

Summer 2011

Response from USCIS on my FOIA re: Deferred Action

Shoba S Wadhia

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ORL DEFERRED ACTION CASES

Received Date	Alien #	Last Name	First Name	Middle Name	COB	DOB	COE	DOE	POE	B-2 Expires	Last Foreign Country	DOS 1370 List	Filed I- 539	USC Kids	Deferred Action Type	Intended Decision/ Current Status	Date Sent to District	Date Sent To Region
22-Jul-10					Haiti		B-2	10-May-10	MIA	9-Nov-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	29-Jan-10	SFB	28-Jul-10	Haiti	F	T	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	22-Jan-10	SFB	20-Feb-10	Haiti	T	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	19-Mar-10	SFB	17-Sep-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	18-Mar-10	SFB	17-Sep-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	18-Mar-10	SFB	17-Sep-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	18-Mar-10	SFB	17-Sep-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	18-Mar-10	SFB	17-Sep-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	1-Feb-10	SAJ	13-Jun-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	1-Feb-10	SAJ	31-Jul-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	1-Feb-10	SAJ	31-Jul-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	1-Feb-10	SAJ	31-Jul-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	4-Feb-10	WAS	3-Aug-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	23-Feb-10	PEV	22-Aug-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	23-Feb-10	PEV	22-Aug-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	23-Feb-10	PEV	22-Aug-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-02					Haiti		B-2	27-Jan-10	MIA	26-Jul-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	27-Jan-10	MIA	26-Jul-10	Haiti	F	F	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	27-Jan-10	MIA	26-Jul-10	Haiti	F	T	F	Haitian	Pending		
22-Jul-10					Haiti		B-2	27-Jan-10	MIA	26-Jul-10	Haiti	F	T		Haitian	Pending		
22-Jul-10					Haiti		B-2	22-Jan-10	MIA	21-Jul-10	Haiti	T			Haitian	Pending		
22-Jul-10					Haiti		B-2	21-Jan-10	MIA	20-Jul-10	Haiti	T			Haitian	Pending		
22-Jul-10					Haiti		B-2	18-Mar-10	MIA	17-Sep-10	Haiti	F			Haitian	Pending		
22-Jul-10					Haiti		B-2	21-Jan-10	SFB	20-Jul-10	Haiti	T			Haitian	Pending		

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KND DEFERRED ACTION CASES

Received Date	Alien #	Last Name	First Name	Middle Name	COB	DOB	COE	DOE	POE	B-2 Expires	Last Foreign Country	DOS 1370 List	Filed I- 539	USC Kids	Deferred Action Type	Intended	Date Sent to District	Date Sent To Region
																Decision/ Current Status		
06/16/10					HAITI		B-2	02/03/10	MIA	07/27/10	DOMINICA	F	F	F	Haitian	GRANT		
06/16/10					HAITI		B-2	02/03/10	MIA	08/02/10	DOMINICA	F	F	F	Haitian	GRANT		
06/28/10					HAITI		B-2	01/26/10	MIA	06/28/10	DOMINICA	F	F	F	Haitian	GRANT		
07/06/10					HAITI		B-2	01/29/10	MIA	07/28/10	DOMINICA	F	F	F	Haitian	PENDING		
07/06/10					HAITI		B-2	01/29/10	MIA	07/28/10	DOMINICA	F	F	F	Haitian	PENDING		
07/12/10					HAITI		B-2	02/11/10	FLL	08/10/10	DOMINICA	F	T	F	Haitian	PENDING		
07/12/10					HAITI		B-2	02/11/10	FLL	08/10/10	DOMINICA	F	F	F	Haitian	PENDING		

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HIA DEFERRED ACTION CASES

Received	Last	First	Middle	COB	DOB	COE	DOE	POE	Expires	B-2	Foreign	DOS	Filed I-	539	USC Kids	Type	Intended		
																	Deferred Action	Decision/ Current Status	Date Sent to District
07/12/11				HAITI		B2	01/18/10	MIA	04/17/10		HAITI	T	F	F		Haitian	Pending	7/27/2010	

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OKL DEFERRED ACTION CASES

Received Date	Alien #	Last Name	First Name	Middle Name	COB	DOB	COE	DOE	POE	B-2 Expires	Last Foreign Country	DOS 1370 List	Filed I- 539	USC Kids	Deferred Action Type	Intended Decision/ Current Status		Date Sent To District Region	
07/06/10					HAITI		B2	2/1/2010	HAM	7/31/2010	HAITI	F	F	F	Haitian	Deny			
07/06/10					HAITI		B2	2/1/2010	HAM	7/31/2010	HAITI	F	F	F	Haitian	Deny			
07/06/10					HAITI		B2	2/1/2010	HAM	7/31/2010	HAITI	F	F	F	Haitian	Deny			
07/06/10					HAITI		B2	2/1/2010	HAM	7/31/2010	HAITI	F	F	F	Haitian	Deny			
07/13/10					HAITI		B2	1/22/2010	SFB	7/21/2010	HAITI	F	F	T	Haitian	Grant			
06/17/10					HAITI		B2	1/20/2010	SFB	7/19/2010	HAITI	F	F	T	Haitian	Pending			
06/17/10					HAITI		B2	1/20/2010	SFB	7/19/2010	HAITI	F	F	T	Haitian	Pending			
06/17/10					HAITI		B2	1/20/2010	SFB	7/19/2010	HAITI	F	F	T	Haitian	Pending			
06/17/10					HAITI		B2	2/12/2010	MIA	7/11/2010	HAITI	F	F	T	Haitian	Grant			
06/10/10					HAITI		B2	2/16/2010	NYC	3/29/2010	HAITI	F	F	F	Haitian	Pending			
06/25/10					HAITI		B2	2/22/2010	SFB	8/21/2010	HAITI	F	F	F	Haitian	Pending			
07/06/10					HAITI		B2	5/26/2010	PEV	11/25/2010	HAITI	F	F	T	Haitian	Grant			
07/06/10					HAITI		B2	1/26/2010	PEV	7/25/2010	HAITI	F	F	T	Haitian	Grant			
07/06/10					HAITI		B2	5/26/2010	PEV	11/25/2010	HAITI	F	F	T	Haitian	Grant			
07/06/10					HAITI		B2	5/26/2010	PEV	11/25/2010	HAITI	F	F	T	Haitian	Grant			
07/06/10					HAITI		B2	5/22/2010	PEV	11/21/2010	HAITI	F	F	F	Haitian	Deny			
07/12/10					HAITI		B2	1/16/2010	MIA	7/15/2010	HAITI	F	F	T	Haitian	Grant			
07/15/10					HAITI		B2	1/25/2010	MIA	7/24/2010	HAITI	F	F		Haitian	Pending			
07/14/10					HAITI		B2	1/24/2010	MIA	7/23/2010	HAITI	F	F	T	Haitian	Grant			
07/14/10					HAITI		B2	1/24/2010	MIA	7/23/2010	HAITI	F	F	T	Haitian	Grant			
07/14/10					HAITI		B2	1/24/2010	MIA	7/23/2010	HAITI	F	F	T	Haitian	Grant			
7/15/2010					HAITI		B2	1/25/2010	SPM	7/24/2010	HAITI	F	F	F	NO USC R	Deny			
7/15/2010					HAITI		B2	3/14/2010	MIA	9/13/2010	HAITI	F	F	F	SON-PTS	Deny			
7/15/2010					HAITI		B2	2/13/2010	PEV	8/12/2010	HAITI	F	F	F	USC GUA	Pending			
7/15/2010					HAITI		B2	1/21/2010	SFB	7/20/2010	HAITI	F	F	F	USC NIEC	Pending			
7/15/2010					HAITI		B2	1/22/2010	MIA	7/21/2010	HAITI	F	F	T	USC CHIL	Grant			

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MIA DEFERRED ACTION CASES

Received Date	Alien #	Last Name	First Name	Middle Name	COB	DOB	COE	DOE	POE	B-2 Expires	Last Foreign Country	DOS 1370 List	Filed I- 539	USC Kids	Deferred Action Type	Intended Decision/ Current Status		Date Sent To District Region	
07/02/10					Haiti		B-2	01/19/10	SFB	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/02/10					Haiti		B-2	01/19/10	SFB	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/02/10					Haiti		B-2	01/19/10	SFB	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/02/10					Haiti		B-2	01/19/10	SFB	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/09/10					Haiti		B-2	03/08/10	PEV	09/07/10	Haiti	F	F	T	Haitian	Pending			
07/09/10					Haiti		B-2	03/08/10	PEV	09/07/10	Haiti	F	F	T	Haitian	Pending			
07/09/10					Haiti		B-2	02/07/10	PEV	08/06/10	Haiti	F	F	T	Haitian	Pending			
07/09/10					Haiti		B-2	01/17/10	MIA	07/16/10	Haiti	F	F	T	Haitian	Pending			
07/09/10					Haiti		B-2	02/07/10	PEV	08/06/10	Haiti	F	F	T	Haitian	Pending			
07/09/10					Haiti		B-2	02/07/10	PEV	08/06/10	Haiti	F	F	T	Haitian	Pending			
07/16/10					Haiti		B-2	01/20/10	PEV	10/19/10	Haiti	F	T	F	Haitian	Pending			
07/16/10					Haiti		B-2	01/19/10	SFB	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/16/10					Haiti		B-2	01/20/10	SFB	07/19/10	Haiti	T	F	T	Haitian	Pending			
07/16/10					Haiti		B-2	01/19/10	CHI	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/16/10					Haiti		B-2	01/19/10	CHI	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/16/10					Haiti		B-2	01/19/10	CHI	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/16/10					Haiti		B-2	01/19/10	CHI	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/16/10					Haiti		B-2	01/19/10	PEV	07/18/10	Haiti	F	F	T	Haitian	Pending			
07/16/10					Haiti		RMV	01/22/10	SFB	01/21/11	Haiti	T	F	F	Haitian	Pending			
07/16/10					Haiti		RMV	01/22/10	SFB	01/21/11	Haiti	T	F	F	Haitian	Pending			

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**WESTERN REGION
DEFERRED ACTION LOG**

2001

2001

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D23	LOS		6/1/2001	Approved	approved 04/09/2010			

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WESTERN REGION **DEFERRED ACTION LOG**

2003

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D20	SEA	parolee overlay coming for LPR son	9/26/2003	Approved	approved 02/07/2008	approved - 11/20/2009		
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 2/20/05			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 04/27/06			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 11/9/04			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 5/2/06			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 9/20/05			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 11/28/05			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 06/29/04			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 7/7/06			
			D20	SEA	Traf. Victim U-Visa App.	10/21/2003	Approved	NONE DA ESC 5/2/06			
			D20	SEA		10/24/2003	VSC				
			D20	SEA		10/24/2003	VSC				
			D20	SEA		10/24/2003	VSC				
			D23	LOS	missed NALCARRA filing, pending I-130	12/22/2003	Approved	None - Adjusted 9/26/07			

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**WESTERN REGION
DEFERRED ACTION LOG**

2004

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D20	SEA	Onfile calling for USC children deceased parents	4/21/2004	Approved	NO RENEWAL CLOSED PER DD SEA			
			D24	SND	Dep child of LPR parents awaiting visa availability	5/26/2004	Approved	approved - 6/9/2006			
			D24	SND	Same as above	5/26/2004	Approved	approved - 6/9/2006			
			D24	SND	Same as above	5/26/2004	Approved	approved - 6/9/2006			

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WESTERN REGION DEFERRED ACTION LOG

2005

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D24	SND	Orphaned V-visa beneficiary	3/4/2005	Approved	Renewal not sought- Adjusted 5-16-07			
			SND	SND	Orphaned V-visa beneficiary	3/4/2005	Approved	Renewal not sought- Adjusted 5-16-07			
			D23	LOS	Father of 8 yr. old receiving exten. Neuro. treatment	3/29/2005	Approved	approved - 06/17/08	approved - 05/21/10		
			D26	HHW	Father of 11 year old USC daughter with severe heart problems	6/16/2005	Approved	Renewal not sought - per DD message 4/3/08			
			D26	HHW	Mother of 11 year old USC daughter with severe heart problems	6/16/2005	Approved	Renewal not sought - per DD message 4/3/08			
			D26	HHW	had deferred status from VSC as battered spouse - remarried USC (milit.) who has filed I-130	8/5/2005	Approved	Renewal not sought - per DD message 4/3/08			
			D26	HHW	dep. Child of W [REDACTED]	8/5/2005	Approved	Renewal not sought - per DD message 4/3/08			
			D26	HHW	dep. Child of W [REDACTED]	8/5/2005	Approved	Renewal not sought - per DD message 4/3/08			
					wife USC minor K-1 failed to marry org petitioner - USC child - discovered is LPR	9/26/2005	not approved				
			D26	HHW	mother of US national child w/ progressive Muscular Dystrophy	11/23/2005	Approved	Renewal not sought - per DD message 4/3/08			

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WESTERN REGION
DEFERRED ACTION LOG

2006

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D23	LOS	Dep child or parents granted LPR status by EOIR based on USC child	1/6/2006	Approved	approved - 12/27/2007	approved - 03/16/2009		
					with congenital heart problems requiring continued care not available in her home country	1/17/2006	Approved	approved - 2/19/2009			

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**WESTERN REGION
DEFERRED ACTION LOG**

2007

	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
				Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
	D20	SEA	Religious worker denied adjustment due to HIV infection	3/7/2007	no action				
	D26	HHW	disabled dependent adult daughter of E2	5/24/2007	Approved	approved - 3/27/2009			
	D23	LOS	47 year old schizophrenic b 2 overstay son of LPR parents / USC siblings	8/3/2007	approved				

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**WESTERN REGION
DEFERRED ACTION LOG**

2008

2000

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D23	LOS		5/30/2008	Approved				

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WESTERN REGION DEFERRED ACTION LOG

2009

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D23	LOS	B-2 overstay - medical disability	2/20/2009	disapproved 4/24/09				
			D26	HHW	B-2 overstay - medical disability	2/20/2009	disapproved 4/24/09				
			D20	POO	B-2 overstay - receiving continuing medical treatment at Shriners Hosp	3/27/2009	Approved				
			D20	POO	B-2 overstay - mother of W-DA-09-003/4	3/27/2009	Approved				
			D20	POO	B-2 overstay - receiving continuing medical treatment at Shriners Hosp	3/27/2009	Approved				
			D20	POO	B-2 overstay - father of W- [REDACTED]	3/27/2009	Approved				
			D20	POO	B-2 overstay - brother of W- [REDACTED] dependent	3/27/2009	Approved				
			D20	POO	child of [REDACTED] brought to US for medical treatment - adopted by US family after 16 - never been back to Korea - doesn't speak Korean	4/1/2009	Approved				
			D26	HHW	LL-jo with Down Syndrome unable to care for self - daughter of LPR - originally entered as F2 later changed to H4 - over 18 when mother became LPR	2-Jun-09	Approved				
			D26	HHW	B-2 overstay - suffered stroke now unable to travel. Has LPR daughter who is caring for her and covering medical care	6/12/2009	not approved				
			D21	SFR	Mother [REDACTED] providing assistance with treatment	8/21/2009	Approved				

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		D21	SFR	Partner providing assistance with treatment	8/21/2009	Approved			
		D21	SFR	Sister of W-DA-09-011	8/21/2009	Approved			
		D21	SFR	He is being treated for rare medical disorder participating in drug surveillance study available only in USA	8/21/2009	Approved			

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**WESTERN REGION
DEFERRED ACTION LOG**

2010

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
			D24	SND	ISC error adj of 1400, no visa avail, later serv error, family equities	2/12/2010	Approved				

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WESTERN REGION **DEFERRED ACTION LOG**

2001-2010

WRO LOG NUMBER	A-NUMBER	NAME	DIST OFFICE	FIELD OFFICE	SUMMARY	INITIAL ACTION		BIENNIAL REVIEWS			
						Date	Action	Recommendation/date	Recommendation/date	Recommendation/date	Recommendation/date
					cerebral palsy victim, Korean orphan with USC sponsors AKA [REDACTED]	6/1/2001	Approved	approved 04/09/2010			
			D23	LOS	[REDACTED]						
			D20	SEA	parolee overstaying for LPR son	9/26/2003	Approved	approved 02/07/2008	approved - 11/20/2009		
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 2/20/05			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 04/27/06			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 11/9/04			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 5/2/06			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 9/20/05			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 11/28/05			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 06/29/04			
			D20	SEA	Dom. Abuse U-Visa App	10/21/2003	Approved	NONE DA ESC 7/7/06			
			D20	SEA	Traf. Victim U-Visa App.	10/21/2003	Approved	NONE DA ESC 5/2/06			
			D20	SEA		10/24/2003	VSC				
			D20	SEA		10/24/2003	VSC				
			D20	SEA		10/24/2003	VSC				
			D23	LOS	missed NACARA hearing, pending I-130	12/22/2003	Approved	None - Adjusted 9/26/07			
			D20	SEA	Orphan child of USC children deceased parents	4/21/2004	Approved	NO RENEWAL CLOSED PER DD SEA			
			D24	SND	Dep child of LPR parents awaiting visa availability	5/26/2004	Approved	approved - 6/9/2006			
			D24	SND	Same as above	5/26/2004	Approved	approved - 6/9/2006			
			D24	SND	Same as above	5/26/2004	Approved	approved - 6/9/2006			
			D24	SND	Orphaned V-visa beneficiary	3/4/2005	Approved	Renewal not sought- Adjusted 5-16-07			
			SND	SND	Orphaned V-visa beneficiary	3/4/2005	Approved	Renewal not sought- Adjusted 5-16-07			
			D23	LOS	Father of 8 yr. old receiving exten. Neuro. treatment	3/29/2005	Approved	approved - 06/17/08	approved - 05/21/10		
			D26	HHW	Father of 11 year old USC daughter with severe heart problems	6/16/2005	Approved	Renewal not sought - per DD message 4/3/08			

