical limits. Only applicants who have a priority date earlier than the cut-off date may be allotted a number. If it becomes necessary during the monthly allocation process to retrogress a cut-off date, supplemental requests for numbers will be honored only if the priority date falls within the new cut-off date announced in this bulletin.

2. The fiscal year 2011 limit for family-sponsored preference immigrants determined in accordance with Section 201 of the Immigration and Nationality Act (INA) is 226,000. The fiscal year 2011 limit for employment-based preference immigrants calculated under INA 201 is 140,000. Section 202 prescribes that the per-country limit for preference immigrants is set at 7% of the total annual family-sponsored and employment-based preference limits, i.e., 25,620 for FY-2011. The dependent area limit is set at 2%, or 7,320.

3. INA Section 203(e) provides that family-sponsored and employment-based preference visas be issued to eligible immigrants in the order in which a petition in behalf of each has been filed. Section 203(d) provides that spouses and children of preference immigrants are entitled to the same status, and the same order of consideration, if accompanying or following to join the principal. The visa prorating provisions of Section 202(e) apply to allocations for a foreign

state or dependent area when visa demand exceeds the per-country limit. These provisions apply at present to the following oversubscribed chargeability areas: CHINA-mainland born, INDIA, MEXICO, and PHILIPPINES.

4. Section 203(a) of the INA prescribes preference classes for allotment of Family-sponsored immigrant visas as follows:

### FAMILY-SPONSORED PREFERENCES

**First:** (F1) Unmarried Sons and Daughters of U.S. Citizens: 23,400 plus any numbers not required for fourth preference.

**Second:** Spouses and Children, and Unmarried Sons and Daughters of Permanent Residents: 114,200, plus the number (if any) by which the worldwide family preference level exceeds 226,000, plus any unused first preference numbers:

A. (F2A) Spouses and Children of Permanent Residents: 77% of the overall second preference limitation, of which 75% are exempt from the per-country limit;

B. (F2B) Unmarried Sons and Daughters (21 years of age or older) of Permanent Residents: 23% of the overall second preference limitation.

**Third:** (F3) Married Sons and Daughters of U.S. Citizens: 23,400, plus any numbers not required by first and second preferences.

**Fourth:** (F4) Brothers and Sisters of Adult U.S. Citizens: 65,000, plus any numbers not required by first three preferences.

On the chart below, the listing of a date for any class indicates that the class is oversubscribed (see paragraph 1); "C" means current, i.e., numbers are available for all qualified applicants; and "U" means unavailable, i.e., no numbers are available. (NOTE: Numbers are available only for applicants whose priority date is earlier than the cut-off date listed below.) ●

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01MAY04	01MAY04	01MAY04	15MAR93	01NOV96
F2A	01DEC08	01DEC08	01DEC08	22SEP08	01DEC08
F2B	01JUL03	01JUL03	01JUL03	01NOV92	22MAR01
F3	22AUG01	22AUG01	22AUG01	22NOV92	15MAY92
F4	15APR00	15APR00	15APR00	22MAR96	08JUL88

Source: U.S. Dept of State



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## Getting Married? Why You Need to Discuss Your Finances Now

Couples heading to the altar have a lot to think about. Planning a wedding is no small feat, but, as many people will tell you, planning for your life together beyond the big day is even more important. While thinking about the future is definitely exciting, you should also be sure to have a discussion with each other about topics like buying a home, merging your finances and managing debt.

If both of you have relatively low debt — or better yet, no debt — you should talk about the steps that you need to take to keep your finances in good order. Living debt-free is a great goal to have as a couple, and doing so will eliminate one of the major stressors of any marriage.

Having a frank conversation about your finances now can help prevent future marital conflicts about money. Consider these points for discussion with your fiancé. Keep the tone of your conversation kind and understanding - it's easy to get aggravated, but that won't help anything in the long run.

- Should we combine our finances after getting married or keep them separate?
- What kinds of purchases do you think it's appropriate to make with credit cards?



