

Liberty Times

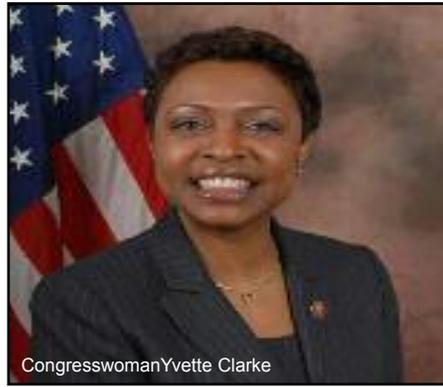
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The Solution to Real Immigration Reform

BY DIANDRA ARCHIBALD

In regards to Immigration Reform, enforcement-only immigration policies don't seem to be effective. Within the past decade, Congress has spent about \$117 billion of taxpayer dollars on immigration enforcement initiatives. After all of the money that has been spent, the problem persists, and seems to be getting worse. The number of unauthorized immigrants in the country has grown to 11 million plus, and the demand for foreign-born, low-skilled labor has continued on pace even with a dying economy. Approximately 70 percent of the unauthorized population are hardworking men and women in the U.S. labor force who are



Congresswoman Yvette Clarke

paying taxes. If the statistics are accurate, then there has to be another approach to such a pertinent matter. This is where Comprehensive Immigration Reform comes in to play—the key word “compre-



Congressman Luis Gutierrez

hensive” sets the precedent for real reform and a way to combat immigrant and refugee cruelty and mistreatment in this country.

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Photo: White House

Why Morton's Memo Is the Best Road Map on Prosecutorial Discretion Yet

BY DAVID LEOPOLD, ESQ.
AILA IMMEDIATE PAST PRESIDENT

The memorandum on prosecutorial discretion recently issued by ICE Director John Morton is hardly a substitute for a full fix to our broken immigration system. That's Congress's job. But once implemented, the memo will allow ICE agents and trial attorneys to focus limited law enforcement resources on dangerous criminals and terrorists instead of hardworking immigrants caught in the web of our dysfunctional immigration system. While the memo is far from perfect, advocates should see it as a good faith attempt by Morton to implement smart immigration enforce-

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Louis "Satchmo" Armstrong
...see page 11

Filing For Bankruptcy & Worrying About Your Self-Respect ...see page 4

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Brian Figeroux, Esq.

Bankruptcy & Immigration

BY RICHARD K. GUSTAFSON, II

Many people not only have financial issues affecting their lives, but also immigration issues. It's not uncommon for a non-citizen to file for a bankruptcy. The first question is whether or not a non-citizen can even file a case. The next question many people ask is whether or not filing for bankruptcy affects their immigration status or application for citizenship. The answer to this question is yes. The Bankruptcy Code states that "only a person that resides or has a domicile, a place of business, or property in the United States, or a municipality, may be a debtor under this title" [11 U.S.C. Section 109(a)]. The term "person" includes individual, partnership, and corporation [11 U.S.C. Section 101(a)(41)]. As you can see, there



is no requirement of citizenship in the Bankruptcy Code. The general rule is that filing for bankruptcy will not affect immigration status or citizenship applications.

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Do Right by Caribbean Teachers ...see page 2

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Do Right by Caribbean Teachers

BY STATE SENATOR JOHN L. SAMPSON,
DEMOCRATIC CONFERENCE LEADER,
NEW YORK STATE SENATE

In 2001 New York City faced a teacher shortage and sought to fill that gap by recruiting about 700 teachers from the Caribbean. These teachers came from Jamaica, Trinidad and Tobago, Barbados and other Caribbean islands. At that time the promise of ultimately gaining permanent residency was tossed in to sweeten the deal. But a decade later these teachers are still here and run the real risk of becoming out of status because the City's Department of Education (DOE) has so far failed to keep that promise and seems reluctant to sponsor them.

The issue is that in this present climate the DOE is laying off teachers – not hiring new ones. Still, the teachers have complained that they are present in the United States on E-B3 work visas that they have to keep renewing or risk deportation not to mention the fact that the immigration authorities could just decide not to renew their visas or simply cancel them. The other problem is that their adult children are here with them and are not legally able to work.

This limbo status must be corrected and I am heartened to see that finally the city administration is now moving to do the right thing. What is now needed is a unified lobbying effort to secure special immigration status for the teachers and their families. The city and the DOE must move beyond rhetoric to finally resolve this long-festering matter and put it to bed. Nothing short of this will do.

Of the more than 700 immigrants who came here in hopes of becoming permanent U.S. citizens, so far only 276 have achieved that, city figures show. The anger and frustration of these teachers are understandable because of the apparent perception that they were lured here under false promises. This is nothing short of indentured servitude since the reality is that these teachers have been discarded after their usefulness ran out. While immigration is a federal issue, I am concerned about the principle of the matter.