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D26	HHW	Mother of 11 year old USC daughter with severe heart problems	6/16/2005	Approved	Renewal not sought - per DD message 4/3/08			
D26	HHW	had deferred status from VSC as battered spouse - remarried USC (milit.) who has filed I-130	8/5/2005	Approved	Renewal not sought - per DD message 4/3/08			
D26	HHW	dep. Child of [REDACTED]	8/5/2005	Approved	Renewal not sought - per DD message 4/3/08			
D26	HHW	dep. Child of [REDACTED]	8/5/2005	Approved	Renewal not sought - per DD message 4/3/08			
		wife USC milit.						
D26	HHW	1 failed to marry org petitioner - USC child - discovered is LPR	9/26/2005	not approved				
D26	HHW	Mother of US national child w/ progressive Muscular Dystrophy	11/23/2005	Approved	Renewal not sought - per DD message 4/3/08			
D23	LOS	Dep child of parents granted LPR status by EOIR based on USC child	1/6/2006	Approved	approved - 12/27/2007	approved - 03/16/2009		
D20	SPO	with congenital heart problems requiring continued care not available in her home country	1/17/2006	Approved	approved - 2/19/2009			
D20	SEA	Religious worker denied adjustment due to HIV infection	3/7/2007	no action				
D26	HHW	disabled dependent adult daughter of E2	5/24/2007	Approved	approved - 3/27/2009			
D23	LOS	47 year old schizophrenic B-2 overstay son of LPR parents / USC siblings	8/3/2007	approved				
D23	LOS	overstay witness from foreign organized crime trial	5/30/2008	Approved				
D23	LOS	B-2 overstay - medical disability	2/20/2009	disapproved	4/24/09			
D26	HHW	B-2 overstay - medical disability	2/20/2009	disapproved	4/24/09			
D20	POO	B-2 overstay - receiving continuing medical treatment at Shriners Hosp	3/27/2009	Approved				
D20	POO	B-2 overstay - mother of W-DA-09-00314	3/27/2009	Approved				
D20	POO	B-2 overstay - receiving continuing medical treatment at Shriners Hosp	3/27/2009	Approved				

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	D20	POO	H-2 overstay - father of W- [redacted]	3/27/2009	Approved				
	D20	POO	B-2 overstay - brother of W- [redacted] dependent child of W- [redacted]	3/27/2009	Approved				
	D20	POO	brought to US for medical treatment - adopted by US family after 16 - never been back to Korea - doesn't speak Korean	4/1/2009	Approved				
	D26	HHW	EE for medical Syndrome unable to care for self - daughter of LPR - originally entered as F2 later changed to H4 - over 18 when mother became LPR	2-Jun-09	Approved				
	D26	HHW	B-2 overstay - suffered stroke now unable to travel. Has LPR daughter who is caring for her and covering medical care.	6/12/2009	not approved				
	D21	SFR	Mother of [redacted] providing assistance with treatment	8/21/2009	Approved				
	D21	SFR	Father of [redacted] providing assistance with treatment	8/21/2009	Approved				
	D21	SFR	Sister of [redacted]	8/21/2009	Approved				
	D21	SFR	no record being created for rare medical disorder participating in drug surveillance study available only in USA	8/21/2009	Approved				
D24	SND		NSC error adj of H-405, no visa avail, later serv error, family equities	2/12/2010	Approved				

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Deferred Action (D/A) Records for Cases AFTER January 1, 2003

		55
a)	number of individuals granted D/A status	
b)	factors considered in each case	
c)	determinative factors in each case that D/A status should be granted	
		209
a)	number of individuals who made requests for D/A status	
b)	number of individuals granted D/A status	54
c)	number of individuals denied D/A status	3
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
		0
a)	number of individuals considered for D/A status who had not made a request	
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
		3
a)	number of individuals denied D/A status	
b)	reasons for denial of D/A status	
c)	factors taken into consideration to determine that D/A status should be denied	
		7
a)	number of individuals who were in fact considered for D/A status	
b)	number of these individuals who were granted D/A status	4
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
g)	number of individuals who request D/A status	12

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Cases for which D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	Not Applicable
c)	determinative factors in each case that D/A status should be granted	Not Applicable
Cases for which D/A status was requested		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	0
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	None
e)	reasons for denial or granting of D/A status	Not Applicable
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Not Applicable
Cases for which D/A status was not requested		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	Not Applicable
e)	reasons for denial or granting of D/A status	Not Applicable
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Not Applicable
Individuals who requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	Not Applicable
c)	factors taken into consideration to determine that D/A status should be denied	Not Applicable
Individuals who were granted as part of a group		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	Not Applicable
e)	reasons for denial or granting of D/A status	Not Applicable
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Not Applicable
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		
D/A was granted		
a)	number of individuals granted D/A status	5
b)	factors considered in each case	humanitarian considerations (age, medical condition, etc.), individual's ability to travel, ability of individual to financially support themselves while in the U.S., immigration status, criminal record and other derogatory information, family unity or value of individual to a U.S. employer.
c)	determinative factors in each case that D/A status should be granted	As with any act of discretion, the positive factors in the case were weighed against the negative and a determination was made that the individual's departure from the U.S. should be deferred in the interests of humanity and the good order of the United States.
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	6
b)	number of individuals granted D/A status	5
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
An individual did not make a formal request but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	There were no individuals who did not specifically request some type of extraordinary relief who were formally granted deferred action status, however, this office grants informal "deferred action" every day when we choose not to issue an NTA when a benefit is denied, in cases where we believe it is inappropriate because of such factors as the young or advanced age of the individual or the individual's ability to apply for an immigrant visa abroad.
e)	reasons for denial or granting of D/A status	See 3d, above
f)	factors taken into consideration to determine whether D/A status should be granted or denied	See 3d, above
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	N/A
c)	factors taken into consideration to determine that D/A status should be denied	N/A
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	0
e)	reasons for denial or granting of D/A status	N/A

f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
g)	number of individuals who request D/A status	5

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		
As was granted		
a)	number of individuals granted D/A status	1
b)	factors considered in each case	Equities in the United States, compliance with the law, consequences resulting should deferred action not be granted, the promotion of a USG interest.
c)	determinative factors in each case that D/A status should be granted	Same as above
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	BOS has not maintained a record of deferred action requests
b)	number of individuals granted D/A status	One
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	Unknown
e)	reasons for denial or granting of D/A status	The grant of deferred action was granted in order to promote a USG interest.
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Equities in the United States, compliance with the law, consequences of not granting deferred action
An individual did not make a formal request but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	Not applicable
e)	reasons for denial or granting of D/A status	Not applicable
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Not applicable
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	Not applicable
c)	factors taken into consideration to determine that D/A status should be denied	Not applicable
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	Not applicable
e)	reasons for denial or granting of D/A status	Not applicable
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Not applicable
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		
D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	
c)	determinative factors in each case that D/A status should be granted	
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	0
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
An individual did not make a formal request but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	
c)	factors taken into consideration to determine that D/A status should be denied	
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...	
D/A was granted	
a) number of individuals granted D/A status	3
b) factors considered in each case	Humanitarian concerns for disabled USC child; paraplegic alien ex-construction worker and spouse
c) determinative factors in each case that D/A status should be granted	Long-term assisted care for disabled / mentally impaired USC child; employment authorization for spouse of ex-construction worker
An individual made a request for D/A status	
a) number of individuals who made requests for D/A status	3
b) number of individuals granted D/A status	3
c) number of individuals denied D/A status	
d) status of cases in which D/A was neither granted nor denied	
e) reasons for denial or granting of D/A status	
f) factors taken into consideration to determine whether D/A status should be granted or denied	
An individual did not make a formal request but was considered for D/A	
a) number of individuals considered for D/A status who had not made a request	
b) number of these individuals who were granted D/A status	
c) number of these individuals who were denied D/A status	
d) status of cases in which D/A was neither granted nor denied	
e) reasons for denial or granting of D/A status	
f) factors taken into consideration to determine whether D/A status should be granted or denied	
An individual requested D/A but was denied	
a) number of individuals denied D/A status	
b) reasons for denial of D/A status	
c) factors taken into consideration to determine that D/A status should be denied	
An individual qualified as part of a group eligible for deferred action	
a) number of individuals who were in fact considered for D/A status	
b) number of these individuals who were granted D/A status	
c) number of these individuals who were denied D/A status	
d) status of cases in which D/A was neither granted nor denied	
e) reasons for denial or granting of D/A status	
f) factors taken into consideration to determine whether D/A status should be granted or denied	
g) number of individuals who request D/A status	

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		
D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	N/A
c)	determinative factors in each case that D/A status should be granted	N/A
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	0
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
An individual did not make a formal request but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	N/A
c)	factors taken into consideration to determine that D/A status should be denied	N/A
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Enter number of cases
D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	
c)	determinative factors in each case that D/A status should be granted	
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	
c)	number of individuals denied D/A status	
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	
c)	factors taken into consideration to determine that D/A status should be denied	
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		
D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	N/A
c)	determinative factors in each case that D/A status should be granted	N/A
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	0
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
An individual did not make a formal request but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	N/A
c)	factors taken into consideration to determine that D/A status should be denied	N/A
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Field Office Data
D/A was granted		
a)	number of individuals granted D/A status	12
b)	factors considered in each case	medical condition; family ties; humanitarian factors; criminal history; length of stay; available relief
c)	determinative factors in each case that D/A status should be granted	medical condition; family ties; humanitarian factors
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	17
b)	number of individuals granted D/A status	12
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	5
e)	reasons for denial or granting of D/A status	medical condition; family ties; humanitarian factors
f)	factors taken into consideration to determine whether D/A status should be granted or denied	medical condition; family ties; humanitarian factors; criminal history; length of stay; available relief
An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	0
e)	reasons for denial or granting of D/A status	0
f)	factors taken into consideration to determine whether D/A status should be granted or denied	0
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	0
c)	factors taken into consideration to determine that D/A status should be denied	0
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	4
b)	number of these individuals who were granted D/A status	1
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	1 was awaiting guidance; 2 newly received
e)	reasons for denial or granting of D/A status	family ties; humanitarian factors
f)	factors taken into consideration to determine whether D/A status should be granted or denied	medical condition; family ties; humanitarian factors; criminal history; length of stay; available relief
g)	number of individuals who request D/A status	4

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Field Office Data
1. D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	
c)	determinative factors in each case that D/A status should be granted	
2. An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	
c)	number of individuals denied D/A status	
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
3. An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
4. An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	
c)	factors taken into consideration to determine that D/A status should be denied	
5. An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Factors
D/A was granted		30
a)	number of individuals granted D/A status	30
b)	factors considered in each case	Factors listed on pages 6 and 7 of NER Deferred Action Guide dated 7/15/10.
c)	determinative factors in each case that D/A status should be granted	Humanitarian (e.g. medical or family medical)
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	175
b)	number of individuals granted D/A status	30
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	Under review (pending) for eligibility including if the request should be addressed to ICE
e)	reasons for denial or granting of D/A status	Humanitarian reasons
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Factors listed on pages 6 and 7 of NER Deferred Action Guide dated 7/15/10.
An individual did not make a formal request but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	0
c)	factors taken into consideration to determine that D/A status should be denied	0
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	3
b)	number of these individuals who were granted D/A status	3
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	0
e)	reasons for denial or granting of D/A status	Humanitarian (certain immediate family members of victims of the 9/11 attacks)
f)	factors taken into consideration to determine whether D/A status should be granted or denied	Lack of substantial progress in obtaining a legislative solution allowing these aliens to seek LPR status (DHS Approved)
g)	number of individuals who request D/A status	3

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Field Office Data
D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	N/A
c)	determinative factors in each case that D/A status should be granted	All cases considered on a case by case basis.
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	3
b)	number of individuals granted D/A status	0
c)	number of individuals denied D/A status	3
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	Other forms of relief were available to applicant
f)	factors taken into consideration to determine whether D/A status should be granted or denied	complete review of evidence submitted, thorough review of compelling factors presented, are there other forms of relief available to applicant?
An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	3
b)	reasons for denial of D/A status	Other forms of relief were available to applicant
c)	factors taken into consideration to determine that D/A status should be denied	complete review of evidence submitted, thorough review of compelling factors presented, are there other forms of relief available to applicant?
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Field Office Data
1. D/A was granted		
a)	number of individuals granted D/A status	1
b)	factors considered in each case	medical emergency
c)	determinative factors in each case that D/A status should be granted	heart transplant patient
2. An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	2
b)	number of individuals granted D/A status	1
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	awaiting response to RFE
e)	reasons for denial or granting of D/A status	emergent medical situation
f)	factors taken into consideration to determine whether D/A status should be granted or denied	emergent medical situation (applicant required a heart transplant)
3. An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
4. An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	N/A
c)	factors taken into consideration to determine that D/A status should be denied	N/A
5. An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	N/A
e)	reasons for denial or granting of D/A status	N/A
f)	factors taken into consideration to determine whether D/A status should be granted or denied	N/A
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Field Office Data
1. D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	0
c)	determinative factors in each case that D/A status should be granted	0
2. An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	0
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	0
e)	reasons for denial or granting of D/A status	0
f)	factors taken into consideration to determine whether D/A status should be granted or denied	0
3. An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	0
e)	reasons for denial or granting of D/A status	0
f)	factors taken into consideration to determine whether D/A status should be granted or denied	0
4. An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	0
c)	factors taken into consideration to determine that D/A status should be denied	0
5. An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	0
e)	reasons for denial or granting of D/A status	0
f)	factors taken into consideration to determine whether D/A status should be granted or denied	0
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Field Office Data
1. D/A was granted		0
a)	number of individuals granted D/A status	
b)	factors considered in each case	
c)	determinative factors in each case that D/A status should be granted	
2. An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	0
c)	number of individuals denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
3. An individual did not make a formal request, but was considered for D/A		
a)	number of individuals who were denied D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
4. An individual requested D/A but was denied		0
a)	number of individuals denied D/A status	
b)	reasons for denial of D/A status	
c)	factors taken into consideration to determine that D/A status should be denied	
5. An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	0
c)	number of these individuals who were denied D/A status	0
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
g)	number of individuals who request D/A status	0

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which ...		Field Office Data
1. D/A was granted		
a)	number of individuals granted D/A status	0
b)	factors considered in each case	
c)	determinative factors in each case that D/A status should be granted	
2. An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	0
b)	number of individuals granted D/A status	
c)	number of individuals denied D/A status	
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
3. An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	0
b)	number of these individuals who were granted D/A status	
c)	number of these individuals who were denied D/A status	
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
4. An individual requested D/A but was denied		
a)	number of individuals denied D/A status	0
b)	reasons for denial of D/A status	
c)	factors taken into consideration to determine that D/A status should be denied	
5. An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	0
b)	number of these individuals who were granted D/A status	
c)	number of these individuals who were denied D/A status	
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
g)	number of individuals who request D/A status	

Deferred Action (D/A) Records for Cases AFTER January 1, 2003

Information from cases after 1/1/03 in which...		Field Office Data
D/A was granted		
a)	number of individuals granted D/A status	3
b)	factors considered in each case	medical emergency, family reunification, Service error resulting in erroneous status
c)	determinative factors in each case that D/A status should be granted	same as above
An individual made a request for D/A status		
a)	number of individuals who made requests for D/A status	3
b)	number of individuals granted D/A status	3
c)	number of individuals denied D/A status	do not know
d)	status of cases in which D/A was neither granted nor denied	n/a
e)	reasons for denial or granting of D/A status	see 1c
f)	factors taken into consideration to determine whether D/A status should be granted or denied	see 1b
An individual did not make a formal request, but was considered for D/A		
a)	number of individuals considered for D/A status who had not made a request	
b)	number of these individuals who were granted D/A status	
c)	number of these individuals who were denied D/A status	
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
An individual requested D/A but was denied		
a)	number of individuals denied D/A status	
b)	reasons for denial of D/A status	
c)	factors taken into consideration to determine that D/A status should be denied	
An individual qualified as part of a group eligible for deferred action		
a)	number of individuals who were in fact considered for D/A status	
b)	number of these individuals who were granted D/A status	
c)	number of these individuals who were denied D/A status	
d)	status of cases in which D/A was neither granted nor denied	
e)	reasons for denial or granting of D/A status	
f)	factors taken into consideration to determine whether D/A status should be granted or denied	
g)	number of individuals who request D/A status	

Central Region Deferred Action FOIA Survey						
	Resp. To Q. 1	Resp. To Q. 2	Resp. To Q. 3	Resp. To Q. 4	Resp. To Q. 5	Comment
State 12	5	no data	no data	no data	no data	
State 13	5	no data	no data	no data	no data	
State 14	1	no data	no data	no data	no data	
State 15	15	no data	no data	no data	no data	
State 16	0	no data	no data	no data	no data	
State 17	3	no data	no data	no data	no data	
State 18	7	no data	no data	no data	no data	
State 19	3	no data	no data	no data	no data	
Region Total	39	no data	no data	no data	no data	