- How will we budget for major expenditures, like cars, vacations or home repairs?
- Who will be responsible for paying bills?
- Are you open to seeing a financial advisor or having an outside party prepare our taxes?
- What is the total debt load between the two of us and how will we address it?

When it comes to debt, make the conversation realistic, but optimistic as well. It's important to ask tough questions like why you got into debt and what could happen if you don't deal with the situation. Those answers can help paint a clearer picture of how you're going to start paying down your debt.

But to give yourselves something positive to work toward, ask what living debt free would mean to each of you — or to you both, as a couple. Maybe it means you'd be able to afford the home of your dreams or take yearly vacations — those answers can be the inspiration that keeps you working toward being debt free. • (ARA)

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# OBAMA ADMINISTRATION

## DHS Announces Expansion of Prosecutorial Discretion Guidelines

continued from page 1

tion cases currently in removal proceedings to determine whether cases are low priority enough to be closed. The factors for determining low priority cases were outlined last June in a memo issued by Immigration and Customs Enforcement (ICE) Director John Morton. While many immigration groups applaud today's announcement, many are still concerned about DHS's ability to successfully implement these guidelines.

In a letter to Senator Dick Durbin (D-IL) and 21 other senators, DHS announced today that immigrants who are not high priority targets for removal will have the opportunity to request prosecutorial discretion on a case by case basis. Identified in a memo by ICE Director John Morton last June 17, low priority cases include persons who:

- are not criminals and have been in the country since childhood (DREAM Act students)
- have strong community ties
- are veterans or relatives of persons in the armed services
- are caregivers
- have serious health issues
- are victims of crime
- or otherwise have a strong basis for remaining in the United States

On a conference call, the White House clarified that within a few months, ICE attorneys will review every case scheduled for a hearing in order to identify cases

which meet the above criteria. Additionally, the new guidelines will be issued to ICE, USCIS, and CBP officers to ensure that they appropriately exercise discretion when determining whether a low priority case should be referred to immigration court. The White House also announced that a new joint committee made up of government officials will review the nearly 300,000 cases currently in removal proceedings, which may take several months. Once an immigration case is closed, the individual is eligible to apply for work authorization.

Assistant Majority Leader Dick Durbin (D-IL) said, "The Obama Administration has made the right decision in changing the way they handle deportations of DREAM Act students. These students are the future doctors, lawyers, teachers and, maybe, Senators, who will make America stronger. We need to be doing all we can to keep these talented, dedicated, American students here, not wasting increasingly precious resources sending them away to countries they barely remember. The Administration's new process is a fair and just way to deal with an important group of immigrant students and I will closely monitor DHS to ensure it is fully implemented."

Although some groups were quick to criticize the announcement as political pandering, others, like one of the President's most vocal critics, Rep. Luis

Gutierrez (D-IL), applauded the effort as a good start. "This is the Barack Obama I have been waiting for and that Latino and immigrant voters helped put in office to fight for sensible immigration policies. Focusing scarce resources on deporting serious criminals, gang bangers, and drug dealers ... is the right thing to do and I am proud of the President and Secretary Napolitano... This action does not address all of my concerns, but it is the start of a process that will save many American families and individuals who deserve to live long and productive lives in this country."

The American Immigration Lawyers Association (AILA) calls the DHS Prioritization plan a strong step forward for immigration enforcement. "This is an encouraging announcement," said AILA President Eleanor Pelta. "For months, AILA has been talking about the need for smart, targeted enforcement. DHS should focus its limited resources on prosecuting those who are a danger to our communities or would do our nation harm, not wasting taxpayer money going after longtime residents, spouses of U.S. veterans, students, the elderly, and others with deep ties to our communities," added Pelta.

Although DHS has long maintained that its enforcement policies, including the much criticized Secure Communities program, target threats to public safety and national security, nearly 60 percent of individuals deported under the program have

convictions for only minor offenses or no offense at all. Recently, AILA issued a report highlighting 127 cases of people arrested for minor crimes or no offense at all who were placed into removal proceedings. Many also had U.S. citizen spouses or children, longtime residence in the U.S., or other compelling circumstances. The report faulted DHS for failing to have sufficient means to ensure that such individuals are not placed on a virtual conveyor belt to deportation.