A report released by the Black Institute on behalf of the Association of International Educators entitled Broken Promises: The Story of Caribbean International Teachers in New York City's Public Schools, claimed that the Caribbean teachers were first lured to New York by promises of continued educational oppor-



tunities, housing assistance, and a path to permanent residency in the United States. It said the teachers "uprooted their families in the hopes of redefining a better future."

These teachers were recruited to teach in some of the toughest, most difficult and poorest school districts in New York City. They performed excellently, and they deserve to be treated fairly and justly. Promises were made and promises were broken; the DOE must keep its promises.

Compounding this situation is the fact that while the teachers have remained in the city's school system, teaching in license areas where there are teacher shortages, they have been classified as "unskilled workers" by lawyers filing their labor certification petitions with New York State's Department of Labor and many remain caught up in the certification backlog without the promised legal residency.

As such, most of the teachers are forced to live under constant threat of termination and deportation while their spouses and children are dependent on them since they cannot work under the present immigration system.

I am calling on the New York State Department of Education to immediately resolve all of the certification issues that govern international teachers; have them certified and eligible to receive EB-2 work classifications on their permanent residency petitions and so do away with the EB-3 unskilled classification that has been a millstone around the necks of these highly skilled Caribbean teachers.

Moreover, this re-classification will militate against the need for these teachers to pay large sums of money as attorney fees to have their visas renewed. I will be writing the Department of Homeland Security on this matter and stand ready to work with the DOE and the Bloomberg Administration to speedily resolve this issue. ●

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Why Morton's Memo Is the Best Road Map on Prosecutorial Discretion Yet

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ment.

Understandably, many battle-scarred veterans of the fight for justice and fairness in immigration enforcement fear the Morton Memo is just one more in a series of edicts from Washington that will quickly fall prey to ICE shredders across the country. That, simply put, was the unfortunate history of the Meissner Memo—the first prosecutorial discretion memo issued more than a decade ago. The Meissner Memo was the result of a letter from a bipartisan group of U.S. Representatives to Attorney General Janet Reno and INS Commissioner Doris Meissner protesting the Administration's failure to use prosecutorial discretion, in particular its failure to focus law enforcement resources on dangerous immigration violators.

A careful read of the Morton Memo, however, suggests that it may provide better guidance to the ICE rank and file than did the Meissner Memo. Meissner limited prosecutorial discretion to cases where a "substantial federal interest" was present. It's not clear what she meant by that phrase, but it's not hard to imagine an immigration enforcement officer interpreting it to require an extraordinary level of equities be present in a case before exercising prosecutorial discretion.

In contrast, Morton uses a measurable, functional standard for determining when it is appropriate to use discretion—does the case meet the Administration's enforcement priorities? And those enforcement priorities are set forth by Morton in a March 2, 2011 Memo which targets dangerous criminals and national security risks. Thankfully, there are early signs that the field may actually be implementing Morton's guidance. CNN reports that just yesterday ICE agreed to drop a removal case against a same-sex partner after he asked authorities for prosecutorial discretion.

In fact, Morton's most recent memo delineates a wide universe of remedies available in cases where discretion is appropriate. These include actions that can be used to ultimately provide an undocumented immigrant a pathway to

lawful compliance with the law, even lawful permanent residency. For example, among the decisions expressly available to ICE trial attorneys is deciding whether to issue, reissue, serve, file, or cancel a Notice to Appear ("NTA"). Morton further directs that prosecutorial discretion can be used affirmatively by ICE at any stage of the removal proceedings even during an appeal before a circuit court. The memo states a preference for the use of discretion early on in the proceedings to save government resources for priority cases.

Morton also uses language which clearly empowers ICE agents and trial attorneys to do the right thing and use discretion rather than just blindly follow statute and regulation. Morton directs that "if an ICE attorney decides to exercise prosecutorial discretion to dismiss, suspend, or close a particular case or matter, the attorney should notify the relevant Enforcement and Removal Operations, Homeland Security Investigations, Customs and Border Protection or U.S. Citizenship and Immigration Services charging official about the decision."

Morton also says that should the original charging agency official dispute ICE, chief counsel should attempt to resolve the disagreement. This language makes it clear that Morton intends to extend prosecutorial discretion directly to the courtroom trial attorneys, not just the Chief Counsel and his or her deputies. By giving his trial attorneys the power to decide and notify, as opposed to the much more limited authority to recommend and request, Morton has expressly entrusted ICE attorneys to view immigrants in proceedings as human beings, to be treated with dignity, not just faceless respondents to be removed from the U.S. at all costs.

Obviously, the proof will be in the pudding. While the memo is far from perfect, it clearly provides the structure by which ICE agents and trial attorneys can use their resources to focus on those who threaten our communities—dangerous offenders and terrorists. The task before us now is to hold the Administration's feet to the fire and ensure that smart enforcement becomes reality, not just another talking point. ●

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Filing For Bankruptcy & Worrying About Your Self-Respect

BY VICTORIA BRITT

America is a nation of consumption. A highly paid army of persuaders surrounds us with thousands of seductive messages each day that say "buy buy buy." Plus, credit makes living beyond our means easy and resisting the siren sounds of the advertisers is difficult. However, we are also told that if we fail to pay for it all, right on time, we are miserable deadbeats. In short, much of the American economic life is built on a contradiction.