For references purposes the questions are listed below:

- 1 information from cases after January 1, 2003 in which deferred action was granted
- 2 information from cases after January 1, 2003 in which an individual made a request for deferred action
- 3 information from cases after January 1, 2003 in which an individual did not make a formal request, but was considered
- 4 information from cases after January 1, 2003 in which an individual requested deferred action but was denied
- 5 information from cases after January 1, 2003 in which an individual qualified as part of a group eligible for deferred action

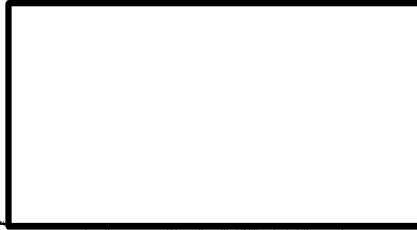
(b)(6)

Case No.	Date DA Approved by DA	Case No.	Applicant's Name	Applicant's DOB	Applicant's POB	Applicant's Status	Applicant's Remarks
SNA	9/22/2006	A			Pakistan	I-130, 1st pref filed 9/13/02	Alien entered as B2 11/10/00 and overstayed. Deportable under 237(a)(1)(B) as an overstay. Alien is a polio survivor and is permanently disabled and in a wheelchair. IJ terminated proceedings on 3/18/04 as ICE exercised prosecutorial discretion. Alien lives with USC mother and brother who take care of him and provide support. Sister is an LPR. No immediate family in Pakistan.
SNA	10/12/2006	A			Mexico	I-130, 4th pref filed 2/28/00.	Alien entered as B2 10/30/03 and overstayed. Deportable under 237(a)(1)(B) as an overstay. Alien is deaf, mute, and mentally and learning disabled with impaired gate. She is permanently disabled and is wheelchair-bound for life. She requires 24 hour supervision and is not mobile without extraordinary assistance. Alien lives with LPR mother. Two sisters are USCs and 3 brothers are LPRs. Father, who is now deceased, had filed an I-130 for her but that is now not an option due to father's passing away. No immediate family in Mexico.
KAN	10/31/2007	A			Turkey		Applicant timely filed I-485 as a winner of 2003 Diversity Visa. His wife and child were also winners in the DV and their FBI name check cleared on time and adjusted their status to permanent resident. However, the alien's FBI name check did not clear on time and lost his chance to adjust status.
ELP	1/5/2008	A			Japan	No	Applicant's husband died in line of duty while I-130 petition and I-485 adjustment of status were pending.
SPM	2/14/2008	A			Chile	No	Applicant is receiving medical care for a rare and life threatening disease. His parents are helping in his care since he is only 12 years old child. So the approval was for him and his parents.
DET	3/30/2008	A			PR China	yes	
SPM					Chile	No	Father
SPM					Chile	No	Mother
DET					Kosovo	No	Applicant has medical condition untreatable in Kosovo
DET					Kosovo	No	Mother
DET					Kosovo	No	Father
OMA	5/7/2008				Gautemala	Yes	Subject came to the U.S. in 1981 when he was only 4 months old for medical treatment. He has been here ever since. His deferred action was first granted in 2002.
HOU	9/10/2007				Mexico	yes	Subject entered the U.S. without inspection or parole.
SPM	11/4/2008				Italian/Argentina	No	Subject entered the U.S. on VWP for medical care
SPM	11/4/2008				Italian/Argentina	No	Subject entered the U.S. on VWP to take care of his wife (above).
HOU	11/19/2008				Mexican	yes	Subject entered the U.S. without inspection or parole.
OMA	3/30/2009				Gautemala	No	Subject came to the U.S. in 1981 when he was only 4 months old for medical treatment. He has been here ever since. His deferred action was first granted in 2002.
OMA	3/30/2009				Ethiopia	No	Subject entered the U.S. in 2001 on a B-1; she is currently undergoing medical treatment at the University Hospital of Nebraska.
SNA	5/15/2009				Mexico	yes	Alien was adopted by USC in August 23, 2007. Her parents will file I-130/II-485 when the 2-year residency requirement is met.
SNA	7/21/2009				Mexico	yes	Subject is a B-2 overstay whose applications for adjustment of status and subsequently N-600 have been denied.
KAN	8/7/2009				India	no	Subject enlisted into US Army under MAVNI program. However, ineligible to enlist because he will be out of status at time of enlistment.
STL	8/25/2009				Turkey	No	Subject is receiving life sustaining treatment not available in Turkey.
STL	8/25/2009				Turkey	No	Subject's son is wheel chair bound. He needs her to help him.

(b)(6)

[illegible]

(b)(6)



Wednesday, July 14, 2010

To: U.S. Citizenship and Immigration Services
6680 Corporate Centre Blvd.
Orlando, FL 32822

Subject: Visa Deferral

Dear Representative:

As you know, an earthquake destroyed 60% of the City of Port au Prince in Haiti. My house was damaged and we are not allowed to live in it yet.

I came to the United States in February 2, 2010. My original flight was scheduled to leave Haiti at 5:00 PM on January 12, 2010. The airplane left Haiti in a hurry. As a result, I was left at the airport with my boarding pass. On February 5, 2010, I delivered a girl at St. Mary's Hospital in West Palm Beach, Florida. Her name is [REDACTED] I am anxious about taking my infant girl to these atrocious conditions. As a nursing mother, I am afraid of returning in Haiti and having to live under a tent with compromised sanitation.

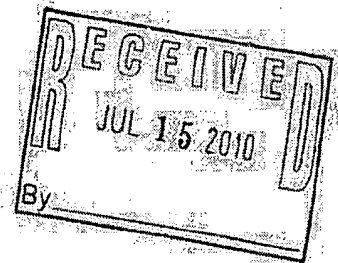
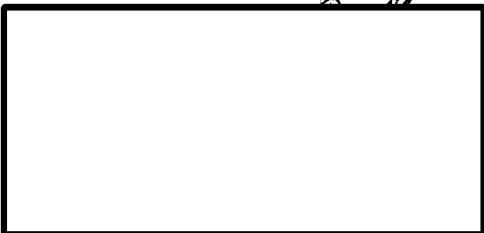
For I plea for your compassion to grant me a visa deferral so, I can live in the United States to take care of my child.



I am looking forward to hear from you.

Please receive my sincere greetings:

Respectfully yours,



(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 27, 2010, with my daughter [REDACTED]. We left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. The house is completely destroyed and thanks to God, the servant had the time to get the children out. Psychologically, the children are still traumatized about the earthquake. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Aunt

1.

Sister

Brother

My daughter has visited the United States once before this trip:

From 07/18/2009 to 08/02/2009

I sincerely count on your genuine generosity and your humanitarian heart by granting this request to my daughter, [REDACTED] so that she may remain in the U. S. in order to go to school and build her future:

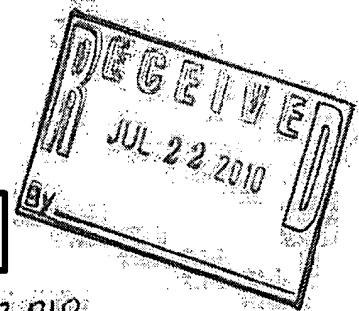
Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

[REDACTED]

7/21/2010
Executed on



[REDACTED]

Deferred Action (Haiti)

(Minor child)

1

(b)(6)

DEFERRED ACTION REQUEST

My name [redacted] and I am from Haiti.

I, pursuant to 28 USC § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 22, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. I lost my uncle [redacted] and my cousin [redacted] [redacted] perished with her three (3) children. Other family members and my four (4) children are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

--

Relationship: Brother

Relationship: Sister

Relationship: Sister

This is my first trip to the United States.

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my family by working hard and earning money to send them as they struggle to rebuild their lives in Haiti.

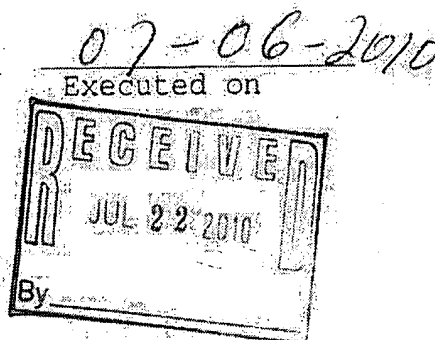
Thank you for your kind assistance in this matter.

Respectfully,

[redacted]

[redacted]

Deferred Action (Haiti)



1

(b)(6)

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on March 18, 2010, with my minor child [REDACTED] I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

We entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. I don't have a job anymore, the building was completely destroyed with a lot of co-workers. I lost a lot of family members, such as my cousin [REDACTED] and his family, [REDACTED]. There are some family members that can not be found till now. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the United States include:

[REDACTED]

Relationship: Cousin

Relationship: Cousin

My daughter, [REDACTED] has visited the United States on one prior occasion as a visitor.

From 07/27/2008 to 08/30/2008

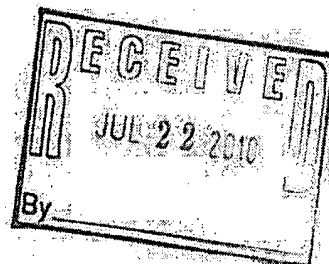
I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that she may remain in the U.S. in order to go to school.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

07/15/10
Executed on



[REDACTED]

Deferred Action (Haiti)

1

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on February 04, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. Our main residence collapsed with everything we owned. We have a lot of victims in our family, such as [REDACTED] who died, my brother-in-law [REDACTED] was badly injured with broken legs. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Cousin

Relationship: Cousin

Relationship: Cousin

I have visited the United States on several occasions as a visitor.

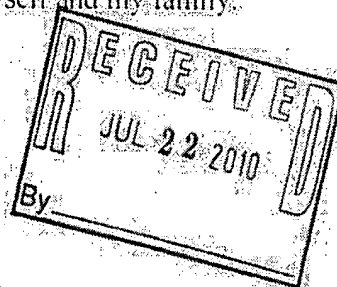
From 02/23/2005 to 04/07/2005
From 06/23/2006 to 09/18/2006
From 11/28/2006 to 01/05/2007
From 04/27/2007 to 06/04/2007
From 02/11/2008 to 05/06/2008
From 09/12/2008 to 09/24/2008
From 06/17/2009 to 11/13/2009

With the [REDACTED]
As a visitor and [REDACTED]
As a visitor and [REDACTED]
As a visitor and [REDACTED]
As a visitor and [REDACTED]
With the [REDACTED]
With the [REDACTED]

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to work to help myself and my family.

[REDACTED]

Deferred Action (Haiti)



1

(b)(6)

Thank you for your kind assistance in this matter.
Respectfully,

[Redacted Signature]

07/20/2010

Executed on

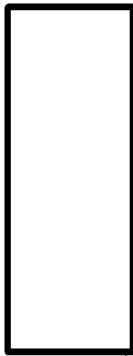
[Redacted]

Deferred Action (Haiti)

2

(b)(6)

(b)(6)



DEFERRED
ACTION

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 22, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. I was self-employed. I was involved in retail (shoes and clothing). The building collapsed and I lost my business. Our family's main residence is completely destroyed. My father died and we did not even find his body. I lost other family members, such as my cousin [REDACTED]. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the United States include:

[REDACTED]

Relationship: Sister

Relationship: Aunt

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my children and my family by working hard, and earning money to send them as they struggle to rebuild their lives in Haiti.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]



07/15/2010
Executed on

(b)(6)

[REDACTED]

Deferred Action (Haiti)

1

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USC § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on February 23, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance. My parents' three (3) houses collapsed with everything they owned. My father, [REDACTED] perished when the main residence fell apart. We lost other family members, such as my great-aunt, [REDACTED]. Most of my parents' tenants and their families died. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

Relationship: Cousin

Relationship: Cousin

Relationship: Cousin

I have visited the United States on several occasions as a visitor:

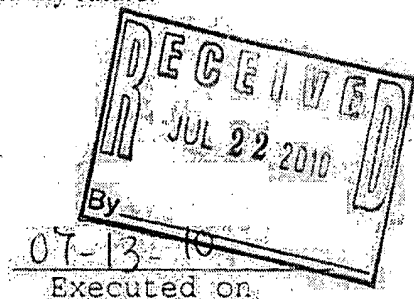
From 07/15/2008 to 07/31/2008

From 07/04/2009 to 08/15/2009

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to school and build my future.

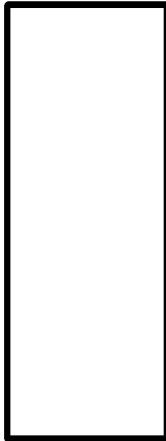
Thank you for your kind assistance in this matter.

Respectfully,



Deferred Action (Haiti)

(b)(6)



DEFERRED
ACTION

DEFERRED ACTION REQUEST

My name [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on February 01, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. I lost a lot of family members; such as [REDACTED] [REDACTED] perished with her three (3) children. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Sister

Relationship: Sister

Relationship: Brother

I have visited the United States on several occasions as a visitor.

From 07/16/2007 to 08/29/2007

From 07/16/2008 to 08/04/2008

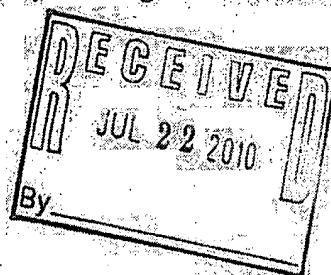
On November 11, 2009 I transited through Miami, FL on my way to Panama.

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my family by working hard and earning money to send them as they struggle to rebuild their lives in Haiti.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]



07-07-10
Executed on

Deferred Action (Haiti)

1

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on February 23, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My three (3) houses collapsed with everything I owned. My husband [REDACTED] perished when my main residence fell apart. I lost other family members, such as my aunt, N [REDACTED]. Most of our tenants and their families died. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Cousin

Relationship: Cousin

Relationship: Cousin

I have visited the United States on several occasions as a visitor.

From 06/15/2007 to 07/01/2007

From 01/01/2008 to 01/04/2008

From 04/20/2008 to 04/30/2008

From 07/15/2008 to 07/31/2008

From 07/04/2009 to 08/15/2009

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my children and my family working hard, and earning money to send them as they struggle to rebuild their lives in Haiti.

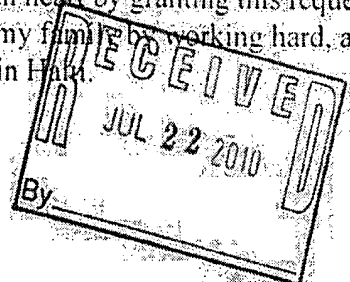
Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

[REDACTED]

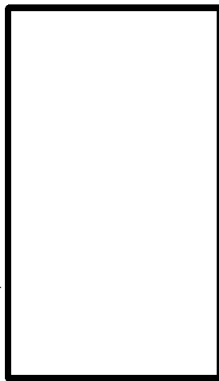
Deferred Action (Haiti)



07-13-10

Executed on

(b)(6)



DEFERRED
ACTION

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on March 18, 2010, I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. I don't have a job anymore, the building was completely destroyed with a lot of co-workers. I lost a lot of family members, such as my cousin [REDACTED] and his family [REDACTED]. There are some family members that can not be found till now. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Cousin

Relationship: Cousin

I have visited the United States on several occasions as a visitor.

From 07/02/2007 to 07/17/2007

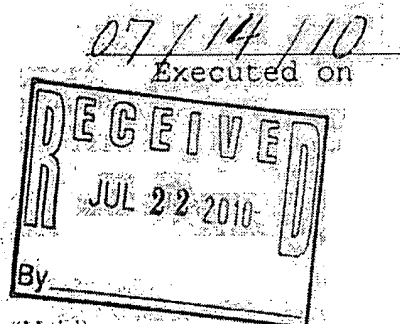
From 07/27/2008 to 08/30/2008

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my children and my family by working hard, and earning money to send them as they struggle to rebuild their lives in Haiti.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

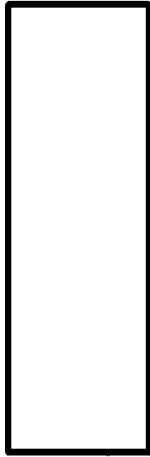


[REDACTED]

Deferred Action (Haiti)

1

(b)(6)



DEFERRED
ACTION

DEFERRED ACTION REQUEST

My name is [redacted] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 27, 2010, with my daughter [redacted]. We left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. The house is completely destroyed and thanks to God, the servant had the time to get the children out. Psychologically, the children are still traumatized about the earthquake. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[Redacted box for relative information]

Relationship: Aunt

Relationship: Sister

Relationship: Brother

My daughter has visited the United States once before this trip:

From 07/18/2009 to 08/02/2009

I sincerely count on your genuine generosity and your humanitarian heart by granting this request to my daughter [redacted] so that she may remain in the U. S. in order to go to school and build her future.

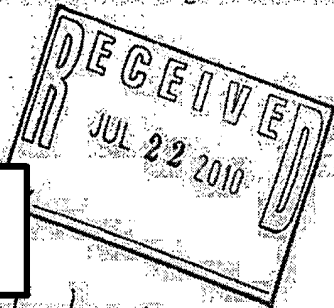
Thank you for your kind assistance in this matter.