Pelta went on to say, "We applaud DHS for recognizing that much more needs to be done to ensure that enforcement resources are targeting those who would do us harm, and not students, mothers, churchgoers, and taxpayers. If the committee embraces the true spirit of this announcement, we could begin to see some much needed change to DHS enforcement practices."

This announcement was indeed a positive step forward for DHS and the Administration, especially on the heels of the hotly contested Secure Communities program. Immigration groups are understandably weary of whether DHS will hold itself accountable to today's announcements. But as groups monitor the implementation of these guidelines in the weeks and months ahead, let's hope DHS provides enough transparency and infrastructure to make these guidelines a reality. ●



President Barack Obama with community leaders: left, Gerry Hopkins and far right, Brian Figeroix, at an exclusive meeting where the Mighty Sparrow (second left) presented a CD with a song "Barack the Magnificent" written especially for the President.

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# IMMIGRATION

## Consumer Advisory: Do Not Be Misled

*continued from page 1*

■ Review all cases already pending before the immigration courts. Those that are considered “low priority” may be administratively closed. Those that are considered a “high priority” will be prosecuted more aggressively.

■ There are no rules or guarantees that a particular type of case will be considered a “low” or “high” priority. Recent guidelines are helpful, but no one can tell you if your case is a low priority — only immigration authorities will make that decision.

■ In the future, immigration authorities will review the cases before people are placed in removal proceedings. Those that are “low priority” may not be referred to the immigration court.

■ Create department-wide guidance to help USCIS, CBP, and ICE agents and officers make better, more consistent decisions about who to place in removal proceedings.

■ Issue guidance on providing discretion in compelling cases for persons who already have a final order of removal.

In other words, the August 18th announcement was preliminary and nothing has been implemented yet. Any details about how the review process will work, what cases will be considered low priority or how to have a particular case considered have not been decided.

The best course of action is to consult an immigration lawyer or accredited representative, not to take action because a friend, neighbor or coworker encourages

you to act.

An online directory of AILA attorneys is available at [www.ailalawyer.com](http://www.ailalawyer.com).

Even if a friend, neighbor or coworker encourages you to act, do NOT try to contact immigration authorities or fall for a scam! At this time, there is NO application to fill out, NO form that can be filed, NO filing fee that can be paid and NO guidance from immigration authorities AT ALL as to how the review of cases will happen. Eventually, as the government decides how to proceed, that information should be available from official government websites, such as USCIS.gov and USICE.gov, this website or the website of the American Immigration Lawyers Association, [www.aila.org](http://www.aila.org). To locate an immigration attorney, including searches by location, practice area and language skills, you can find an online directory of AILA attorneys at [www.ailalawyer.com](http://www.ailalawyer.com).

**The Announcement does NOT mean that all “low priority” cases will automatically be granted a work permit or EAD**

The Administration’s announcement said that if a case is administratively closed, the individual will be able to apply for a work permit (employment authorization document or “EAD”). But there are no details, guidelines or instructions on how to apply for an EAD, or who will be eligible for an EAD. Unless you are already eligible for an EAD under existing regulations and guidelines, you should not go to immigration and ask for an EAD, or

apply to immigration for an EAD or you risk losing several hundred dollars in filing fees. More information on what an EAD is and how much it costs to apply for one is found below.

### What Are “Low Priority” Cases?

The factors for determining low priority cases will likely be based on the June 17, 2011 memo on prosecutorial discretion. However, just because a case seems to fall into one or more of those categories, does NOT automatically mean that it will be considered “low priority.” The people reviewing the cases will be looking at the “totality of the circumstances” and each file will be reviewed on a case-by-case basis. It is unclear how different factors will be considered and weighed. Given that there are approximately 300,000 cases pending, it is also unclear WHEN a particular case might be reviewed.