Adding to this contradiction is the system of high interest rates and penalties that are imposed by most credit card companies that cause our debt to soar. In many cases, the interest rates are so high that the companies involved would have been prosecuted for loan sharking in the not-too distant past—before the credit card industry systematically lobbied to do away with usury laws or to create exceptions to those laws for credit card interest rates.

Credit card companies keep this system working by encouraging us to make the minimum payment, which motivates us to make even more credit card purchases and as a result, we get entangled in a web of debt load far beyond our ability to ever pay them off. We now all owe our souls to the company store. We should not feel guilty about being caught in this deliberately contrived economic trap. It's nonsense. There is much more to life than an A+ credit rating and paying your bills, especially those owed to the credit card companies.

Unfortunately, it has been recognized that debts can get the better of even the most conscientious among us. From biblical times to the present, sane societies have discouraged debtors from falling on their swords and have provided sensible ways for debt-oppressed people to start new economic lives. In the United States, this is done through bankruptcy. Even the Bible talks about the releasing of debts in Deuteronomy Chapter 15:5.



Understanding Bankruptcy

Bankruptcy can be your personal bailout from mounting debts. You can also delay or avoid the foreclosure of your home by seeking bankruptcy protection. Here are some ways that filing for bankruptcy can help you.

How Chapter 13 Bankruptcy Can Help

Many people will do whatever they can to stay in their homes for the indefinite future. If that's you, and you're behind on your mortgage payments with no feasible way to get current, the only way to keep your home is to file a Chapter 13 bankruptcy. Chapter 13 bankruptcy lets you pay off the "arrearage" (late, unpaid payments) over the length of a repayment plan you propose—five years in some cases. But you'll need enough income to at least meet your current mortgage payment at the same time you're paying off the arrearage. Assuming you make all the required payments up to the end of the repayment plan, you'll avoid foreclosure

and keep your home.

With 2nd and 3rd mortgage payments, Chapter 13 may also help you eliminate the payments on your second or third mortgage. That's because, if your first mortgage is secured by the entire value of your home (which is possible if the home has dropped in value), you may no longer have any equity with which to secure the later mortgages. That allows the Chapter 13 court to "strip off" the 2nd and 3rd mortgages and recategorize them as unsecured debt—which, under Chapter 13, takes last priority and often does not have to be paid back at all.

How Chapter 7 Bankruptcy Can Help

It may be that you'll have to give up your home no matter what. In that case, filing for Chapter 7 bankruptcy will at least stall the sale and give you two or three more months to work things out with your lender. It will also help you save up some money during the process and cancel debt secured by your home.

During a Chapter 7 bankruptcy, you

can live in your home for free during at least some of the months while your bankruptcy is pending—and perhaps several more after your case is closed. You can then use that money to help secure new shelter.

In regards to canceling debts, Chapter 7 bankruptcy will also cancel all the debt that is secured by your home, including the mortgage, as well as any second mortgages and home equity loans. Thanks to a new law, you no longer face tax liability for losses your mortgage or home-improvement lender incurs as a result of your default, whether you file for bankruptcy or not. This new law applies to the 2007 tax year and the following two years. This is where Chapter 7 bankruptcy helps. It will exempt you from tax liability on losses the lender incurs if you default on these other loans.

Bankruptcy & Self-Respect

Until very recently, filing bankruptcy was a dignified way to achieve a fresh start in a world filled with economic uncertainty. The law presumed that bankruptcy filers were honest citizens seeking to get rid of their debt and start over, sadder but wiser. Unfortunately thanks to provisions written primarily by the credit card industry, the new bankruptcy law turns this presumption on its head and views each debtor as a potential bankruptcy cheat.

While this change in attitude would not prevent you from achieving a bankruptcy discharge in most cases because you like most other filers are in fact honest, it does have the potential to make you feel bad about yourself. Please don't fall into this trap. Bankruptcy is a truly worthy part of our legal system, based as it is on forgiveness rather than retribution. Certainly, it gives people a fresh start in our increasingly volatile economy helps keep families together, reduces suicide rates, and keeps the ranks of the homeless from growing even larger. So, don't let the word bankruptcy get you down. It's an opportunity for a fresh start. Take it and save your financial future today. ●



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If Your Goal Is Success, Then Join NACC

BY MARILYN SILVERMAN

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Money will be available so be ready to purchase a needed household item. Spend wisely and buy for the long term. Do not forget to make romance a top priority ...your needs are very important.

Taurus: Lucky Numbers: 612 6694
Lotto 9 6 5 41 40 3
Dreams are very helpful to you. Watch what is being shown to you and think about how you can make things come to life. In a very short time you will need to spend on a large purchase, so start saving now.