Respectfully,

[Redacted signature]

[Redacted signature]

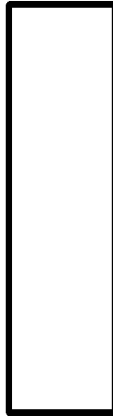
7/21/2010
Executed on



[Redacted signature]

Deferred Action (Haiti)
(Minor child)

(b)(6)



DEFERRED
ACTION

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 27, 2010, I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. The house is completely destroyed, thanks to God the servant had the time to get the children out. Psychologically, the children are still traumatized about the earthquake. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Aunt

Sister in Law

Brother in Law

I have visited the United States on several occasions as a visitor:

From 03/24/2007 to 04/09/2007

From 07/19/2008 to 08/05/2008

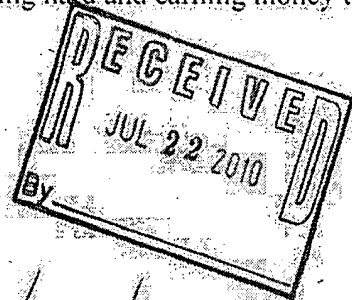
From 07/18/2009 to 08/02/2009

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my family by working hard and earning money to send them as they struggle to rebuild their lives in Haiti.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]



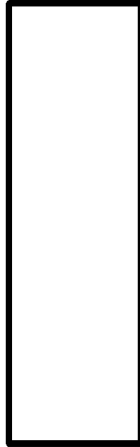
7/21/10
Executed on

[REDACTED]

Deferred Action (Haiti)

1

(b)(6)



DEFERRED
ACTION

DEFERRED ACTION REQUEST

My name is [redacted] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 21, 2010; I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. My uncle, [redacted] and my cousins [redacted] died. Our residence is badly damaged and other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the United States include:

[Redacted box for relatives]

ousin

ousin

unt

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my children and my family by working hard, and earning money to send them as they struggle to rebuild their lives in Haiti.

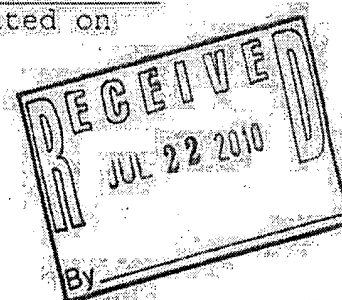
Thank you for your kind assistance in this matter.

Respectfully,

[Redacted signature]

07-19-2010

Executed on



[Redacted box]

Deferred Action (Haiti)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I am applying for Deferred Action on behalf of my minor child [REDACTED]

I arrived in the United States on February 23, 2010, with my daughter, [REDACTED]. We left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

We entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My three (3) houses collapsed with everything I owned. My husband [REDACTED] died, perished when my main residence fell apart. I lost other family members, such as my aunt, [REDACTED]. Most of our tenants and their families died. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Cousin

Relationship: Cousin

Relationship: Cousin

My daughter has visited the United States on several occasions as a visitor

From 07/15/2008 to 07/31/2008

From 07/04/2009 to 08/15/2009

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that my daughter can remain and go to school in the United States.

Thank you for your kind assistance in this matter.

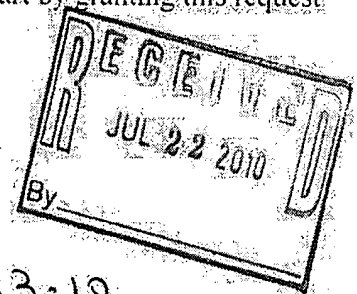
Respectfully,

[REDACTED]

(MOTHER)

07-13-10

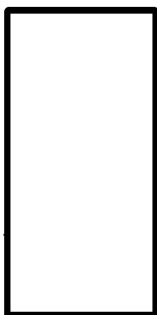
Executed on



Deferred Action (Haiti)

1

(b)(6)



DEFERRED
ACTION

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 21, 2010, I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. Our house is badly damaged and I lost some family members such as my cousins, [REDACTED]. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the United States include:

[REDACTED]

sin

isin

nt

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my children and my family by working hard, and earning money to send them as they struggle to rebuild their lives in Haiti.

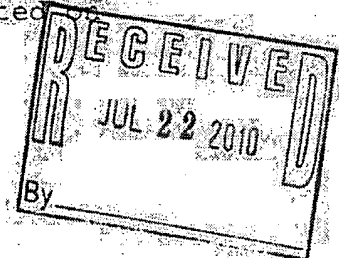
Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

07-18-10

Executed



[REDACTED]

Deferred Action (Haiti)

(b)(6)

(b)(6)

DEFERRED
ACTION



DEFERRED ACTION REQUEST

My name is [redacted] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on January 27, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. The house is completely destroyed, thanks to God the servant had the time to get the children out. Psychologically, the children are still traumatized about the earthquake. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[Redacted box for names of relatives]

Relationship: Aunt

Sister

Brother

I have visited the United States on several occasions as a visitor:

From 03/24/2007 to 04/09/2007

From 11/21/2007 to 12/01/2007

From 04/18/2009 to 04/23/2009

From 11/14/2009 to 11/28/2009

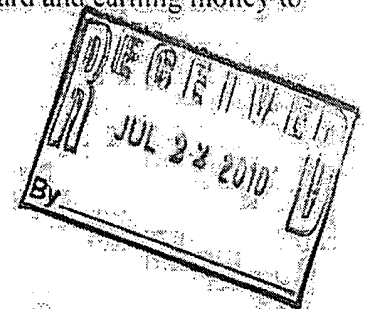
I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my family by working hard and earning money to send them as they struggle to rebuild their lives in Haiti.

Thank you for your kind assistance in this matter.

Respectfully,

[Redacted box for signature]

Location (Haiti)



7/21/2010

Excluded on

(b)(6)

DEFERRED
ACTION



(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USC § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on March 18, 2010, I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. I lost a lot of family members, such as my cousins [REDACTED] and [REDACTED]. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the United States include:

[REDACTED]

Relationship: Sister-in-Law

Relationship: Cousin

I have visited the United States once before this trip as a visitor.

From 05/11/2008 to 05/14/2008.

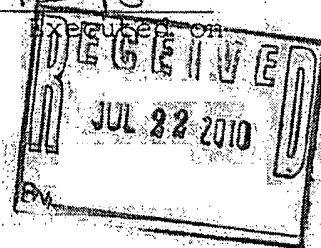
I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to help my family by working hard and earning money to send them as they struggle to rebuild their lives in Haiti.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

07-12-10



[REDACTED]

Deferred Action (Haiti)

1

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on March 18, 2010, with my minor child, [REDACTED]. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

We entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My house collapsed with everything I owned. I don't have a job anymore, the building was completely destroyed with a lot of co-workers. I lost a lot of family members, such as my cousin, [REDACTED] and his family [REDACTED]. There are some family members that can not be found till now. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Cousin

Relationship: Cousin

My son, [REDACTED] has visited the United States on one prior occasion as a visitor.

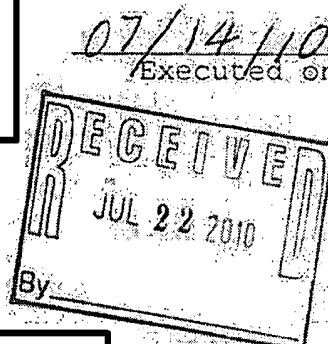
From 07/27/2008 to 08/30/2008

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that he may remain in the U.S. in order to go to school. His school was badly damaged and inoperative.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]



[REDACTED]

Deferred Action (Haiti)

1

(b)(6)



DEFERRED
ACTION

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on February 01, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa. I am not qualified for any kind of assistance nor apply for work. My parent's house collapsed with everything we owned. We lost a lot of family members, such as [REDACTED] perished with her three (3) children. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Aunt

Relationship: Aunt

Relationship: Uncle

I have visited the United States on several occasions as a visitor.

From 07/16/2007 to 08/29/2007

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to go to school and work to help myself and my family. My school in Haiti, College St. Pierre has been completely destroyed.

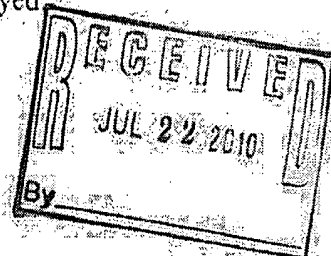
Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

[REDACTED]

Deferred Action (Haiti)



07-07-10
Executed on

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on February 01, 2010, I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. My parent's house collapsed with everything we owned. We lost a lot of family members, such as [REDACTED] perished with her three (3) children. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Aunt

Relationship: Aunt

Relationship: Uncle

I have visited the United States on several occasions as a visitor.

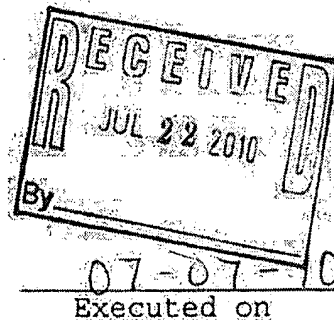
From 07/16/2007 to 08/29/2007

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to go to school and work to help myself and my family. My school in Haiti, College St. Pierre has been completely destroyed.

Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]



[REDACTED]

Deferred Action (Haiti)

1

(b)(6)

DEFERRED ACTION REQUEST

My name is [REDACTED] and I am from Haiti.

I, pursuant to 28 USCA § 1746, declare under penalty of perjury that the foregoing is true and correct.

I arrived in the United States on February 01, 2010. I left Haiti due to the disastrous situation of the country after the January 12, 2010 earthquake.

I entered on a B-2 Visa, I am not qualified for any kind of assistance nor apply for work. My parent's house collapsed with everything we owned. We lost a lot of family members, such as [REDACTED] and [REDACTED] perished with her three (3) children. Other family members are still living in the streets and starving in Haiti.

Some of my close relatives living in the states include:

[REDACTED]

Relationship: Aunt

Relationship: Aunt

Relationship: Uncle

I have visited the United States on several occasions as a visitor:

From 07/16/2007 to 08/29/2007

From 07/04/2008 to 09/08/2008

From 09/16/2008 to 12/31/2008

I sincerely count on your genuine generosity and your humanitarian heart by granting this request so that I may remain in the U. S. in order to go to school and work to help myself and my family.

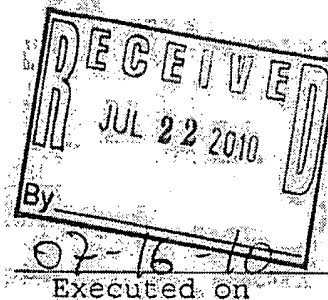
Thank you for your kind assistance in this matter.

Respectfully,

[REDACTED]

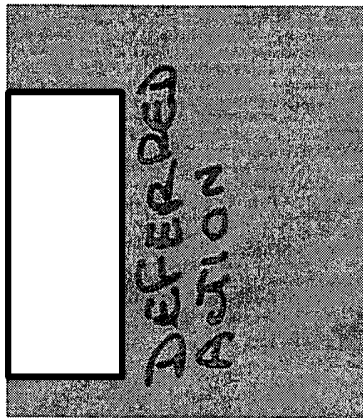
[REDACTED]

Deferred Action (Haiti)



(b)(6)

(b)(6)



DEFERRED ACTION CASE SUMMARY				
			FIELD OFFICE TAM	
		BIRTHPLACE Honduras	NATIONALITY Honduran	
DATE AND MANNER OF LAST ENTRY Entered without inspection (EWI) near Houston, TX			EVER LAWFULLY ADMITTED FOR PERMANT RESIDENCE No.	
PRESENT IMMIGRATION STATUS AND AVAILABILITY OF ANY ADMINISTRATIVE RELIEF In removal proceedings pursuant to 212 (a) (6) (A) (i), present without inspection. There appears to be no relief other than deferred action available to Mr. [REDACTED]				
GROUNDS OF DEPORTABILITY 212 (a) (6) (A) (i); As an alien present in the United States without being admitted or paroled.				
ALL PERIODS OF RESIDENCE IN U.S. FROM = 10/22/1994 TO PRESENT				
PHYSICAL & MENTAL CONDITION REQUIRING TREATMENT OR CARE IN U.S. [REDACTED] is a quadriplegic in a vegetative state that requires continuous care and supervision.				
FAMILY SITUATION: 1. LOCATION OF SPOUSE, SONS, DAUGHTERS, PARENTS				
NAME	AGE	RELATIONSHIP	LOCATION	IMMIGRATION STATUS
[REDACTED]	Unknown	Mother	Tampa, Florida	Temporary Protected Status
2. EFFECT OF EXPULSION [REDACTED] is legally present in the US pursuant to temporary protected status granted to Hondurans. The effect of expulsion is minimal as it relates to the alien's mother [REDACTED]				
(Cont'd on reverse)				
NONPRIORITY STATUS: RECOMMENDED APPROVAL <i>Steven J. Perovich</i> 5/10/10 Acting District Director (Signature and Date)				
APPROVED / DENIED <i>Ameludin</i> 5/17/10 Acting Regional Commissioner (Signature and Date)				

DEFERRED ACTION CASE SUMMARY**CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.***(Include recent conduct)***1. CRIMINAL RECORD****OFFENSE****DATE & PLACE****DISPOSITION***(Include periods of Imprisonment)*

[redacted] has no known criminal history other than his unlawful immigration status.

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

[redacted] has no known affiliations, activities or memberships with organizations of a subversive nature.

OTHER FACTORS

[redacted] is presently under removal proceedings. His next master calendar hearing is scheduled for [redacted]. The immigration judge in the case has continued the proceedings to allow for this deferred action request. USCIS counsel has indicated they do not oppose the request for deferred action.

This office has reviewed and weighed several factors relating to the request for deferred action for [redacted]. Sympathetic factors include that [redacted] was injured in an automobile accident that rendered him a quadriplegic in a vegetative state. His present physical condition would make travel extremely difficult and obtaining travel documentation could prove difficult.

Other factors considered were [redacted] has no known criminal history other than his unlawful immigration status; Mr. [redacted] is not in a class of deportable aliens that are given high enforcement priority; [redacted] has no known affiliations, activities or memberships with organizations of a subversive nature; [redacted] is highly unlikely to become a public charge as he [redacted] in fact, the present value of his assets total almost [redacted]. Additionally, USCIS could receive negative publicity if [redacted] is removed from the U.S. when USCIS had the authority to defer the removal action.

INSTRUCTIONS

Preparation: In duplicate

Date and Manner of last entry: Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-98 without inspection near El Paso.

Ever lawfully admitted for permanent residence: date, port, and class of admission.

Present Immigration Status: Include dates of OSC, W/A, O/D, and give briefly relevant Immigration history.

Grounds of deportability: All grounds whether or not lodged as charges, together with specifications e.g. Convicted of two crimes involving moral turpitude - bigamy (1938) Perjury (1950)

Physical and Mental Condition: Set forth any pertinent information in full. If no treatment required, so state. If mental case show dates of hospitalization. Include information on both subject and dependents.

Family Situation:

1. Location of spouse, etc.: Country only if not U.S. If U.S. and living with subject, indicate LWS, not living with subject, give city and state. Indicate status of those in U.S. as USC, PRA, NI, ILLEG. After spouse in () the date of marriage.
2. Effect of Expulsion: Explain fully economic and other pertinent effects on members of family.

Criminal, Immoral or subversive Activities:

1. Arrest record should be set out whether convicted or not.
2. Nature, extent and periods of subversive activities or affiliations should be fully covered.

Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.

(b)(6)

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Tampa Field Office
5524 West Cypress Street
Tampa, Florida 33607



U.S. Citizenship
and Immigration
Services



File Number:



May 20, 2010

Dear 

You are hereby notified that you have been approved for deferred action. Your placement in the deferred action category is a discretionary act. As such, US Citizenship and Immigration Services (USCIS) will not seek to prosecute or remove you from the United States at this time.

Although deferred action is not an immigration status, you may apply for work authorization based on this action pursuant to 8 CFR 274a.12(c)(14). It is advisable to submit a copy of this notice with your application for employment authorization.

Your admission to the deferred action category will be reviewed at least every two years. This review will reassess your eligibility for inclusion in the deferred action category.

Sincerely,

Kathy A. Redman
District Director

cc



(b)(6)

(b)(6)

		FIELD OFFICE TAM	
	BIRTHPLACE Mexico	NATIONALITY Mexican	
DATE AND MANNER OF LAST ENTRY EWI - 2003		EVER LAWFULLY ADMITTED FOR PERMANT RESIDENCE No	
PRESENT IMMIGRATION STATUS AND AVAILABILITY OF ANY ADMINISTRATIVE RELIEF EWI - no apparent administrative relief			
GROUNDS OF DEPORTABILITY 212(a)(6)(a)(i) Alien present without being admitted (EWI)			
	FROM 2003	TO Present	
PHYSICAL & MENTAL CONDITION REQUIRING TREATMENT OR CARE IN U.S. None			
FAMILY SITUATION: 1. LOCATION OF SPOUSE, SONS, DAUGHTERS, PARENTS			
NAME	AGE	RELATIONSHIP	LOCATION
		Spouse	
		Child	
		IMMIGRATION STATUS	
		EWI	
		U.S. Citizen	
2. EFFECT OF EXPULSION Subject is the spouse of [redacted] She has been diagnosed with a [redacted] disease known as [redacted] She has received [redacted] treatments but has not [redacted] She requires [redacted] for the remainder of her life or until she qualifies for [redacted] The treatment necessary is not available in her home country. Her medical expenses are being paid through a charitable organization associated with the [redacted] [redacted] is the breadwinner and homemaker for the family (Cont'd on reverse)			
NONPRIORITY STATUS: RECOMMENDED 10/1/09 District Director (Signature and Date)			
APPROVED 10/5/09 Regional Commissioner (Signature and Date)			
DEFERRED ACTION CASE SUMMARY			

(b)(6)

CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.*(Include recent conduct)***1. CRIMINAL RECORD****OFFENSE****DATE & PLACE****DISPOSITION***(Include periods of imprisonment)*

None

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

None

OTHER FACTORS

Subject has a minor U.S. citizen child.