### What Is Administrative Closure?

Administrative closure applies only to an individual whose case is already before the immigration judge. When a case is administratively closed, it means that the case is no longer active and no action will be taken, including no future hearings, unless and until either the government or the noncitizen asks for the case to be made active again. A person whose case is administratively closed is still in removal proceedings.

Administrative closure is NOT legal status. It is simply a temporary suspension of an immigration court case.

### Will I Get Legal Status from the Administration’s Announcement?

No. According to the announcement, cases that are deemed to be of low priority will either (1) be administratively closed, or (2) no enforcement action will be taken. This is not an amnesty or legal status, but rather a temporary decision not to use limited government resources to deport low priority individuals.

The Administration has also stated that individuals whose cases are administratively closed will be eligible to apply for a work permit (or EAD). An EAD means that an individual can legally work in the United States and obtain a social security number for work. In some states, having an EAD also means you can apply for a drivers license or other identification). An EAD does not give a person legal status—it is just temporary permission to work.

### What Is an EAD?

An EAD or employment authorization document (also known as a work permit) is a temporary document that gives an individual permission to work lawfully in the United States. An EAD is generally valid for one or two years (though it is unclear at this time how long an EAD under this policy will be valid), and can generally be renewed. The application fee is currently \$380, though individuals who can demonstrate financial hardship may be eligible for a fee waiver. An EAD is NOT an immigration status in and of itself. ●

# ALL IMMIGRATION MATTERS

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# Religious Leaders Applaud Newly Introduced Immigration Proposal

Religious leaders from across the city reacted to City Council Speaker Christine Quinn's newly announced proposal to limit New York City's collaboration with the federal Department of Immigration and Customs Enforcement (ICE). The city's entanglement with ICE, which has lasted over ten years, results in the deportation of thousands of New Yorkers annually. The city has no legal obligation to comply with ICE hold requests, and in fact spends close to \$50 million of taxpayer dollars to subsidize the program. In addition to the terrible human toll deportation takes on families, the program jeopardizes fragile relationships between immigrant communities and the city authorities.

"As a pastor, we are called to embrace the stranger in our midst, and to stand up for the most vulnerable among us. Today, Speaker Christine Quinn has taken the first step towards that. I see first-hand the fear that exists in my community as a result of New York City's relationship with ICE. This legislation is the beginning of the effort to stop it, and to create a community that upholds all immigrants' contributions." Reverend Omar Almonte of Central Baptist Church in Bushwick said.

"We are encouraged that Speaker Quinn has taken the first step in getting ICE out of New York City. We believe the eyes of God are watching when families are cruelly and needlessly broken up through collaboration between local law enforcement and the unjust deportation system," said Rev. Stephen Phelps, Interim Senior Minister of The Riverside Church. "The Speaker's bill starts our city on the path toward a more humane and just treatment of people in the criminal justice and immigration systems."

Bishop Julio Mercado, president of the Hispanic Ministers' Association of Brooklyn, praised Christine Quinn's announcement saying, "Speaker Christine Quinn's leadership shows that we can take the steps necessary to halt ICE's destructive agenda and keep our families together. We will continue to work towards reducing the number of New Yorkers deported."

"This proposal is a good first step. The Judeo-Christian tradition, as well as other religious traditions, speak emphatically about the rights of immigrants living in our land," said Father Liam Tomás O'Doherty, OSA, of Our Lady of Good Counsel Parish, on behalf of the Staten Island Clergy Leadership.

"The detainer discretion policy Speaker Quinn has proposed is a move forward for anyone who believes in justice and equality under the law. It will save the city much needed funds as well as helping families who would otherwise be divided and damaged by an unjust immigration system," said Monsignor James Kelly of St. Brigid's RC Church in Bushwick.

"Our faith tradition calls us to welcome the strangers in our midst with love and compassion," said Rev. Susan Switzer, co-chair of the New Sanctuary Coalition of NYC. "Having New York City participate in an unjust mass deportation system is immoral and undermines the safety and security of our communities."