Gemini: Lucky Numbers: 700 6000
Lotto 5 35 32 3 19 7
Follow up on medical concerns so you will have no reason to worry. Did you plan for a vacation yet? If not, please do so; you deserve it.

Cancer: Lucky Numbers: 925 0865
Lotto 8 7 5 3 40 1
There will be no time to relax when you move up the ladder of success, so go ahead and crash this weekend. Let your hair down and do some simple things that please you.

Leo: Lucky Numbers: 000 3245
Lotto 6 30 40 7 37 5
Lots of good news is on its way to you. Be happy for others' good fortune. As they say, what goes around must come back around.

Virgo: Lucky Numbers: 791 1977
Lotto 8 12 11 6 41 2
You will need to pace yourself if you plan on keeping up with the pack. Drinking plenty of water and eating small meals will give you energy and keep your waistline down.

Libra: Lucky Numbers: 894 0001
Lotto 1 12 11 7 17 6
Spring cleaning helps the soul and your environment. Lighten up the room and fill up a vase with beautiful flowers.

Scorpio: Lucky Numbers: 423 5542
Lotto 7 15 5 29 3 33
Finance is uppermost in your thoughts. Do not worry; you will be blessed with a large windfall. Money can come from playing a dollar in the lottery or a bonus from work.

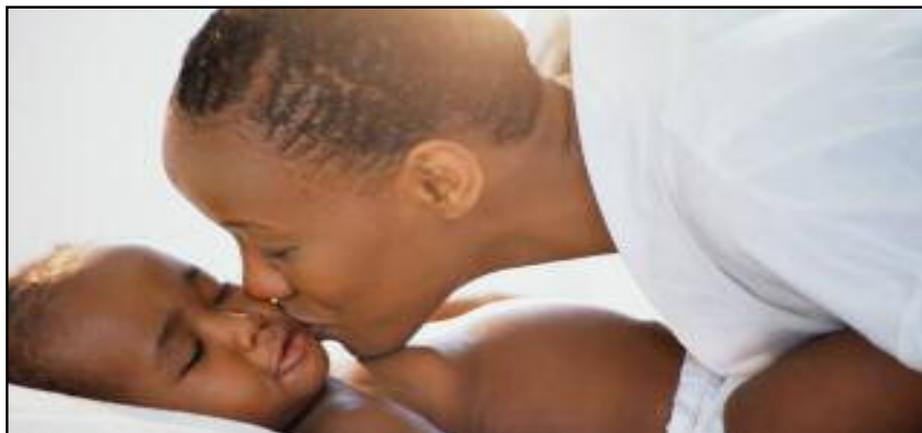
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Stay on your own path and do not let anyone steer you in another direction. When you are at work bring out your "A" game.

Capricorn: Lucky Numbers: 925 1982
Lotto 6 21 23 36 39 40
Lucky Capricorns are moving up the ladder of success once more. Focus on the top and put one foot in front of the other. Remember, you are a natural leader.

Aquarius: Lucky Numbers: 100 8977
Lotto 8 18 23 33 31 30
Look out, for the stars have big plans for your romantic endeavors. Some lucky person will become the man or woman who you will marry.

Pisces: Lucky Numbers: 326 6771
Lotto 8 16 6 32 25 4
Find a hobby or something else that you have put your energies in. It is very important for you to stay busy. You know what they say, idle hands get into trouble.

Maternal Mortality Rates Increase for African-American Women



High rates of obesity, high blood pressure and inadequate prenatal care cause death from childbirth more often for African-Americans in the United States than for whites and other ethnic groups. Worsening this trend are the increasing numbers of cesarean sections nationally. These procedures can result in deadly complications for women dangerously overweight or suffering from hypertension or other ailments.

Nationally, blacks have a four times greater risk of pregnancy-related death than whites—a rate of 36.1 per 100,000 live births compared with 9.6 for whites and 8.5 for Hispanics, according to a 2008 report by the Centers for Disease Control and Prevention (CDC).

Maternal mortality rates have been ris-

ing in the United States since the mid-1990s. In 1997, the black maternal mortality rate was 21.5 per 100,000 live births compared with 8.0 for Hispanics and 5.2 for whites, according to the CDC. The rate for other races was 8.8.

By 2007, the black maternal mortality rate had jumped to 28.4, roughly three times the rates among whites and Hispanics at 10.5 and 8.9, respectively. Statistics were not available for Asians/Pacific Islanders and Native Americans.

Trends show that black maternal mortality rates are increasing in some parts of the country, and two recent studies highlighting the problem have renewed calls for increased focus on reducing the deaths.

According to the new reports, the preg-

continued on page 13

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Proving Fault in Personal Injury Accidents: General Rules

Determining legal responsibility for an accident or injury (often called "liability") can be complicated, but often rests on whether someone was careless or "negligent." It's easy enough to say that the person or business that caused an accident must pay for your injuries. But before you get to that point, you must determine who was legally at fault.