INSTRUCTIONS

Preparation: In duplicate

Date and Manner of last entry: Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-98 without inspection near El Paso.

Ever lawfully admitted for permanent residence: date, port, and class of admission.

Present Immigration Status: Include dates of OSC, W/A, O/D, and give briefly relevant Immigration history.

Grounds of deportability: All grounds whether or not lodged as charges, together with specifications e.g. Convicted of two crimes involving moral turpitude - bigamy (1938) Perjury (1950)

Physical and Mental Condition: Set forth any pertinent information in full. If no treatment required, so state. If mental case show

Dates of hospitalization. Include information on both subject and dependents.

Family Situation:

1. Location of spouse, etc.: Country only if not U.S. If U.S. and living with subject, indicate LWS, not living with subject, give city and state. Indicate status of those in U.S. as USC, PRA, NI, ILLEG. After spouse in () the date of marriage.
2. Effect of Expulsion: Explain fully economic and other pertinent effects on members of family.

Criminal, Immoral or subversive Activities:

1. Arrest record should be set out whether convicted or not.
2. Nature, extent and periods of subversive activities or affiliations should be fully covered.

Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.

CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.*(Include recent conduct)***1. CRIMINAL RECORD****OFFENSE****DATE & PLACE****DISPOSITION***(Include periods of imprisonment)*

None

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

None

OTHER FACTORS

Subject has a minor U.S. citizen child.

INSTRUCTIONS**Preparation:** In duplicate**Date and Manner of last entry:** Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-98 without inspection near El Paso. Ever lawfully admitted for permanent residence: date, port, and class of admission.**Present Immigration Status:** Include dates of OSC, W/A, O/D, and give briefly relevant Immigration history.**Grounds of deportability:** All grounds whether or not lodged as charges, together with specifications e.g. Convicted of two crimes involving moral turpitude - bigamy (1938) Perjury (1950)**Physical and Mental Condition:** Set forth any pertinent information in full. If no treatment required, so state. If mental case show dates of hospitalization. Include information on both subject and dependents.**Family Situation:**

1. Location of spouse, etc.: Country only if not U.S. If U.S. and living with subject, indicate LWS, not living with subject, give city and state. Indicate status of those in U.S. as USC, PRA, NI, ILLEG. After spouse in () the date of marriage.
2. Effect of Expulsion: Explain fully economic and other pertinent effects on members of family.

Criminal, Immoral or subversive Activities:

1. Arrest record should be set out whether convicted or not.
2. Nature, extent and periods of subversive activities or affiliations should be fully covered.

Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.

(b)(6)

		FIELD OFFICE TAM	
	BIRTHPLACE Mexico	NATIONALITY Mexican	
DATE AND MANNER OF LAST ENTRY EWI - 2003		EVER LAWFULLY ADMITTED FOR PERMANT RESIDENCE No	
PRESENT IMMIGRATION STATUS AND AVAILABILITY OF ANY ADMINISTRATIVE RELIEF EWI - no apparent administrative relief			
GROUNDS OF DEPORTABILITY 212(a)(6)(a)(i) Alien present without being admitted (EWI)			
	E IN U.S.	FROM	TO
		2003	Present
PHYSICAL & MENTAL CONDITION REQUIRING TREATMENT OR CARE IN U.S. Subject has been diagnosed with a rare and life threatening disease known as [REDACTED] She has received [REDACTED] but has not regained [REDACTED] function. She requires [REDACTED] for the remainder of her life or until she qualifies for [REDACTED]. The treatment necessary is not available in her home country. She is paying her medical expenses through a charitable organization associated with the [REDACTED]			
FAMILY SITUATION:			
1. LOCATION OF SPOUSE, SONS, DAUGHTERS, PARENTS			
	RELATIONSHIP	LOCATION	IMMIGRATION STATUS
	Spouse		EWI
	Child		U.S. Citizen
2. EFFECT OF EXPULSION The lifesaving treatment the subject receives is not available in her home country of Mexico.			
(Cont'd on reverse)			
NONPRIORITY STATUS:			
RECOMMENDED [Signature] District Director (Signature and Date)		APPROVED [Signature] Regional Commissioner (Signature and Date)	
10/1/09		12/5/09	
DEFERRED ACTION CASE SUMMARY			

(b)(6)



December 8, 2008

Office of the Special Agent in Charge
22003 N. Lois Avenue, Ste. 600
Tampa, FL 33607

Re:



DEFERRED ACTION REQUEST

This request for deferred action is submitted on behalf of the above mentioned applicants, and is based on [redacted] terminal diseased condition. See attached copy of passport's biographic page, marked as Exhibit 1. [redacted] entered the U.S. without inspection on or around 2003 through Texas. Ms [redacted] is not in Immigration proceedings.

Deferred Action is discretionary relief provided by the District Director's recommendation to the Regional Director (USCIS Response to Ombudsman, December 18, 2006). Though there is no statutory basis for deferred action, regulations describe it as an act of administrative convenience to the government, which gives some cases lower priority. See 8 CFR Sec. 274a12(c)(14).

Even though operations for deferred action were withdrawn on June 24, 1997, the relief continues to be available. Under the withdrawn instructions, the following factors were to be considered:

1. The likelihood of ultimately removing alien;
2. The presence of sympathetic factors;
3. the likelihood that, because of sympathetic factors, a large amount of adverse publicity will be generated; and
4. Whether the individual is a member of a class of deportable aliens whose removal has been given high enforcement priority (e.g. Terrorist, drug traffickers).

[redacted] old female who has been diagnose with a rare, serious, and life threatening disease called [redacted] is currently a [redacted] Notwithstanding treatment with [redacted] she has not regain her [redacted] She requires [redacted] for the remainder of her life until she qualifies for [redacted] See attached Exhibit 2.

Ms [redacted] has been in and out of the hospital for renal failure for the past two

(b)(6)

years. [redacted] is the breadwinner for the family and homemaker. They have a U.S. Citizen daughter, [redacted] See attached daughter [redacted] a birth certificate, Exhibit 3.

Ms. [redacted] was recently hospitalized and put in Intensive Care Unit and as of today she have not been able to leave the hospital. See attached [redacted] record, Exhibit 4. The [redacted] family has been paying their hospital billed and they will continue to do so.

Humanitarian concerns for the life and welfare of [redacted] urges the government to exercise prosecutorial discretion and grant this request for Deferred Action. In the present case, there is a high likelihood that N [redacted] and her husband, [redacted] will be remove, but due to sympathetic factors, and that none of the above mentioned individuals belongs to a class of deportable aliens whose removal has been given high enforcement priority.

Due to her complex medical condition and the need to stay in the U.S. to receive life saving treatment and surgeries [redacted] and her husband, respectfully request that Immigration and Customs Enforcement exercise prosecutorial discretion and grant them Deferred Action status and allowed them to stay in the U.S. for the immediate future.

Attached please find a properly executed G-28 and Exhibit list.

Respectfully submitted,



(b)(6)



U.S. Citizenship
and Immigration
Services

October 1, 2009

(b)(6)









Memorandum

TO: M. Stella Jarina
Acting Regional Director, SER

FROM: Kathy Redman 
District Director, D10

SUBJECT: Request for Deferred Action



Request for approval of Deferred Action is hereby requested for 
 has since been diagnosed with 
a rare disease which affects her . The life saving treatment she
requires is not available in her home country of Mexico. Medical documentation from her
physician  is attached.  is the
breadwinner and homemaker for the family. The couple has one minor U.S. citizen child 


The subjects entered the United States without inspection sometime in 2003. No other immigration violations are known. The Service is unaware of any criminal or subversive activity.

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U.S. Department of Homeland Security
2424 Edenborn Ave
Metairie, LA 70001



U.S. Citizenship
and Immigration
Services

Interoffice Memorandum

To: Rosemary Melville
Acting Regional Director
Southeast Region

From: Cindy N. Gomez *Cindy N. Gomez*
District Director
New Orleans District, District #11

Date: October 14, 2009

Re: Deferred Action Recommendation for [redacted]

[redacted] is the [redacted] who was killed in action while serving with the military in [redacted] [redacted] filed a Form I-360 that was denied in June 2009 by USCIS, Seoul, Korea.

Humanitarian parole had been arranged for [redacted] however, she entered the United States in February 2009 as a B-2 visitor. [redacted]

[redacted] Deferred Action would allow [redacted] to remain in the United States.

[redacted] has indicated that she wishes to return to her employment in Okinawa after her one-year maternity leave terminates in January 2010. She has been advised to reenter the United States under an advance parole if the [redacted] is still pending when she returns to the United States during the summer of 2010 to visit her in-laws, as 8 CFR 214.1(d) will still be applicable.

The circumstances of [redacted] case are compelling and have drawn the attention of the [redacted]

As previously discussed, I recommend that [redacted] be granted Deferred Action status for one year from the date that her non-immigrant status ceased on July 10, 2009.

We will also work with [redacted] to ensure that she has all of the requisite documentation for the advance parole in place before her intended departure in January 2010.

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Name		Address		FIELD OFFICE					
				NOL/MEM					
BIRTHPLACE		NATIONALITY							
Japan		Japan							
DATE AND MANNER OF LAST ENTRY				EVER LAWFULLY ADMITTED FOR PERMANT RESIDENCE					
February 27, 2009 HOU B-2 admission to 2/26/2010				No					
PRESENT IMMIGRATION STATUS AND AVAILABILITY OF ANY ADMINISTRATIVE RELIEF									
<p>A humanitarian parole had been allotted the applicant. The applicant elected to enter the United States as a B-2 nonimmigrant on February 27, 2009 at Houston. [redacted] to allow the applicant to adjust status was filed on behalf of the applicant on July 10, 2009. At that time, her B-2 status terminated under 8 CFR 214.1(d).</p> <p>A Form I-360 filed on September 26, 2008, by the applicant was denied on June 16, 2009 at Seoul, Korea. There is no known current relief available to the applicant.</p>									
GROUNDS OF DEPORTABILITY 237(a)(1)									
ALL PERIODS OF RESIDENCE IN U.S. <table border="0"> <tr> <td>FROM</td> <td>TO</td> </tr> <tr> <td>February 27, 2009</td> <td>Present</td> </tr> </table>						FROM	TO	February 27, 2009	Present
FROM	TO								
February 27, 2009	Present								
PHYSICAL & MENTAL CONDITION REQUIRING TREATMENT OR CARE IN U.S. n/a									
FAMILY SITUATION: 1. LOCATION OF SPOUSE, SONS, DAUGHTERS, PARENTS									
NAME	AGE	RELATIONSHIP	LOCATION	IMMIGRATION STATUS					
[redacted]				United States Citizen					
				United States Citizen					
				United States Citizen					
				US Citizen					
2. EFFECT OF EXPULSION Individual wishes to remain in the United States with her USC child and the [redacted] until such time that her maternity leave ends in January 2010, or [redacted] [redacted] subject wishes to depart the United States with her child, return to her employment in Okinawa, and visit the United States as a B-2 non-immigrant. Subject has been advised to apply for an advance parole before her scheduled departure in January 2010 [redacted] She expects to return to the United States in the summer of 2010 during her next vacation.									
(Cont'd on reverse)									
NONPRIORITY STATUS: RECOMMENDED <i>Cindy N. Dore</i> Oct 14, 2009 District Director (Signature and Date)									
APPROVED / DENIED 10/20/09 <i>[Signature]</i> Regional Director (Signature and Date)									
DEFERRED ACTION CASE SUMMARY									

(b)(6)

CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.*(Include recent conduct)*

1. CRIMINAL RECORD	OFFENSE	DATE & PLACE	DISPOSITION <i>(Include periods of Imprisonment)</i>
--------------------	---------	--------------	---

None known

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

None known

OTHER FACTORS**INSTRUCTIONS**

Preparation: In duplicate

Date and Manner of last entry: Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-98 without inspection near El Paso.

Ever lawfully admitted for permanent residence: date, port, and class of admission.

Present Immigration Status: Include dates of OSC, W/A, O/D, and give briefly relevant Immigration history.

Grounds of deportability: All grounds whether or not lodged as charges, together with specifications e.g. Convicted of two crimes involving moral turpitude – bigamy (1938) Perjury (1950)

Physical and Mental Condition: Set forth any pertinent information in full. If no treatment required, so state. If mental case show dates of hospitalization. Include information on both subject and dependents.

Family Situation:

1. Location of spouse, etc.: Country only if not U.S. If U.S. and living with subject, indicate LWS, not living with subject, give city and state. Indicate status of those in U.S. as USC, PRA, NI, ILLEG. After spouse in () the date of marriage.
2. Effect of Expulsion: Explain fully economic and other pertinent effects on members of family.

Criminal, Immoral or subversive Activities:

1. Arrest record should be set out whether convicted or not.
2. Nature, extent and periods of subversive activities or affiliations should be fully covered.

Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.



(b)(6)
July 20, 2009

USCIS New Orleans Field Office
Attn: District Director Cindy N. Gomez
2424 Edenborn Avenue, Suite 300
Metairie, LA 70001

Re: **Request for Deferred Action Status on behalf of**



District Director Cindy N. Gomez:

We are writing on behalf of [redacted] to request discretion in granting deferred action status upon these two individuals, the married parents of [redacted]. [redacted] entered the United States for the first time in the second half of 2006 on H-2B visas. Five months after their visas expired, Ms. [redacted] became pregnant and it was subsequently determined to be a high-risk pregnancy. On November 18, 2007, her son [redacted] was born in [redacted]. He was suspected of having [redacted] and was quickly transferred to the Neonatal Intensive Care Unit (NICU) at [redacted]. Tests confirmed that [redacted] was born with [redacted] an extremely rare disorder of the [redacted]. Unfortunately, [redacted] is a part of the 10-17% of [redacted] patients that require indefinite 24-hour assisted ventilation because they cannot breathe on their own.² Additionally, [redacted] must be fed through a gastric tube. [redacted] now six months old, was recently discharged from [redacted] and is currently at home and under the vigilant care of his mother and father.

This request of [redacted] is made on behalf of [redacted] they are guided by nothing more than their desire to care for their fragile newborn. While they long to return to their home in Bolivia so that they may be reunited with their two other young sons, their primary concern is Bryan's health. When they left Bolivia they did not imagine that they would be separated from their sons for so long and unable to live as a united family under one roof. They are truly caught in a terrible situation with no easy solution. As much as they desire to return to Bolivia and see their two other children, they realize that to return requires taking [redacted] from a country that has given him a chance at a future by so kindly and expertly caring for him from the day he came into the world. They sincerely fear for [redacted] future in Bolivia as a child with a rare disorder

¹ <http://www> [redacted]

² <http://www> [redacted]



that affects only [redacted] children and requires lifelong medical treatment. They are willing to postpone the time at which they can live as a united family for the sake of [redacted]. Therefore, they compassionately ask that the Department place them into deferred action. In evaluating their request for deferred action, please first and foremost take into consideration the precarious health and future of [redacted] a U.S. citizen.

Enclosed are various documents and evidence in support of this request. We are confident that after reviewing this information, you will determine that [redacted] are eligible and deserving of a grant of deferred action.

I. Applicable Standard

Under the applicable guidance, a district director should consider the following factors in assessing a request for deferred action:

- The likelihood of ultimately removing the alien from the United States;
- The presence of sympathetic factors;
- The likelihood that because of sympathetic factors a large amount of adverse publicity would be generated; and
- Whether the alien is a member of a group that has been given a high enforcement priority.

II. Background

As mentioned earlier, [redacted] entered the U.S. during the second half of 2006 on H-2B visas. Prior to their entries neither one had ever been present in the U.S. They made the tough decision to leave behind their two young children in Bolivia and travel to the U.S. for the first time because they were in desperate need of income. At that time, they were facing severe financial difficulties in Bolivia due to the unavailability of employment. The house that sheltered their family was on the verge of being put into foreclosure. To prevent that from happening, they decided to leave for the time it would take for them to accumulate enough to save their home and improve their life in Bolivia.

[redacted] both entered the U.S. legally. Although in urgent need of financial resources, they made the proper decision to patiently pursue H-2B visas in order to lawfully enter the U.S. and assist in the rebuilding of New Orleans following the devastation wrought by Hurricane Katrina. They both decided to leave because they assumed that together they could more quickly gather the savings necessary to save their house and carry them out of debt. His H-2B visa petition, through [redacted] was approved and he was granted an H-2B visa valid from May 5, 2006 to January 31, 2007. Her H-2B visa petition, through [redacted] was also approved for a period starting September 21, 2006 and ending September 29, 2007.

[redacted] was the first to enter on May 15, 2006 and was soon followed by his wife the next fall, on October 5, 2006. While [redacted] has remained in the U.S. since his initial entry, [redacted] visited Bolivia on May 27, 2007, and proceeded to make a lawful entry into the U.S. on September 16, 2007 on her H-2B visa and has remained here since that time.