"We applaud Speaker Quinn's decision to move us toward ending the collaboration between New York City and ICE," said Rev. Robert Coleman, Chief Program Minister of The Riverside Church. "New York City has always been a beacon of hope and opportunity for millions around the world, and Speaker Quinn's action brings us one step closer to achieving God's dream of a beloved community here on earth."

"Our immigrant congregations are grateful that Speaker Quinn has taken the

first step in stopping New York City from helping ICE separate families," said Rev. Fabian Arias of Zion Lutheran Church. "For too long we have seen our communities broken apart by harsh and unforgiving immigration policies, so we thank God for Speaker Quinn's courage to stand up for the rights of families."

Reverend David Rommereim, pastor of Lutheran Church of the Good Shepherd in Brooklyn, said, "Thank you Speaker Quinn for moving on this legislation. My Lutheran community acknowledges that New York is a city of immigrants. We are aware of the full complement of responsibility that must be dignified constitutionally, ethically, and morally. As citizens, we share the value of our liberty of our conscience. It is through legislation like this that we will be able to keep more of New York's immigrant families together. That is the guiding principle all our immigration policies should strive to uphold. It is the benchmark for any legislator searching to become a champion for both the moral courage of living up to our values, and the constitutional courage of leveraging a means to dignify the sojourner who has come upon the shores, and the byways of our beloved city." ●

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## BUSINESS MATTERS

# Come to the Brooklyn Business Expo—Your Competitors Will

BY MARK NEUWIRT

Expos Your Business (EYB) is the perfect description of what this dynamic company does. Having started as the producer of the Brooklyn Business Expo in 2009, EYB has developed into a full service marketing firm. Sure, they are still the producers of the Brooklyn Business Expo, the largest Business to Business (B2B) trade show in Brooklyn, but they are now so much more.

Started by Mark Neuwirt, Expos Your Business quickly developed a “following” of businesses looking to generate more qualified leads. Mark realized that through extensive networking and strategic partnering, he could offer his sponsors and



Mark Neuwirt

exhibitors the opportunity to meet new business executives and entrepreneurs at every event. Expos Your Business will be offering networking events coupled with seminars on “How to Optimize Your Trade Show Experience”. These will be coordinated by his mentor and coach, John A. Hill, author of “Tips

from the Booth” a must read guide by a seasoned veteran of the trade show industry. As we hurtle toward the end of summer, we also approach the time to get back to business and start prospecting for new leads. There is no better way to do that than to exhibit and attend the Brooklyn Business Expo, which will be held on September 20 at Grand Prospect Hall, located at 263 Prospect Avenue from 9:00AM-3:00PM. Conveniently located to both subway and highway, this majestic and historic building is the ideal site to host the largest B2B trade show in Brooklyn. As always, the event is expected to feature 100 businesses and over 1,000 attendees.

The event is expected to be particularly strong, due in part to the collaboration

with Event Management, the producer of the NY XPO for business which is held at the Jacob Javits Convention Center every Fall. This event is the largest B2B trade show on the East Coast and should prove to be a huge asset. Also expected are local business and government leaders who will make an appearance to inspire and inform us on the business outlook for Brooklyn. While there, plan to attend at least one or two of the entertaining and pertinent seminars featuring top name presenters. This will be a great day for business in Brooklyn!!

For more information on sponsoring, exhibiting or attending, call 718-813-8173 or email [info@brooklynbusinessexpo.com](mailto:info@brooklynbusinessexpo.com) or visit [www.brooklynbusinessexpo.com](http://www.brooklynbusinessexpo.com).

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**D**o you or a loved one have diabetes? Have you lost someone close to you to diabetes? If you or a loved one suffer from diabetes, or if you've lost someone close due to the disease, you know just how important it is to take strides to stop diabetes.

**Step Out:** Walk to Stop Diabetes, is the American Diabetes Association's signature fundraising walk, and every year, thousands of families touched by diabetes and members of nationwide business communities pledge their support to the event. More than \$20 million a year is raised through the walk to support the association's mission to prevent and cure diabetes and to improve the lives of all people affected by diabetes.