Determining Legal Liability

Most accidents happen because someone was careless. The basic rule is: If one person involved in an accident was less careful than another, the less careful one must pay for at least a portion of the damages suffered by the more careful one.

Legal liability for almost all accidents is determined by this rule of carelessness, and by one or more of the following simple propositions:

If the injured person was where he or she was not supposed to be, or somewhere he or she should have expected the kind of activity which caused the accident, the person who caused the accident might not be liable because that person had no "duty" to be careful toward the injured person.

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If the injured person was also careless, his or her compensation may be reduced by the extent such carelessness was also responsible for the accident. This is known as comparative negligence. If a negligent person causes an accident while working for someone else, the employer may also be legally responsible for the accident.

If an accident is caused on property that is dangerous because it is poorly built or maintained, the owner of the property is liable for being careless in maintaining the property, regardless of whether he or she actually created the dangerous condition.

If an accident is caused by a defective product, the manufacturer and seller of the product are both liable even if the injured person doesn't know which one was careless in creating or allowing the defect, or exactly how the defect happened. (For more information, see Proving a Defective Product Liability Claim.)

When More than One Person Is at Fault

When there is more than one person responsible for an accident — for example, if several careless drivers cause a wreck — the law in most states provides that any one of the careless parties is responsible for compensating you fully for your injuries. The responsible parties must then decide between themselves whether one should reimburse the others.

This rule about collecting from any responsible person provides you with a couple of important advantages. If one liable person is insured and the other is not, you can make your claim against the insured person for the full amount. And even if both are insured, you will have to settle your claim with only one insurance company. Initially, consider everyone you think might be responsible and notify each of them that you may file a claim for damages. Then, depending on what you discover about how the accident happened, or on which insurance company takes responsibility, you will pursue a

claim against only one.

How Your Own Carelessness Affects Your Claim

Even if you were careless and partly caused an accident, in most states you can still get at least some compensation from anyone else who was also careless and partly responsible for the accident. The amount of the other person's liability for the accident is determined by comparing his or her carelessness with your own. The percentage of liability determines the percentage of the resulting damages he or she must pay. This rule is referred to as comparative negligence.

There is no formula for arriving at a precise number for a person's comparative carelessness. During claim negotiations, you and an insurance adjuster will discuss all the factors that might have resulted in the accident. Then the question of your own carelessness goes into the negotiating hopper along with all the other factors that determine how much your claim is worth — such as the seriousness of your injury and the amount of your medical bills. ●

Source: nolo.com

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The Solution to Real Immigration Reform

continued from page 1

Some of the provisions within the latest Comprehensive Immigration Reform bill of 2010, introduced by Senators Robert Menendez (D-NJ) and Patrick Leahy (D-VT) are as follows:

- Creates a provisional legal status, Lawful Prospective Immigrant (LPI), for undocumented immigrants who are present in the U.S. as of September 30, 2010, register with the government, have never committed a serious crime, and are otherwise admissible to the United States.

- Applicants must submit biometric data and undergo background and security checks and pay appropriate fees.

- LPI status confers work and travel authorization.

- Spouses and children residing in the U.S. or abroad will be eligible for LPI Dependent (LPID) status.

- Creates administrative review, removal proceedings, and judicial review for aliens who have applied for lawful prospective immigrant status.

- The Dream Act, which allows young people to legalize through academic avenues will also be included in the reform package.

- Provisions to ensure confidentiality of information are included as well.

The fight for reform is steadfast. In Washington on the 15th of June, Democrats launched a new effort for Comprehensive Immigration Reform, calling all supporters to take immediate action. In Brooklyn on June 18th of this year, Rep. Yvette D. Clarke, and Rep. Luis Gutierrez hosted an immigration forum. The event hosted by Representative Clarke was geared towards the community, as a call for action not only by the President of the United States but the people of the state as well. The two-hour event highlighted the importance of keeping families together and clearing up the mess that is our current immigration system by sharing personal stories and activist initiatives.

Anti-immigrant forces in government have repeatedly blocked any legislative efforts to fix the current system. Reform supporters are now looking for other avenues, including asking the President to take actions that don't depend on Congress, which would be to sign an executive order, against some of the harsh enforcement policies, and in favor of the DREAM Act.

The audience was captivated by the testimonials given by the speakers. One young man in support of the DREAM Act, Brant Douglas from St. Kitts & Nevis was a product of NYC'S public school system. He also graduated with honors from Medgar Evers College, and is currently enrolled in Burke, finishing up his master's degree. He stated that he is



"undocumented and unashamed"; after he graduates, with no work permit and no path to legalization; his hopes and dreams will die.

Another speaker from Haiti claims that he was sexually abused by an ICE officer, and suggested that similar abuse occurs throughout Homeland securities deportation facilities, yet victims are being silenced. There were distraught mothers, children and fathers who pleaded for help because unjust deportations had stolen their loved ones from them.