As their statuses were expiring, though at differing times, they were each told by their employers that extensions would be requested. [redacted] only found out after it was too late to do anything that [redacted] did not pursue the extension, the same company that suffered a landmark defeat at the federal district court level for violation of the Fair Labor Standards Act that was ultimately reversed by the U.S. Court of Appeals for the Fifth Circuit. Therefore, [redacted]'s status expired on January 31, 2007. [redacted] was also under the impression that her employer would be filing for an extension of her status and states that she submitted the paperwork she had to complete. The month her status expired, she was notified by her employer that her extension had been rejected because it was not submitted on time.

[redacted] continued to remain in the U.S. beyond January 31, 2007, so that his wife would not be left alone in the U.S. During that time, he continued to work in order to further add to their savings. As their statements, and also their pastor's statement, attest, they are alone in the U.S. They never attempted to establish roots in the U.S. because their goal has always been to work and remain in the U.S. only temporarily; they have a family back home that they desire to return to.

After [redacted] visa expired, the couple did not immediately leave because she became sick. In October/November, she underwent a medical evaluation and it was discovered that she had an ovarian cyst and/or hormone problem. As her medical records demonstrate, she was seen numerous times by the Daughters of Charity Services of New Orleans and LSU Health Sciences Center.

Then, in February 2008, [redacted] became pregnant with [redacted]. At three months pregnant, she almost lost [redacted] and was, at that time, forced to stop working. Additionally, [redacted] developed gestational diabetes which only affects about 4% of all pregnant women.³ At that time, [redacted] and her husband wished to return home, but were told by the doctor that it would not be prudent to return at that stage in the pregnancy. They followed the doctor's advice and planned, instead, to return as soon as possible after the birth. By the time she was ready to give birth, all of their money had been wired back to Bolivia and they only kept enough to last them for the few weeks they expected to wait until they could return to Bolivia with [redacted].

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[redacted] gave birth to [redacted] on [redacted]. He was quickly transferred to [redacted] in November 21, 2008, where it was confirmed that he has [redacted]. From the time of his birth to just a few weeks ago, [redacted] remained in the hospital to undergo several tests and operations. He was allowed to leave the hospital just recently to be cared for at home by his mother and father. If you read

³ <http://www.diabetes.org/gestational-diabetes.jsp>

through their statements it will become obvious that [REDACTED] love [REDACTED] and wish only to do what is best for him, which is to remain for the time being in the U.S. To help [REDACTED] in this way, they ask that you help normalize their precarious immigration status. All they wish is to be able to focus on [REDACTED] without the fear that one day they may be placed into deportation proceedings and be forced to take [REDACTED] back to Bolivia, where he would not receive the medical care owed to a U.S. citizen with his condition. Additionally, if placed in deferred action, they would be eligible for employment authorization and be able to better provide for [REDACTED]

IV. Analysis

While [REDACTED] overstayed their H-2B visas and would not be eligible for cancellation of removal due to a lack of the requisite amount of physical presence, the sympathetic factors, if adequately considered, should outweigh their immigration violations, which were beyond their control.

The primary sympathetic factor to be considered is that [REDACTED] suffers from [REDACTED] and, in Bolivia, he would not be able to receive the medical care he deserves in order to have a chance at having as close to a normal life as possible given his condition.

Two days after he was born, [REDACTED] was transferred to [REDACTED] because he appeared dusky and hypotonic and required oxygen. (Exhibit 11) Additionally, he had high levels of carbon dioxide retention, lacked appearances of respiratory distress, endured several episodes of bradycardia, and had persistent anemia. (Exhibit 11: January 2009 Service Note). It was then confirmed that he was born with [REDACTED] (Exhibit 8).

[REDACTED]
[REDACTED] As simply put by [REDACTED]
[REDACTED] (Exhibit 2) [REDACTED]
[REDACTED]

It is quite apparent from the brief description above that [REDACTED] is a serious disorder that requires significant medical and parental oversight. A review of [REDACTED] medical records from [REDACTED] demonstrate the

[REDACTED]

extraordinary medical care that [redacted] has been very fortunate to receive from the time of his birth to today. While [redacted] is now at home, his condition is no less serious and life threatening than it was the day he was born. For this reason, it is imperative that [redacted] parents be allowed to remain in the U.S. so that [redacted] may continue to receive the medical care he needs at [redacted]. It would be heartbreaking for his parents to have to bring [redacted] back to Bolivia, where they do not know if he would be able to be properly treated on a routine basis for a rare disorder.

The Department of State's country report on Bolivia hardens their fears. The report states: "Medical care in large cities is adequate for most purposes but of varying quality. Ambulance services are limited to non-existent. **Medical facilities are generally not adequate to handle serious medical conditions.**" [redacted] is a serious medical condition. Bolivia's healthcare system is not sufficient to provide the medical care [redacted]'s lifelong disorder requires. A study of 196 [redacted] patients was conducted and "suggested that

[redacted] Therefore, it is likely that [redacted] future will involve numerous health complications that will require skilled medical attention. Though [redacted] is now at home, [redacted] is still only a six-month-old infant whose health has not yet normalized. The authors of the study referenced immediately above stated that [redacted] children "who need 24-hr ventilator support are more likely to require more frequent physician contacts, hospital admissions, and medical interventions over time."⁸ That observation applies to [redacted] a child with [redacted] that requires 24-hr ventilator support. For the time being, [redacted] needs to remain in the United States where his parents know he will receive extraordinary medical attention.

While [redacted] a lifelong disorder that carries with it significant burdens, with adequate support [redacted] could have some semblance of a normal life. For this to be possible, "informed medical supervision by medical professionals who also work to support the family in optimizing the home healthcare and school (or other) settings" is necessary.⁹ In a country as poor as Bolivia and one with such a broken healthcare system, [redacted] development would be severely challenged and his decent chance at a future jeopardized. In a country profile published by the Library of Congress' Federal Research Division, Bolivia ranked second to last in terms of key health indicators. (Exhibit 18) According to the World Health Organization (WHO), Bolivian infants have a 6 percent chance of dying before their fifth birthday. (Exhibit 18).

Additionally, to grant deferred action to [redacted] would allow the Department's finite resources to be spent on "investigating, charging, and prosecuting those immigration violations that will have the greatest impact on achieving" its goals. (Exhibit 1) The Department's priorities have included: "identifying and removing criminal and terrorist aliens, deterring and dismantling alien smuggling, minimizing

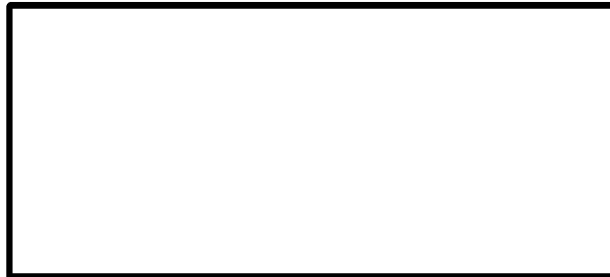


benefit fraud and document abuse, responding to community complaints about illegal immigration and building partnerships to solve local problems, and blocking and removing employers' access to undocumented workers." (Exhibit 1)

While [REDACTED] stayed beyond the time authorized by their H-2B visas, they did not do so with the intent to remain permanently. Their actions have been consistent with their ultimate goal of returning to Bolivia. First, when they left Bolivia in 2006, they left behind their two young children. Secondly, they have lived meagerly while in the U.S. to allow them to wire back to Bolivia almost everything they have earned; roughly \$45,650 has been wired to their savings account in Bolivia. (Exhibit 14) Thirdly, they have been able to save their home from foreclosure and are planning for the expansion of their modest home in Bolivia. (Exhibit 15) Their only violation is overstaying their visas. They have no prior immigration history, no criminal history, and have both paid taxes to the U.S. government for every year they have been present in the U.S. (Exhibit 16). The above demonstrates that their life is in Bolivia, not in the U.S., but keeping them here is their overwhelming concern for Bryan's health.

V. Conclusion

We respectfully request that every consideration be given to this request for deferred action status.



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FILE COPY

December 2, 2008

Mr. Rodolfo Lara, District Director
 Atlanta Field Office
 U.S. Citizenship and Immigration Services (USCIS),
 U.S. Department of Homeland Security
 2150 Parklake Dr.
 Atlanta, GA 30345

Via Federal Express

In Re: [REDACTED]

Dear Mr. Lara:

This letter follows on a May 19, 2008 letter (attached) between USCIS and [REDACTED] in the matter of the above mentally retarded person, [REDACTED] an Indian National living in [REDACTED] with her U.S. citizen sister, [REDACTED]. For the reasons enumerated herein, [REDACTED] is requesting that USCIS favorably consider a grant of Deferred Action for her mentally retarded sister.

The facts in this case are as follows:

[REDACTED] entered the U.S. October 8, 2005 on a B-2 visa with [REDACTED] the U.S. Permanent Resident sister of U.S. citizen [REDACTED] and Indian citizen, [REDACTED]. On arrival, the Port of Entry officer at JFK/NY stamped [REDACTED] I-94 with an expiration date of April 7, 2007. An approved extension of stay expired April 9, 2008. Another extension was approved with an expiration of October 9, 2008, though received about October 27, 2008. All extensions have been requested on medical grounds. See attached letter from [REDACTED]s neurologist. On June 12, 2007, an I-130 Immigrant Relative petition was filed on behalf of [REDACTED] by her U.S. citizen sister, [REDACTED]. A decision is pending. With the death of their father in 2005, [REDACTED] became [REDACTED] only relatives and caregivers. No other relatives remain in India.

[REDACTED] has been mentally retarded from birth. She was cared for at home her entire life by her parents, her Dad, [REDACTED] and Mom, [REDACTED]. After [REDACTED] Mom died in 2000, her father became her sole caregiver. On his death in 2005, [REDACTED] no longer had anyone in India to provide for her care. Not wanting to see their sister institutionalized in India, [REDACTED] returned from India after her father's death bringing [REDACTED] to America to live with her. [REDACTED] held the belief that the U.S. would provide her sister with a status to enable her to be cared for in the same way she had been cared for by her parents in India. Further, we are told by mental retardation NGOs in India that no halfway house or sheltered workshops exist, and institutionalization,

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even were it an option, which it is not, is complicated by [redacted] not having family or other caregivers in India to assist with her daily living and related needs.

For example, SAMADHAN (www.samadhanindia.org) is an NGO in New Delhi working with the retarded and their families. The group's Founder, Ms. Pramila Balasundaram, < lila.bala@gmail.com >, is also the Vice-President of the internationally recognized Asian Federation for the Mentally Retarded. Pramila has stated in an e-mail reply to my inquiry on available services, as follows,

[redacted] does not have any relations in India (I read this as no one willing to take care of her and become her legal guardian in India, relative or otherwise, which is most probably the actual situation). bringing her to India will not provide her with any support and again she will not get the kind of facilities/service support she can get in the USA. Most probably the end result will be regression for [redacted] since she will be unable to access quality services.

As [redacted] sisters have been clients of our office, they asked for our help for [redacted] to avoid having to return her to India where available services for someone without local family are extremely limited and isolation from her only remaining family now living in the United States will ensue. Institutionalization in India is not an option, as [redacted] will have no relatives in India to assist with medical emergencies or issues of her care beyond the capacity of the state facility caring for her. The type of custodial care required for [redacted] is usually provided at home by family. My office is requesting that [redacted] be allowed to remain in the United States in the care of her U.S. citizen sister. We realize that Humanitarian Parole (INA §212(d) (5) (A)) is not an option as the beneficiary must be outside of the country, but we know too that discretion does exist for the government to allow for Deferred Action status on humanitarian grounds.

We believe that the discretionary authority of the Director of Homeland Security and/or USCIS can be applied to this situation and the benefits of Deferred Action extended to Kamni, if qualified in every other way. In this regard, consider the background facts on [redacted] retardation and allied medical condition/s.

Explanation of Medical Condition(s):

[redacted] was evaluated by a clinical psychologist who is an Indian national. An Indian national was needed, as [redacted] speaks only Hindi. Without a Hindi speaker no means existed to acquire the relevant testing. The evaluation occurred over two visits, October 12 and 17, 2007, and was done by psychologist [redacted] Ph.D. associated with [redacted]

Excerpts from [redacted] report (attached) include,

"Her scores place her at an age 5:2 level and the 'lower extreme' range, which corresponds with what is also called 'mild mental retardation'. These scores indicate that [redacted] ability to comprehend situations, surmise what is expected of her and complete a task independently is equivalent to that of a five year old child, who would not be expected to function without constant adult supervision and direction."

[redacted] year old woman who functions in the 'Mildly mentally retarded' range. The practical implication of this are: she is not so deficient as to require institutional care or becoming a burden on agencies. However, she is also not capable of employment, independent living, or managing the basics of daily living. She requires a guardian who will provide the basic necessities of life (shelter, food, clothing, etc.), as well as the psychological security and support that are essential for an individual to be able to maximize their capabilities."

I first asked the Association for Retarded Citizens (ARC of Georgia) to evaluate [redacted] retardation status and ensure that she was seen by specialists associated with the leading national and international organization in the field of retardation. The President of the ARC of Georgia, Ms. Deirdre K. O'Brien, said this was not possible, "... no one affiliated with The Arc or even loosely associated with The Arc of Georgia is licensed to give an IQ or administer a psychological evaluation." See attached letter.

[redacted] is under the medical care of neurologist V [redacted] offices in Fayetteville, NC. [redacted] has been treating [redacted] since her arrival in 2005. In addition to her retardation, Kammi is challenged in her ability to live alone by a continuing seizure problem. Kammi's diagnosis is complex partial seizures (Epilepsy). She takes Tegretol (Carbamazepine) 400 mg twice daily.

Additionally, [redacted] taking Clonazepam for seizures and for agitation. Risperdal is also being given for agitation. Prior to the introduction of these two anti-anxiety medications, [redacted] displayed agitation and aggressive behaviors. This is not the profile of a person able to live alone or without family to help her in her daily life. [redacted] must be allowed to remain in the care of her U.S. citizen sister, [redacted].

Additionally, an (attached) October 2008 evaluation of [redacted] intellectual (mental retardation) and medical (complex partial seizures or epilepsy) disability has been performed by forensic psychiatrist P [redacted] his attached comprehensive report, [redacted] has concluded, "I recommend that [redacted] be allowed to live in the United States in the care of her sister." In a more expansive comment, [redacted]

Without support in India at a nursing home level or by extended family, [redacted] will not have access to long-term care, will have no means to care for herself, and will not be able to purchase or manage her seizure and anxiety medications. Without such support [redacted] would suffer grievous harm. Such harm could easily be prevented by USCIS exercising its discretion to permit [redacted] to continue in the care of her sisters here in the United States.

[redacted] has pending an I-130 petition for [redacted] it is, however, a sibling to sibling petition and, if approved, a visa in this category from India can take ten years or longer to become available. During this time, [redacted] would have to wait outside the U.S. until the visa was available, an impossibility under the circumstances. We urge that the discretion of the Director be employed on humanitarian grounds.

[redacted] must be permitted to remain in the U.S until such time as the I-130 is adjudicated and a visa becomes available to her. As a matter of U.S. policy, approval of an Immigrant Relative petition envisions the eventual reuniting of the family benefiting from the I-130 approval. More likely than not, [redacted] would qualify to join her sister in the U.S. in the distant future. As the record reflects that [redacted] will suffer extreme hardship being on her own in India while waiting for a visa, humanitarian concerns urge that [redacted] be allowed to remain in the U.S. even before a visa is available. Absent [redacted] ability to qualify for any other type of humanitarian status, we urge the Director to grant "Deferred Action" status to [redacted] thereby allowing for her care by her sisters. Both [redacted] will continue to bear the financial obligations attendant to their sister's medical, housing, and related daily living needs.

The tax records of one or both sisters will be made available on request, should USCIS wish to satisfy itself that sufficient funds exist for the care, shelter, medical needs, and related daily needs without [redacted] having to draw upon the public welfare system. Both sisters and their husbands are [redacted].

Please advise if added information is required before rendering a final decision. [redacted]
[redacted] are available to meet with you or a designated USCIS officer at your District office if required.

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Letter to GA USCIS Director, [REDACTED]

Request for Deferred Action

Page 4 of 4

With thanks in advance for your every consideration, we remain,

Sincerely,



Enclosures:

- (1) May 19, 2008 USCIS Letter to [REDACTED]
- (2) I-94, (Entry) October 8, 2005 – April 7, 2007;
- (3) I-94 Approved Extension, October 8, 2007 – April 9, 2008;
- (4) I-94 Approved Extension, April 10, 2008 – October 9, 2008;
- (5) I-797 (C) Receipt, I-130 Petition;
- (6) October 2007 Psychological Evaluation, [REDACTED]
- (7) April 8, 2008 Neurological Evaluation, [REDACTED]
- (8) October 1, 2008 Psychiatric Evaluation, [REDACTED]
- (9) Affidavit of Birth for [REDACTED] by Uncle;
- (10) Affidavit of Birth for [REDACTED] by Aunt;
- (11) September 25, 2007 Letter from [REDACTED];
- (12) G-28 Notice of Appearance. [REDACTED]

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002/003

U. S. Department of Homeland Security
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

MAY 19 2008



Thank you for your letter of May 6, 2008, on behalf of your constituent, [redacted] who is requesting assistance for [redacted], an Indian national who is mentally retarded, and has been in the United States on a B-2 tourist visa for medical treatment. The visa expired on April 9, 2008.