Step Out is a great way to show support for the nearly 26 million children and adults in the U.S. with diabetes, and the 79 million more who are at risk. Every 17 seconds, someone new is diagnosed with diabetes.

People with diabetes can choose to walk as a Red Strider. A Red Strider is someone who has diabetes — type 1, type 2 or gestational — who can proudly walk as an individual or create a team and walk with friends, family and co-workers.

Jeffrey Lisitza is one of the many walkers who will be stepping out as a Red



Strider this year. Lisitza was diagnosed with type 2 diabetes more than 20 years ago. With a concentrated effort to improve his health, he since has lost more than 100 pounds.

"This year, once again, I've joined the fight to stop diabetes by participating in the Step Out: Walk to Stop Diabetes," says Lisitza. "I am honored to be a Red Strider to help motivate others living with this challenging disease."

The purpose of the Red Strider program is to support everyone who lives with diabetes and to show the courage it takes to live with this disease. "The day of the walk is really a time to celebrate all of the accomplishments of the teams and individual participants, as well as a great opportunity to promote awareness about diabetes," adds Lisitza.

The many benefits of walking, for those with and without diabetes, include:

■ **Burning calories.** By walking just an extra five minutes a day you can burn an additional 24 calories per workout. That may not seem like much, but over the course of one year it adds up to a total of 8,760 additional calories burned.

■ **Improving blood fats.** Exercise can raise good cholesterol (HDL) and lower bad cholesterol (LDL) and triglycerides. These changes are heart healthy.

■ **Relieving stress.** Work out or walk off daily stress.

■ **Improving blood glucose management.** Activity makes your body more sensitive to the insulin you make. Activity also burns glucose (calories). Both actions lower blood glucose.

There are 135 Step Out events around the country, so chances are there's a walk close to you. By walking in a Step Out event in your area, you are joining the American Diabetes Association's movement to stop diabetes and helping to change the future of diabetes. ●

For more information or to register for a Step Out event in your community, visit [www.diabetes.org/stepout](http://www.diabetes.org/stepout) or call (888) DIABETES (888-342-2383).

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## IMMIGRANTS' CONCERNS

# DREAM Act a Win-Win: Good for Immigrant Women & for the Economy

BY MONALI SHETH  
NEW AMERICA MEDIA

Humanitarian Greg Mortenson invokes the African proverb, "educated a boy, and you educate an individual. Educate a girl, and you educate a community," to explain why his mission to eradicate poverty in rural areas of Afghanistan and Pakistan through education focuses on girls and young women. However, this proverb carries equal resonance in our own backyard.

As an attorney at Equal Rights Advocates (ERA), a national women's rights advocacy organization based in San Francisco, I come across women everyday who work hard to support their families. They tend to have limited education, living below the poverty line, and many are undocumented.

Many are mothers who brought daughters to this country at a very young age, daughters who consider this country their own. While these mothers may have dim hopes about their own potential for advancement, this should not be the case for their daughters. And yet it will be without the passage of the DREAM Act (the Development, Relief and Education for Alien Minors Act).

The DREAM Act sustains the hope that children will break the cycle of poverty and fulfill the American Dream. It will also enrich our country's economy with skilled



and dedicated young people who well are worth the investment. This legislation will provide thousands of undocumented students a path to legal status through education or military service, and allow them to receive limited federal financial aid. To qualify, students must graduate from U.S. high schools, possess good moral character, have arrived in the U.S. as minors, and been here continuously for at least five years before the bill's passage.

This month marks the tenth anniversary of when the Senate first proposed the DREAM Act, but it still has not gained sufficient traction to be signed into law. Because financial stability in this rough economic climate is our nation's top priority, it is imperative now, more than ever, that Congress passes the DREAM Act. Research from the Migration Policy Institute shows that the median annual income of immigrant men is nearly \$12,000 less than native-born male

citizens. Immigrant women fare worse, making on average over \$16,000 less. Lack of access to higher education is the chief culprit. As a result, many bright young women have minimal access to opportunities crucial to restarting the U.S. economy.