The war on immigrant cruelty in the United States seems to be an underground movement, and is at a standstill. How can such a "progressive" nation be so ignorant? Has America become a shell of its former self? Leadership in this country seems to be only interested in feeding big corporations while neglecting the voice of the people, and low -balling its citizens.

Join the Immigrant's Journal, members of Congress, and activist groups like the New York Immigration Coalition. ●

Bankruptcy and Immigration

continued from page 1

There are certain criminal convictions that would mandate deportation. It is not a crime to file for bankruptcy. Crimes of "moral turpitude" such as using credit cards in other peoples' names, writing fraudulent checks in more than one state, tax evasion, fraudulent transfers of assets, or providing fraudulent information to the federal government (e.g., by filing inaccurate bankruptcy petitions) sometimes come into play. Certainly if an immigrant has been working "under the table" and not paying taxes, tax evasion can certainly be an issue. It could also be a problem if an immigrant-debtor has transferred money or property to another person in order to avoid creditor action. If the amount of the transfer or the amount of the tax liability that was evaded exceeds \$10,000, the immigrant-debtor could be considered an "aggravated felon" and is conclusively deemed deportable. Thus, it is very important to be truthful when filing bankruptcy schedules; avoid transferring money or property to anyone (except for normal payments on living expenses), and make sure all income is reported to the IRS on tax returns. ●

Source: Legal Helpers: Bankruptcy Blog

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- ▶ Family-sponsored Permanent Residence
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Statutory Numbers

1. This bulletin summarizes the availability of immigrant numbers during July. 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 June 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. Section 201 of the Immigration and Nationality Act (INA) sets an annual minimum family-sponsored preference limit of 226,000. The worldwide level for annual employment-based preference immigrants is at least 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. 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	08MAR93	15APR96
F2A	22MAR08	22MAR08	22MAR08	15FEB08	22MAR08
F2B	01JUL03	01JUL03	01JUL03	22SEP92	22SEP00
F3	15JUL01	15JUL01	15JUL01	15NOV92	22MAR92
F4	08MAR00	08MAR00	08MAR00	01MAR96	15MAY88

Source: U.S. Dept of State



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Louis "Satchmo" Armstrong

Louis Daniel Armstrong (August 4, 1901 – July 6, 1971), nicknamed Satchmo or Pops, was an American jazz trumpeter and singer from New Orleans, Louisiana.

Coming to prominence in the 1920s as an "inventive" cornet and trumpet player, Armstrong was a foundational influence in jazz, shifting the music's focus from collective improvisation to solo performance.

With his instantly recognizable deep and distinctive gravelly voice, Armstrong was also an influential singer, demonstrating great dexterity as an improviser, bending the lyrics and melody of a song for expressive purposes. He was also greatly skilled at scat singing, vocalizing using sounds and syllables instead of actual lyrics.

Renowned for his charismatic stage presence and voice almost as much as for his trumpet-playing, Armstrong's influence extends well beyond jazz music, and by the end of his career in the 1960s, he was widely regarded as a profound influence on popular music in general.

Armstrong was one of the first truly popular African-American entertainers to "cross over," whose skin color was secondary to his amazing talent in an America that was severely racially divided. It allowed him socially acceptable access to the upper echelons of American society that were highly restricted for a person of color. While he rarely publicly politicized his race, often to the dismay of fellow African-Americans, he was privately a strong supporter of the Civil Rights movement in America.

Armstrong and race

Armstrong was largely accepted into white society, both on stage and off, a privilege reserved for very few African-American public figures, and usually those of either exceptional talent and fair skin-tone. As his fame grew, so did his access to the finer things in life usually denied to a black man, even a famous one. His renown was such that he dined in the best restaurants and stayed in hotels usually exclusively for whites.

It was a power and privilege that he enjoyed, although he was very careful not to flaunt it with fellow performers of color, and privately, he shared what access that he could with friends and fellow musicians.

That still did not prevent members of the African-American community, particularly in the late 1950s to the early 1970s, from calling him an Uncle Tom, a black-on-black racial epithet for someone who kowtowed to white society at the expense of their own racial identity.

He was criticized for accepting the title of "King of The Zulus" for Mardi Gras in 1949. In the New Orleans African-American community it is an honored role as the head of leading black Carnival Krewe, but bewildering or offensive to outsiders with their traditional costume of grass-skirts and blackface makeup satirizing southern white attitudes.

Some musicians criticized Armstrong for playing in front of segregated audiences, and for not taking a strong enough stand in the Civil Rights Movement.

Billie Holiday countered, however, "*Of course Pops' toms, but he toms from the heart.*"

The few exceptions made it more effective when he did speak out. Armstrong's criticism of President Eisenhower, calling him "two-faced" and "gutless" because of his inaction during the conflict over school desegregation in Little Rock, Arkansas in 1957 made national news.

As a protest, Armstrong canceled a planned tour of the Soviet Union on behalf of the State Department saying "*The way they're treating my people in the South, the government can go to hell*" and that he could not represent his government abroad when it was in conflict with its own people. Six days after Armstrong's comments, Eisenhower ordered Federal troops to Little Rock to escort students into the school.