[redacted] has filed a "Petition for Alien Relative," Form I-130, on [redacted] behalf, but since it is a sibling petition, a visa will not become available for many years. There is no family in India to take care of [redacted] is trying to find a way that she can remain in the United States while awaiting the priority date of the petition.

U.S. Citizenship and Immigration Services (USCIS) cannot adjust the status of an alien, nor can a Consular officer issue a visa to an individual until the priority date of the petition for which they are a beneficiary has been reached.

Since the tourist visa has expired, it cannot be extended. It is possible for [redacted] to request, in writing, deferred action on behalf of [redacted]. This would be filed at the local USCIS office in letter form, clearly enumerating the circumstances and humanitarian reasons that the request is being made. Medical evidence from the attending physician should also accompany the request, including diagnosis and prognosis. Persons approved for deferred action may also be eligible for employment authorization.

We hope the information provided is helpful. If we may be of assistance in the future, please let us know.

Sincerely,

FOR THE DIRECTOR

Sarah Taylor

Sarah Taylor
Chief

Office of Congressional Relations

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Name <div></div>		FIELD OFFICE ATL	<div></div>										
<div></div>	BIRTHPLACE India	NATIONALITY Indian											
DATE AND MANNER OF LAST ENTRY 10/8/2005, NYC, B-2		EVER LAWFULLY ADMITTED FOR PERMANT RESIDENCE No											
PRESENT IMMIGRATION STATUS AND AVAILABILITY OF ANY ADMINISTRATIVE RELIEF Out of status, no administrative relief. USC sister has filed I-130 on applicants behalf, visa number is not current.													
GROUNDS OF DEPORTABILITY B-2 overstay, 237 (a)(1)(B) of the INA													
ALL PERIODS OF RESIDENCE IN U.S. FROM 10/8/2005 TO present													
PHYSICAL & MENTAL CONDITION REQUIRING TREATMENT OR CARE IN U.S. Mental retardation since birth.													
FAMILY SITUATION: 1. LOCATION OF SPOUSE, SONS, DAUGHTERS, PARENTS <table border="1"><thead><tr><th>NAME</th><th>AGE</th><th>RELATIONSHIP</th><th>LOCATION</th><th>IMMIGRATION STATUS</th></tr></thead><tbody><tr><td><div></div></td><td></td><td>Sister</td><td><div></div></td><td>USC</td></tr></tbody></table>				NAME	AGE	RELATIONSHIP	LOCATION	IMMIGRATION STATUS	<div></div>		Sister	<div></div>	USC
NAME	AGE	RELATIONSHIP	LOCATION	IMMIGRATION STATUS									
<div></div>		Sister	<div></div>	USC									
2. EFFECT OF EXPULSION Applicant is mentally retarded since birth and is dependent on others for care. Applicant's parents are both deceased since 2005 and no other relative in India is able to care for the applicant.													
(Cont'd on reverse)													
NONPRIORITY STATUS: RECOMMENDED APPROVED / DENIED													
District Director (Signature and Date)		Regional Director (Signature and Date)											
DEFERRED ACTION CASE SUMMARY													

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CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.*(Include recent conduct)***1. CRIMINAL RECORD****OFFENSE****DATE & PLACE****DISPOSITION***(Include periods of Imprisonment)*

None

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

None

OTHER FACTORS

None

INSTRUCTIONS

Preparation: In duplicate

Date and Manner of last entry: Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-98 without inspection near El Paso.

Ever lawfully admitted for permanent residence: date, port, and class of admission.

Present Immigration Status: Include dates of OSC, W/A, O/D, and give briefly relevant Immigration history.

Grounds of deportability: All grounds whether or not lodged as charges, together with specifications e.g. Convicted of two crimes involving moral turpitude – bigamy (1938) Perjury (1950)

Physical and Mental Condition: Set forth any pertinent information in full. If no treatment required, so state. If mental case show dates of hospitalization. Include information on both subject and dependents.

Family Situation:

1. Location of spouse, etc.: Country only if not U.S. If U.S. and living with subject, indicate LWS, not living with subject, give city and state. Indicate status of those in U.S. as USC, PRA, NI, ILLEG. After spouse in () the date of marriage.
2. Effect of Expulsion: Explain fully economic and other pertinent effects on members of family.

Criminal, Immoral or subversive Activities:

1. Arrest record should be set out whether convicted or not.
2. Nature, extent and periods of subversive activities or affiliations should be fully covered.

Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.

Congressional, ATL

From: [REDACTED]
Sent: Wednesday, May 19, 2010 6:51 PM
To: Congressional, ATL
Subject: Status of [REDACTED]'s Request for Deferred Action
Attachments: Scan 001.pdf

[REDACTED]

[REDACTED] and her attorney [REDACTED] have contacted our office concerning a request for deferred action that they submitted to the Atlanta Field Office on December 2, 2008.

[REDACTED] states that he has been unable to secure an answer from USCIS regarding this request, so he forwarded it to our office in hopes that we may be able to direct it to the appropriate person.

Any assistance you may be able to provide in this matter would be greatly appreciated. (I apologize for the delay in sending this to you. Our old scanner/copier/fax machine bit the dust, and we just got a new one.)

Sincerely,

[REDACTED]

(b)(6)

5/20/2010

(b)(6) (b)(7)(c)

Atlanta District Office

U. S. Department of Homeland Security
2150 Parklake Drive NE
Atlanta, GA. 30345



U.S. Citizenship
and Immigration
Services

Facsimile Transmission

To:

Fax Number: 888-517- 4287

From: Citizenship and Immigration Service – Atlanta Field Office – Fax Number: 770-508-1752
District 8 – Supervisory Immigration Services Officer
DeBoe
Date: 27MAY10

Number of pages including cover: 6

COMMENTS: Please see the enclosed "Deferred Action Status" approval notices

signed by the

Atlanta District # 8/District Director Denise M. Frazier. These notices are being mailed to the shown addresses via routine US mail. Your cooperation in this matter is appreciated.

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Atlanta District Office


U. S. Department of Homeland Security
2150 Parklake Drive NE
Atlanta, GA. 30345



U.S. Citizenship
and Immigration
Services



DATE: May 19, 2010

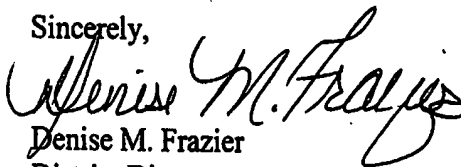
A-FILE NUMBER: 

You are hereby notified that you have been approved for deferred action. Your placement in the deferred action category is a discretionary act. As such, US Citizenship and Immigration Services (USCIS) will not seek to prosecute or remove you from the United States at this time.

Although deferred action is not an immigration status, you may apply for work authorization based on this action pursuant to 8 CFR 274a.12(c) (14). It is advisable to submit a copy of this notice with your application for employment authorization.

Your admission to the deferred action category will be reviewed at least annually. This review will reassess your eligibility for inclusion in the deferred action category.

Sincerely,



Denise M. Frazier
District Director



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(b)(6).

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(Cont'd on reverse)

NONPRIORITY STATUS:

RECOMMENDED

APPROVED / DENIED

District Director (Signature and Date)

Regional Commissioner (Signature and Date)

DEFERRED ACTION CASE SUMMARY

CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.

(Include recent conduct)

1. CRIMINAL RECORD

OFFENSE

DATE & PLACE

DISPOSITION

(Include periods of Imprisonment)

None known at this time

None Known at this time

Unknown at this time

Unknown at this time

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

None or none known at this time.

OTHER FACTORS

- (1) [redacted] March 9, 2010 letter of support and request for assistance in obtaining a "Deferred Action Status";
- (2) [redacted] Guatemalan woman and mother of three (3) children here in the United States accompanying her as well as being accompanied by her husband, stated in a letter dated April 9, 2010 and affidavit dated April 12, 2010, that [redacted] has kindly agreed to take care of my medical needs, including the heart transplant, without cost to the US government..."and physicians and staff have "generously donated a great deal of money to cover my operation treatment and therapy";
- (3) As of April 29, 2010, the Atlanta Field Office (ATL FO/District #8) of Citizenship and Immigration Services (CIS), has received updated information: [redacted] will pay for the heart transplant treatment and or operation; (B) There is a back-up care giver (the children's uncle in [redacted]), if the husband/spouse/father is needed for extended times in the hospital; (C) The matter of deferred action status for the husband/spouse/father [redacted] - hereinafter - [redacted] and his being subject to a twenty (20) year bar from the United States under INA 212(a)(9) has been fully vetted through the [redacted] channels of CIS counsel. A determination was made that deferred action status is appropriate for [redacted] because doing so is within the bounds of humanitarian discretion and the delegation of authority provided within part II of the Department of Homeland Security (DHS) delegation of authority number 0150.1, issued June 5, 2003; and (D) The ATL FO/District #8, through our local Fraud Detection and National Security (FDNS) office, checked available CIS systems records to see if [redacted] has any criminal record and the results were negative.
- (4) Recent information indicates [redacted] will pay for all the cost related to [redacted] [redacted] transplant treatment and or operation in an effort to avoid any cost to the taxpayer. Also there is a back-up care giver, who has agreed to take care of the children, if the husband/spouse/father is needed for extended times in the hospital or with [redacted] during her recovery;
- (5) [redacted] January 18, 2010, letter of thanks to Congressman [redacted] and
- (6) [redacted], April 9, 2010, letter to [redacted] Citizenship and Immigration Services (CIS), Atlanta Field Office (ATL/FO), District # 8.

INSTRUCTIONS

Preparation: In duplicate

Date and Manner of last entry: Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-98 without inspection near El Paso.

Ever lawfully admitted for permanent residence: date, port, and class of admission.

Present Immigration Status: Include dates of OSC, W/A, O/D, and give briefly relevant Immigration history.

Grounds of deportability: All grounds whether or not lodged as charges, together with specifications e.g. Convicted of two crimes involving moral turpitude - bigamy (1938) Perjury (1950)

Physical and Mental Condition: Set forth any pertinent information in full. If no treatment required, so state. If mental case show dates of hospitalization. Include information on both subject and dependents.

Family Situation:

1. Location of spouse, etc.: Country only if not U.S. If U.S. and living with subject, indicate LWS, not living with subject, give city and state. Indicate status of those in U.S. as USC, PRA, NI, ILLEG. After spouse in () the date of marriage.

2. Effect of Expulsion: Explain fully economic and other pertinent effects on members of family.

Criminal, Immoral or subversive Activities:

1. Arrest record should be set out whether convicted or not.

2. Nature, extent and periods of subversive activities or affiliations should be fully covered.

Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.

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<div></div>		FIELD OFFICE Atlanta Field Office – District #8	FILE NO. <div></div>
<div></div> (United Arab Emirates)		NATIONALITY Pakistani	
DATE AND MANNER OF LAST ENTRY B-2 Visitor on November 4, 1990		EVER LAWFULLY ADMITTED FOR PERMANT RESIDENCE NO.	
PRESENT IMMIGRATION STATUS AND AVAILABILITY OF ANY ADMINISTRATIVE RELIEF Humanitarian relief under 8 CFR § 212.5 appears to be available.			
GROUNDS OF DEPORTABILITY Presence in the United States after a non-immigrant B-2 visit status expired on May 03, 1991 and employed without work authorization and therefore removable under 237(a)(1)(B) of the Immigration and Nationality Act (INA).			
ALL PERIODS OF RESIDENCE IN U.S. Appears to have resided since 1990		FROM A date in 1990	TO To the present date (24MAY10)
PHYSICAL & MENTAL CONDITION REQUIRING TREATMENT OR CARE IN U.S. None			
FAMILY SITUATION: 1. LOCATION OF SPOUSE, SONS, DAUGHTERS, PARENTS			
NAME	AGE	RELATIONSHIP	LOCATION
<div></div>		Brother	<div></div>
		Sister	Unknown
			IMMIGRATION STATUS NONE OR WITHOUT STATUS USC – Naturalized January 7, 2009 – <div></div>
2. EFFECT OF EXPULSION Removal from the United States would essentially deprive this person from his known life here in the United States and separate him from his "United States Naturalized Citizen" sister who resides in the United States. (Cont'd on reverse)			
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NONPRIORITY STATUS:

RECOMMENDED

APPROVED / DENIED

District Director (Signature and Date)

Regional Commissioner (Signature and Date)

DEFERRED ACTION CASE SUMMARY

CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.

(Include recent conduct)

1. CRIMINAL RECORD

OFFENSE

DATE & PLACE

DISPOSITION

(Include periods of imprisonment)

None known at this time

None Known at this time

Unknown at this time

Unknown at this time

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

None or none known at this time.

OTHER FACTORS

- (1) [redacted] letter and or Memorandum of facts and points in support of the request for deferred action status dated May 12, 2010. The information provided in the May 12, 2010 memorandum when compared with the information contained in the subject's A-file records and as provided by our Immigration Customs and Enforcement (ICE) component of the Department of Homeland Security (DHS), indicates this attorney was not forthright regarding the subject's immigration removal status. The subject is now subject to an order of removal and the Immigration Judge declined to issue or sign a motion to reopen order presented by this attorney's office;
- (2) The local ICE component of DHS, reflected in a May 25, 2010, email communication to our Citizenship and Immigration Services (CIS) Atlanta Field Office/District 8, Acting Field Office Director and Section Manager from our local CIS Associate Counsel, has indicated a "No" recommendation on the "Deferred Action Status" request;
- (3) The absence of any accompanying support or desire on the part of the Immigration Judge, judicial authority, and or from any local elected official(s) may portend a distortion of our CIS administrative choice prerogative as well as unwarranted and unmeritorious increases or distortion of Deferred Action Status requests, if this request is granted;
- (4) The recommending attorney letter and or Memorandum, identified above, and letter from the Coca Cola Company, identified below, do not suggest any physical and or medical circumstances. These supporting documents indicate that they should continue to live in the United States because of their long term residence and work in the United states; and
- (5) A sworn statements from the requesting subject ([redacted]) dated May 7, 2010,

INSTRUCTIONS

Preparation: In duplicate

Date and Manner of last entry: Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-98 without inspection near El Paso. Ever lawfully admitted for permanent residence: date, port, and class of admission.

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Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.

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Atlanta District Office

U.S. Department of Homeland Security
2150 Parklake Drive NE
Atlanta GA. 30345



U.S. Citizenship
and Immigration
Services

Interoffice Memorandum

To: Rosemary Langley Melville
Acting Regional Director
Southeast Region

From: Denise M. Frazier
District Director
District #8



Date: June 4, 2010

Re: Deferred Action Recommendation for siblings (brother and sister)



[Redacted] are Pakistani citizens born in [Redacted] UAE (United Arab Emirates). Their ages are [Redacted] respectively. Neither one of these siblings have any apparent medical circumstances or physical condition that would affect their ability to travel. Similarly, there is no reason to expect they would not be accepted by [Redacted] UAE or Pakistan.

The recommending attorney's request for "Deferred Action Status" is convincing insofar as the humanitarian desire of keeping this brother and sister together in the United States because they have resided in the United States for a long time (more than 10 years). Nonetheless, there is little or no likelihood that these siblings will qualify for any legal immigration status in the immediate or near future.

There are no supporting documents from administrative, judicial, and or local elected officials. Furthermore, the exercise of our Citizenship and Immigration Services (CIS) choice prerogative to reach a favorable action on this "Deferred Action Status" request is not supported by any compelling information that sets these two siblings apart from any good work history and long time residing person living in the United States.

The Atlanta Field Office/District #8, through our local Fraud Detection and National Security (FDNS) office, checked available CIS systems records to determine if either sibling has any criminal record. The results were negative.

I have determined that the circumstances pertaining to these individuals are not compelling. Accordingly, I recommend the requests for Deferred Action Status be denied.

CIS ATL FO SISO:AC1030:28may10

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Atlanta District Office

U.S. Department of Homeland Security
2150 Parklake Drive NE
Atlanta GA. 30345



U.S. Citizenship
and Immigration
Services

Interoffice Memorandum

To: Denise Frazier
District Director
Atlanta District, District #8

From: Kevin Kerns
Acting Field Office Director
Atlanta District, District #8

Date: May 28, 2010

Re: Deferred Action Recommendation for siblings (brother and sister)

These two (2) siblings or brother [redacted] Pakistani citizens born in [redacted] UAE (United Arab Emirates). Their ages are [redacted] respectively. Neither one of these siblings have any apparent medical circumstances or physical condition that would affect their ability to travel. Similarly, there is no reason to expect they would not be accepted by [redacted] UAE or Pakistan.

The recommending attorney's request for "Deferred Action Status" is convincing insofar as the humanitarian desire of keeping this brother and sister together in the United States because they have resided in the United States for a long time (more than 10 years). Nonetheless, there is little or no likelihood that these siblings will qualify for any legal immigration status in the immediate or near future.

There are no supporting documents from administrative, judicial, and or local elected officials. Furthermore, the exercise of our Citizenship and Immigration Services (CIS) choice prerogative to reach a favorable action on this "Deferred Action Status" request is not supported by any compelling information that sets these two siblings apart from any good work history and long time residing person living in the United States individual.

The Atlanta Field Office/District #8, through our local Fraud Detection and National Security (FDNS) office, checked available CIS systems records to determine if either sibling has any criminal record. The results were negative.

We have determined that the circumstances pertaining to this brother and sister are not compelling. Accordingly, we are recommending that the Deferred Action Status request be denied.