The DREAM Act will positively impact all immigrants, especially immigrant women. The Migration Policy Institute forecasts that if the DREAM Act

becomes law, 57,000 immigrant women age 18 and older would become eligible to attain permanent legal residence. If the cut-off age remains 34, the act will provide conditional legal immigration status to an additional 268,000 young immigrant women between the ages of 18 and 34 who have a high school diploma or GED, allowing them to enter college or serve in the armed forces.

The DREAM Act is also good for families. To help support their families, undocumented women tend to work in informal labor sectors such as domestic services and agriculture. As callers to ERA's toll-free counseling hotline confirm, these jobs often do not guarantee living wages, health care, or even protections for workers' health and safety. Yet, history has shown that living conditions for entire families improve when girls are provided with educational opportunities. The risk of high school dropouts, teenage

pregnancy and financial instability drops drastically.

Opponents of the DREAM Act will argue that the legislation rewards undocumented immigrants while taking away educational opportunities from citizens.

However, the DREAM Act will provide educational opportunities to more people who deserve them. According to an Urban Institute study, each year approximately 65,000 undocumented immigrants who have lived in this country for at least five years, graduate from high schools. The DREAM Act will allow these students, including honor students, student leaders and gifted athletes, to fulfill their career aspirations, support their families and contribute to the economy.

Congress should follow California and Maryland, which have recently passed similar initiatives to provide educational opportunities to immigrant youths. If we let another ten years pass, the ranks of the underclass will swell further. The DREAM Act is the change that we need now at the national level.

For immigrant families and our country's economic development, nothing short of this change will do. ●

*Monali Sheth is an attorney with Equal Rights Advocates, a national women's rights advocacy organization based in San Francisco.*

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# IMMIGRANTS' VOICES

## Latinos Outraged Over President's Controversial Massive Deportation Program, SCOMM

continued from page 1

deportation of more than 1 million immigrants since taking office in 2009, President Obama is taking steps that will wreak even greater havoc and devastation on immigrant communities. The numerous organizations leading Tuesday's actions are demanding that President Obama bring an immediate end to SCOMM.

"There have been more deportations on President Obama's watch than at any time in American history — If the President continues to alienate Latino voters he will lose the election, plain and simple," said Carlos Roa from Presente.org, a national online advocacy group that seeks to empower Latinos nationwide.

"He cannot expect Latino voters and an entire community to simply stand by and watch as he expands the extremely controversial SCOMM program that tears families apart. Latinos throughout the United States are fed up with the Obama Administration's continuation and aggressive expansion of a Bush deportation program that police chiefs, lawyers and community leaders across the country have denounced as ineffective and wasteful with urgently-needed local law



enforcement resources," said Roa.

Latinos taking action against the Obama campaign and SCOMM, join the already strong opposition to the program from law enforcement officials, communities and elected officials, including governors like Pat Quinn of Illinois, Andrew Cuomo of New York and Deval Patrick of Massachusetts. The concerns

surrounding the dangers of this partnership are being completely disregarded by the Obama Administration. Studies like that conducted by the Police Executive Research Forum conclude that police chiefs across the country are reluctant to expand the role of local police departments into immigration control issues because it diverts needed policing

resources needlessly. "Active involvement in immigration enforcement can complicate local law enforcement agencies' efforts to fulfill their primary missions of investigating and preventing crime," reads the report <http://www.policeforum.org/library/immigration/PERFImmigrationReportMarch201.pdf>.

Thousands of petitions to end S-COMM were collected by Presente.org. These petitions were delivered on Tuesday at noon to the national headquarters of the Obama campaign in Chicago. Obama campaign and Democratic Party offices in cities throughout the country will also be the site of rallies and petition deliveries.