The FBI kept a file on Armstrong for his outspokenness about integration.

Death

Armstrong died of a heart attack in his sleep on July 6, 1971, a month before his 70th birthday, and 11 months after playing a famous show at the Waldorf-Astoria's Empire Room. He was residing in Corona, Queens, at the time of his death. He was interred in Flushing Cemetery. His honorary pallbearers included Bing Crosby, Ella Fitzgerald, Dizzy Gillespie, Pearl Bailey, Count Basie, Harry James, Frank Sinatra, Ed Sullivan, Earl Wilson, Alan King, Johnny Carson and David Frost. Peggy Lee sang "*The Lord's Prayer*" at the services while Al Hibbler sang "*Nobody Knows the Trouble I've Seen*" and Fred Robbins, a long-time friend, gave the eulogy.

Legacy

The house where Louis Armstrong lived for close to 28 years was declared a National Historic Landmark in 1977 and is now a museum. The Louis Armstrong House Museum, at 34-56 107th Street (between 34th and 37th Avenues) in Corona, Queens, presents concerts and educational programs, operates as a historic house museum and makes materials in its archives of writings, books, recordings and memorabilia available to the public for research. The museum is operated by the City University of New York's Queens College, following the dictates of Lucille Armstrong's will.

The museum opened to the public on October 15, 2003. A visitors center is currently being planned, and estimated to open in 2011.

The influence of Armstrong on the development of jazz is virtually immeasurable. Yet, his irrepressible personality both as a performer, and as a public figure later in his career, was so strong that to some it sometimes overshadowed his contributions as a musician and singer.

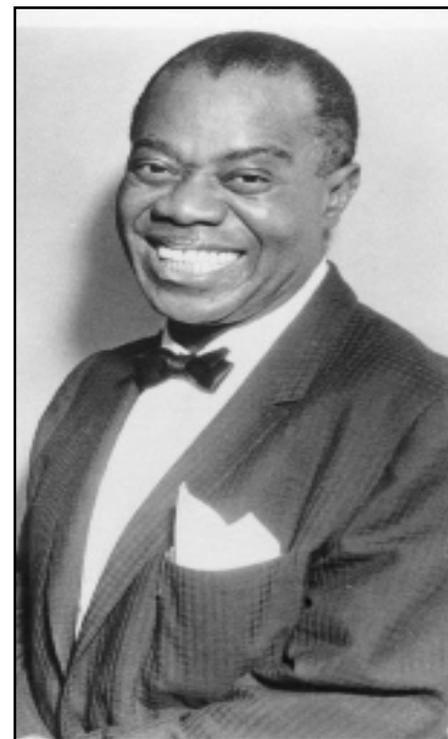
As a virtuoso trumpet player, Arm-

strong had a unique tone and an extraordinary talent for melodic improvisation. Through his playing, the trumpet emerged as a solo instrument in jazz and is used widely today. He was a masterful accompanist and ensemble player in addition to having extraordinary skills as a soloist. With his innovations, he raised the bar musically for all who came after him.

Though Armstrong is widely recognized as a pioneer of scat singing, Ethel Waters precedes his scatting on record in the 1930s according to Gary Giddins and others. Billie Holiday and Frank Sinatra are just two singers who were greatly indebted to him. Holiday said that she always wanted Bessie Smith's "big" sound and Armstrong's feeling in her singing.

On August 4, 2001, the centennial of Armstrong's birth, New Orleans's airport was renamed Louis Armstrong International Airport in his honor.

In 2002, the Louis Armstrong's Hot Five and Hot Seven recordings (1925–1928) are preserved in the United States National Recording Registry, a registry of recordings selected yearly by the National Recording Preservation Board for preservation in the National Recording Registry of the Library of Congress.



The U.S. Open tennis tournament's former main stadium was named Louis Armstrong Stadium in honor of Armstrong who had lived a few blocks from the site.

Today, there are many bands worldwide dedicated to preserving and honoring the music and style of Satchmo, including the Louis Armstrong Society located in New Orleans, LA. ●

Source: Wikipedia

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20 Questions Before Starting a Business

Many people dream of having their own business. To see if starting a business is right for you, ask yourself these important 20 questions. Your answers will help you determine if you are ready to become a small business owner or where you need to spend more time in planning.