"We have a President who promised in 2008 to pass immigration reform during his first year in office; he promised to be a friend for the Latino community. As President, he has delivered the total opposite of his promises. His decision to mandate S-COMM is a direct and devastating attack to Latinos and immigrants. He must do the right thing and end S-COMM now," said Roa. ●

## "The Help" Explores the Lives of Maids During Civil Rights Era

Kathryn Stockett's best-selling novel and upcoming film, *The Help*, are about African-American maids in Mississippi teaming up with a young, privileged — but socially rebellious — White woman to expose the dirty truth about "genteel" White women who could not run a household without the hired help. But there's always more to the story than what meets the eye.

Set during the Civil Rights Movement, this story — told through the eyes of the maids — illustrates with much wit and humor how Black women cooked meals, cleaned houses and raised all those White children while their bosses were clueless about the secrets "the help" really knew.

And by the way, the author of the

book — upon which the movie is based — is White.

It's pretty easy to see why Black folks who didn't read the book took one look at the trailer and decided they'd keep their money and wait for this one to come on cable — despite the stellar casting of some remarkable actresses, Viola Davis, Cicely Tyson, Aunjanue Ellis and Octavia Spencer.

For those who are intrigued enough by the Oscar buzz to see the film, *The Help* actually tells a far more meaningful story. As the movie's breakout stars Davis and Spencer so eloquently explain, it is one of friendship, personal truth and triumph.

*The Help* hits theaters nationwide Aug. 10. ●



Viola Davis and Octavia Spencer

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## TESTIMONIALS

# Testimonials from Journal Members

### Immigration

I have been a member of the Immigrant's Journal Legal & Educational Fund since 2006. I was lost until I found this organization, which provided me with an identification card and my taxes. There were so many options open to me that I was not aware of before consulting with attorney Brian Figeroux as a member of the Journal. The free services and monthly seminars helped me to stay strong and informed.

Mary

### Abused Spouse

I finally found someone who I fell in love with and who was willing to help me. In 2008 we were married, and my husband proceeded to file a petition for an alien relative under the attorney's advisement. Everything seemed fine for a little while, and then my husband began to behave strangely. He began to hold the fact that I was undocumented over my head and he was emotionally causing me grief. I felt abused. Our situation got better and then it got worse; at our initial interview there were many discrepancies, which caused us to fail the first interview. We were granted a Stokes interview. I was so worried after the first one had failed that I begged my husband to straighten up, but he refused. We failed the Stokes interview, and I was put into deportation proceed-

ings. I was so distraught. I ran to the office of Figeroux and Associates; with my unlimited free consultations I was able to speak to the attorney for free. He told me not to worry; my husband was abusing me by refusing to cooperate with me and taunting me about my undocumented status. Mr. Figeroux and the Immigrant's Journal helped me through the most difficult time in my life. I filed the self-petition for abused spouses, (VAWA), and I got my green card!

I just want to say thank you, and share my story.

Jennifer

### Divorce

I am undocumented and was looking for an attorney who I could trust, and would handle my case admirably. I became a Journal member in 2009 and decided to get a divorce the following year. I used my free consultations as a member of the Journal to meet with the attorney, Brian Figeroux. I felt good about him handling my case after speaking with him. My husband was a bit troublesome, so in November of 2010 Mr. Figeroux advised me to file a contested divorce being that my husband and I had a few assets, and we could not come to an agreement on who would get what. As a member of the Journal I was able to file taxes which came in handy while going

through a contested divorce. About nine months later after a lot of back and forth between my husband and I, I was divorced, happy and a lot wealthier than when I was married!

Thank you so much,  
Claudette

### Personal Injury

I am a permanent resident, and I have been a member of the Immigrant's Journal Legal and Educational Fund since 2005. I support the organization in any way I can. It has been very helpful for me and my family. Early this year my son and I were in an auto accident. Thank God our lives were spared, but the right side of the car was totaled. I suffered minor back pain, and my son seemed to be fine, maybe because he was secured in his car seat. Using my free legal consultations awarded to me by the Journal, I made an appointment and spoke to the attorney. He took my case and at the end of it all I was very thankful. I received full property damage from the other driver's insurance company. I also received money for the wages lost during the time I had to take off from work, and full medical coverage for soft tissue damage and \$7,500 for pain and suffering.

Thank you,  
Rondel

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