- ✓ Am I prepared to spend the time, money and resources needed to get my business started?
- ✓ What kind of business do I want?
- ✓ What products/services will my business provide?
- ✓ Why am I starting a business?
- ✓ What is my target market?
- ✓ Who is my competition?
- ✓ What is unique about my business idea and the products/services I will provide?
- ✓ How soon will it take before my products/services are available?
- ✓ How much money do I need to get my business set up?
- ✓ How long can I have to finance the company until I start making a profit?
- ✓ Will I need to get a loan?
- ✓ How will I price my product compared to my competition?
- ✓ How will I market my business?
- ✓ How will I set up the legal structure of my business?
- ✓ How will I manage my business?
- ✓ Where will I house my business?
- ✓ How many employees will I need to start up?
- ✓ What types of suppliers do I need to contact?
- ✓ What kind of insurance do I need to invest in?
- ✓ What do I need to do to ensure I am paying my taxes correctly?●

Source: sba.gov

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Maternal Mortality Rates Increase for African-American Women

continued from page 7

nancy-related mortality rate in some states rivals that in some developing nations. The problem is particularly acute in New York City, where blacks are nearly eight times more likely to die from pregnancy-related complications than whites, and in California where pregnant blacks are four times as likely to die from childbirth.

"The magnitude of this black-white gap in maternal mortality is the greatest among all health disparities . . . and that gap is growing. It's unacceptable," Michael Lu, an associate professor of obstetrics and gynecology and public health at UCLA and an expert in racial and socioeconomic disparities in maternal and infant health, recently told PBS NewsHour.

The black-white gap also stubbornly persists for a variety of socioeconomic reasons, including education and income levels, access to and quality of health care, and lifestyle and diet. Improved health care could reduce the maternal death rate by 40 percent to 50 percent, according to CDC estimates, but medical attention has been focused more often on reducing infant mortality during the past decades.

"When we look at some of the factors associated with maternal mortality, most of the underlying factors tend to be dominant in the African-American community, and it is manifested in the health disparities that affect our population," says Dr. Kerry M. Lewis, chairman of the Department of Obstetrics and Gynecology at Howard University's College of Medicine and chief of the Division of Maternal-Fetal Medicine.

Lewis, who specializes in high-risk pregnancies, says the mortality rate reflects lack of access to specialized health care that integrates comprehensive skills and technology. Too often, he says, patients are treated by family practitioners, nurse midwives, general obstetricians and gynecologists instead of specialists trained in high-risk pregnancies and medical problems that can cause complications during birth.

Obesity and hypertension are the major contributors to the black maternal mortality rate, leading to death from strokes, renal failure and other complications associated with obesity, Lewis says.

"We have to look at the reality of where we practice." "Obesity is much greater among African-Americans. I deal with a gamut of high-risk problems, but complications from obesity are an underlying problem in all of them."

"Even young patients when they come in for prenatal visits have very elevated rates of high blood pressure. It really starts with obesity, so when they become pregnant, it places them at a higher risk for infections and other complications." To a lesser extent, sickle-cell disease, a genetic disorder more common in people of color, also causes complications, he says.

Lewis, who also chairs the District of Columbia section of the American Congress of Obstetrics and Gynecology, says the increase in C-sections has compounded the problem because they can lead to hemorrhage, infections and pulmonary embolisms, or blood clots in the lungs. One-third of births in the United States are now by C-section compared with 20 percent a decade ago.

"Women who have C-sections have higher rates of complications and maternal mortality than with vaginal deliveries," Lewis says.

The California study bears this out. Of the 386 women who died in the state during childbirth in 2002 and 2003, it found, 65 had undergone C-sections *"and most were unplanned or emergency surgeries to try and save the life of the mother or the infant."* Additionally, more than one-third of the deaths *"were determined to have had a good to strong chance of being prevented and some causes of death appeared to be more preventable than others."*

The study also found that

- Blacks in California had a four times higher risk of maternal death and were more likely to have been overweight or obese and to have risk factors identified in the prenatal period.

- High rates of obesity or excessive gestational weight gain were contributing factors in one of four deaths.

- From 2006 to 2008, the black maternal mortality rate in the state was 46.1 deaths per 100,000 live births, compared with 12.8 for Hispanics, 12.4 for whites and 9.3 for Asians.

- Although blacks account for only 6 percent of California births, they represented 22 percent of pregnancy-related deaths in 2002 and 2003. Hispanics had the largest number of pregnancy-related deaths, 44 percent, and account for 51 percent of births statewide.

- Cardiomyopathy, or heart disease, was the leading cause of death for blacks with pregnancy-related deaths and accounted for 36 percent of the 22 deaths in that group and 62 percent of all deaths due to the disease.

- Thirty-one percent of mothers who died had not completed high school.

Conrad Chao, department chair and program director of obstetrics and gynecology at the University of California, San Francisco, who worked on the report, has said that he was surprised by *"the magnitude of the disparity"* and that the quality of care given these women needs further exploration.

The CDC issued a report in 2001 calling for comprehensive, broad-based public health surveillance of pregnancy-related deaths to identify factors, from pre-pregnancy through six weeks after birth, that affect a woman's chance of survival and that place minority and older women at increased risk of death.

The report said surveillance must include reviewing the causes of deaths, analyzing the findings and coordinating action among public health agencies.

"Too often, surveillance stops after identifying and counting deaths," the report states. *"With the resources available today, we should be able to eliminate this gap in such an important health outcome."* ●

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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

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 proceedings. 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 I 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 are 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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