CIS ATL FO SISO:AC4030-28may10

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Mr. Kevin J. Kerns
(A) Field Office Director
Atlanta District Office
U.S. Citizenship & Immigration Service
2150 Parklake Drive
Atlanta, GA 30345

Re:



Request for Humanitarian Deferred Action

Dear Director Kerns,

Our office represents [redacted] (brother and sister), in their immigration matters. Enclosed please find Forms G-28, Notice of Entry of Appearance as Attorney of Record. [redacted] through undersigned counsel, hereby respectfully request your office to exercise prosecutorial discretion and to recommend approval of their request for Deferred Action based on humanitarian grounds.

In support of this request, Counsel shows as follows:

I. Summary of Facts:

[redacted] United Arab Emirates; his sister [redacted] United Arab Emirates. They both entered the United States with their mother and siblings on November 4, 1990 on a B-2 visitor's visa at the age of 10 and 5, respectively. (*See Exhibit A*). Although citizens of Pakistan [redacted] and his sister [redacted] have lived almost their entire lives in the United States and have only been to Pakistan for a few months over the course of their lives.

[redacted] graduated from M [redacted] in [redacted]
[redacted] passports are currently in the custody of the Detention and Removal Office "DRO"

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1998 and was accepted and attended [REDACTED]. By his junior year however, he was receiving very limited financial assistance from his parents and was unable to continue studying. He volunteered for student psychology experiments for another year to earn just enough money to get by, but unfortunately he wasn't able to graduate due to his financial situation and returned to Atlanta in 2003. Since 2004 [REDACTED] has been working for [REDACTED] his most recent position is as a Post Care Leader for the customer service department, and according to [REDACTED] his direct supervisor, [REDACTED] performance was last rated as exceptional, which according to her, only 5% of the employees achieve this type of rating. (See Exhibit B).

[REDACTED] graduated from [REDACTED] in 2002. She enrolled in [REDACTED] but was only able to complete one semester due to financial reasons. Since 2005 [REDACTED] has been working for the [REDACTED] Property Group. [REDACTED] recently promoted to assistant manager. In December of 2009, [REDACTED] purchased her first home. (See Exhibit C).

In 1997 [REDACTED] years old, an employment based immigration case was filed on behalf of their mother, [REDACTED] and I-485 applications were filed on behalf of [REDACTED] and their father, as derivatives of their mother's case. [REDACTED] father was the one who filed the case on behalf of the entire family and the only one who was in contact with the attorney that was representing them in their immigration case, so neither [REDACTED] or their mother or sister had any control nor ever received any updates regarding their cases. [REDACTED] their mother and sister later found out that their cases had been denied due to fraud, as their father had provided fraudulent documentation and information to USCIS. Because none of them were in contact with their father since 2004 when they found out that he had married another woman while still married to their mother, and because their father was the only one in contact with the attorney who filed the case, none of them ever knew that their case had been referred to the immigration court and that they had been requested to appear for a hearing. Due to the fact that [REDACTED] failed to appear at their scheduled hearing, the Immigration Judge in Atlanta, GA ordered them removed in absentia. Their removal proceedings have now been reopened, and they are scheduled to appear before the Immigration Judge on May 20, 2010.

Neither [REDACTED] have ever been arrested; they have lived in this country since childhood for almost 20 years, and although Pakistani citizens, neither [REDACTED] nor [REDACTED] know anything about Pakistan as they have never lived there; they barely speak the language, and they have no family in Pakistan.

II. Legal Basis for request of Deferred Action:

The regulations define Deferred Action, as "an act of administrative convenience to the government which gives some cases lower priority". See 8 C.F.R. 274a.12(c)(14).

Although operation instructions for deferred action were withdrawn on June 24, 1997, the relief continues to be available².

As stated in the Meissner Memorandum to INS Regional Directors, "Prosecutorial Discretion" is the authority of an agency charged with enforcing a law to decide whether to enforce, or not to enforce, the law against someone". (See Exhibit D, Meissner, Comm, Memo, HQOPP 50/4 (Nov. 17, 2000) [Regarding prosecutorial discretion]). Furthermore, the "favorable exercise of prosecutorial discretion" means a discretionary decision not to assert the full scope of the INS' enforcement authority as permitted under the law. Such decision will take different forms, depending on the status of a particular matter, but include decisions such as not issuing and NTA[...] not detaining an alien placed in proceedings [...], and approving deferred action". *Id.* (Emphasis Added).

To assist with the determination of whether to exercise prosecutorial discretion or not, the Service provided a list of factors that should be taken into account in deciding whether to exercise prosecutorial discretion, such as, immigration status, length of residence in the United States, criminal history, humanitarian concerns, immigration history, likelihood of ultimately removing the alien, likelihood of achieving enforcement goal by other means, whether the alien is eligible or is likely to become eligible for other relief, effect of action on future admissibility, current or past cooperation with law enforcement authorities, honorable U.S. military service, community attention, and resources available to the INS. *Id.* (Emphasis added).

In addition to the above list of factors, the Meissner Memorandum also states that District Directors should develop a list of "triggers" to help identify cases that may be suitable for the exercise of prosecutorial discretion. Such triggers include amongst others, aliens with lengthy presence in the U.S. (i.e., 10 years or more), or aliens present in the U.S. since childhood. *Id.* (Emphasis added). Lastly another factor to be considered as part of a deferred action determination is "whether or not the individual is a member of a class of deportable aliens whose removal has been given a high enforcement priority (e.g., dangerous criminals, alien smugglers, drug traffickers, terrorists, war criminals, habitual immigration violators)". USCIS memorandum for Field Office Directors, Mar. 27, 2006, AILA InfoNet Doc. 09100571 (posted 10/05/2009). (See Exhibit D).

In the present case, [REDACTED] have lived in this country since childhood for almost 20 years and their cases were referred from USCIS to the immigration court simply due to the fraud committed by their father in the applications he submitted on their behalf. At no time did they partake in any immigration fraud, nor were they aware of what their father was doing. They have no criminal history and they are hardworking and outstanding members of their community, who grew up in this country and know no country other than this one.

² See Exhibit D, Recommendation from the CIS Ombudsman to the Director, USCIS, April 6, 2007; See also Meissner, Comm, Memo, HQOPP 50/4 (Nov. 17, 2000) [Regarding prosecutorial discretion].

Additionally, [REDACTED] would be the ideal candidates to become eligible for immigration relief under the proposed federal legislation The Development, Relief and Education for Alien Minors Act (The "DREAM Act") which was introduced in the U.S. Senate, and House of Representatives on March 26, 2009. The Dream Act seeks to give legal status to individuals that, like [REDACTED], arrived in the United States before age 16, have resided in the United States for a least five (5) consecutive years since their date of arrival, graduated from an American high school, are persons of good moral character, and are between the ages of 12 and 35 at time of bill enactment. Pursuant to this bill, all aliens that meet these requirements would be granted "conditional" status, and would be required to graduate from a two-year community college or complete at least two years towards a 4-year degree, or serve two years in the U.S. military. After the six year period, an alien who met at least one of these three conditions would be eligible to apply for legal permanent resident status.

As stated in their sworn affidavits, although Pakistani citizens [REDACTED] do not know that country and have never lived there; they barely speak the language, and have no friends or family in Pakistan. (See Exhibit E). Their mother and sisters are all in the U.S. Their older sister, [REDACTED] is a U.S. Citizen and she has filed a petition for their mother [REDACTED], who is eligible to apply for permanent resident status in the U.S. Their other sister, [REDACTED] is married to a U.S. Citizen and she is in the process of becoming a lawful permanent resident of this country. (See Exhibit F). If not allowed to remain in the U.S., they would be sent to a country with no home and no family. Additionally, their departure will have devastating effects on their future admissibility into the U.S. which will destroy their family unity.

A [REDACTED] are scheduled to appear in front of the Immigration Judge on May 20, 2010, unless this request is granted at the time of their court hearing [REDACTED]. [REDACTED] are only eligible to request relief in the form of Voluntary Departure. If granted, once they leave the U.S. voluntarily, another factor that should be considered is the effect that an action such as their departure will have on them, as such departure will result in a ten-year bar on their re-entry into this country. Pursuant to the Immigration and Nationality Act, "any alien who has been unlawfully present in the United States for one year or more, and who again seeks admission within 10 years of the date of such alien's departure or removal from the United States, is inadmissible." INA Section 212(a)(9)(B)(i)(II). Therefore, if this request for deferred action is not granted, not only will they be forced to leave this country, but they will also be barred from reentry for ten years, to see their mother, sisters and the only friends and support group they have ever known.

[REDACTED] have done nothing wrong; they were brought to this country by their parents when they were young children; they grew up and went to school in this country and tried their best to complete as much college education as their financial situation allowed them. They have never been arrested and were never involved in the fraud committed solely by their father in their immigration case, and which has led them to be in this situation. They are both hardworking individuals who have performed

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outstandingly at their current jobs for over 5 years. Lastly, it is clear that [REDACTED] [REDACTED] are not members of a class of deportable aliens whose removal has been given a high enforcement priority, and therefore based on the totality of the circumstances, we are respectfully requesting that [REDACTED] be granted deferred action and be allowed to remain in the U.S. with their family, the country where they grew up, and where they can continue to be productive members of society.

We greatly appreciate your prompt attention to this matter. Please do not hesitate to contact me should you need any additional documentation.

Sincerely,

[REDACTED]

Enclosures

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**REQUEST FOR
HAITIAN
DEFERRED
ACTION**



**TO USCIS
KENDALL
06-28-2010**

Received By: *Alga L. Ortega*

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REQUEST FOR DEFERRED ACTION
COVER LETTER

Applicants Name:

Date of Birth:

Alien Number:

NONE

Applicant's Address:

Service Requested:

DEFERRED ACTION

Attorney Name:

Attorney Signature:

Date: **June 23, 2010**

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June 23, 2010



To Whom It May Concern:

Re: Request for Deferred Action

My name is [redacted] I was born on [redacted] in [redacted] Haiti. In the year 2000, I graduated from high school in Port au Prince, Haiti. After my high school graduation, I enrolled at the [redacted] for courses in Computer Sciences.

In the year 2002, I sought and obtained employment with the [redacted] as a contractor. For four years, I was a [redacted] of Haiti. In the year 2006, I was transferred to the [redacted] However, in September 2008, my employment ended abruptly when I asked to be employed as a full time employee of the [redacted] with benefits. Consequently, I was terminated. At the time of my termination, my salary amounted to \$500 per month. After my termination, I decided to return to school and further my education.

On January 12, 2010, I was at the hotel Le Plaza in Champs de Mars talking to a friend when I felt the earthquake. As soon as I realized what was happening, I quickly ran out of the hotel. As I looked at my surroundings, I noticed buildings collapsing before my very eyes. One man lost control of his car and ran into a stop sign; that stop sign fell upon my foot and nearly crushed it.

For the next two hours, I was too afraid to move and sought refuge under a kiosk on Champs de Mars. There were rumors of a tsunami and people were panicked. Finally, at 7PM, I decided that any threat of a tsunami had probably passed and it was now safe to make my way home. Night had fallen and there were no lights on the streets. As I walked, I noticed the magnitude of the destruction that had befallen the country; many buildings had collapsed. There were corpses on the streets and people screaming for help from under the rubbles.

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It took me approximately two hours to get home. I had not had any contact with my family since the quake happened. When I finally caught sight of my home, I saw my family waiting for me outside of our home. They informed me that the house had suffered damages in the quake and it could collapse at any time. It was not safe to go inside for any period of time.

At that point, we decided to seek refuge at the Village Afca which is a large terrain where a protestant church stands. From that night on, my family and I slept under the stars at the village. There were no tents and people slept on the ground. My family and I were fortunate to find a carpet to lay on the ground. For nine days, I lived in those conditions not being able to bathe and not knowing where the next meal would come from.

Following the earthquake, I made contact with my parents who were in the U.S.. They urged me to come to them. After surviving the earthquake, I wanted to be close to my family so I heeded their advice and came to the U.S. where I have since been reunited with my mother and father. My father is a naturalized United States Citizen and he has filed a family relative petition on my behalf. Since my mother was in the U.S. when the earthquake hit, she was recently granted Temporary Protected Status by the U.S. Department of Homeland Security.

Since my coming to the United States, I have been living with my father, [REDACTED]
[REDACTED] My father has opened his home to me and has provided for all my needs. He is willing and able to continue to help as long as necessary. However, while I appreciate his generosity, I wish to be able to contribute to him as well and repay him for all that he has done for me and my mother since the earthquake happened.

The situation in Haiti is extremely difficult. I don't have a place to live and I don't have a job. It will be impossible for me to obtain employment in the chaos that exists in Haiti at this moment. Haiti was the poorest nation in the Western Hemisphere before the earthquake and this disaster has only worsened the situation. For this reason, I am humbly requesting that you grant my request for deferred action.

Respectfully submitted,

[REDACTED]

Applicant

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REQUEST FOR DEFERRED ACTION
COVER LETTER

Applicants Name:

Date of Birth:

Alien Number:

NONE

Applicant's Address:

Service Requested:

DEFERRED ACTION

Attorney Name:

Attorney Signature:

Date: **June 16, 2010**

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June 16, 2010

To Whom It May Concern:

Re: Request for Deferred Action for

My name is [REDACTED]. I am a native and citizen of Haiti. I was born in [REDACTED]. In the year 1999, I completed my bachelor's degree in Sociology and Philosophy. Shortly thereafter, I was assigned at the [REDACTED] run by the Haitian government. However, it was after 2 years of employment at the [REDACTED] that I received my first paycheck. Consequently, in 2002, I sought and obtained employment at the [REDACTED] where I worked as a human [REDACTED] until my departure from Haiti on February 3, 2010. I was recently laid off from my position at [REDACTED] because of my failure to report to work.

On [REDACTED], I married my wife, [REDACTED] and I have one child together; [REDACTED]. Until recently, my wife was employed as [REDACTED] at the [REDACTED] in Port au Prince, Haiti. However, [REDACTED] was partly destroyed in the quake on January 12, 2010; and my wife was laid off. While my wife has traveled to the U.S. on two separate occasions after the earthquake, she is unable to remain here for long periods of time because of her mother's state of health. My mother-in-law was badly injured in the quake and my wife has been the one taking care of her as she recovers from the injuries.

On January 12, 2010, I had just arrived home from work with my son [REDACTED] when the earthquake hit. When I felt the earth trembling, I ran to my son and held him tightly as the house collapsed around us. Once the quake subsided, my son and I made our way outside of the debris. My home was completely destroyed in the quake and we barely escaped with our lives.

After the earthquake, the living conditions were deplorable. I was unable to find food or water to give to my family for four whole days. We were sleeping in tents on the streets and I was able to retrieve very little from my collapsed home. My son was traumatized by the quake and our new living conditions. He ran a constant fever at night and he had rashes all over his body.

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June 16, 2010

To Whom It May Concern:

Re: Request for Deferred Action for

My name [REDACTED] I am a native and citizen of Haiti. I was born in Saint Louis du Sud on June 18, 1975. In the year 1999, I completed my bachelor's degree in Sociology and Philosophy. Shortly thereafter, I was assigned at the Lycee Salomon Jeune run by the Haitian government. However, it was after 2 years of employment at the Lycee that I received my first paycheck. Consequently, in 2002, I sought and obtained employment at the telecommunications company, Teleco where I worked as a human resources manager until my departure from Haiti on February 3, 2010. I was recently laid off from my position at Teleco because of my failure to report to work.

On June 3, 2006, I married my wife [REDACTED] and I have one child together; [REDACTED]. Until recently, my wife was employed as an accountant at the privately owned industrial park, Shodecosa, in Port au Prince, Haiti. However, the park was partly destroyed in the quake on January 12, 2010; and my wife was laid off. While my wife has traveled to the U.S. on two separate occasions after the earthquake, she is unable to remain here for long periods of time because of her mother's state of health. My mother-in-law was badly injured in the quake and my wife has been the one taking care of her as she recovers from the injuries.

On January 12, 2010, I had just arrived home from work with my son [REDACTED] when the earthquake hit. When I felt the earth trembling, I ran to my son and held him tightly as the house collapsed around us. Once the quake subsided, my son and I made our way outside of the debris. My home was completely destroyed in the quake and we barely escaped with our lives.

After the earthquake, the living conditions were deplorable. I was unable to find food or water to give to my family for four whole days. We were sleeping in tents on the streets and I was able to retrieve very little from my collapsed home. My son was traumatized by the quake and our new living conditions. He ran a constant fever at night and he had rashes all over his body.

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In fear that my son's health would deteriorate, I decided to travel with him to seek safe haven in the U.S.. I traveled through the Dominican Republic and boarded a plane to Miami, Florida. Once we made it to the U.S., my primary concern was to seek medical help for my son. We consulted a doctor and he left no doubt that my son's skin condition was due to the environment in Haiti.

Since my coming to the United States, I have been living with my sister [redacted] [redacted] who resides in Miami, Florida. Louisiana has opened her home to me and my son and has provided for all our needs. She is willing and able to continue to help my family as long as necessary. However, while I appreciate her generosity, I wish to be able to contribute to her as well and repay her for all that she has done for us thus far.

The situation in Haiti is extremely difficult. It will be impossible for my wife and me to obtain employment in the chaos that exist in Haiti at this moment. Haiti was the poorest nation in the Western Hemisphere before the earthquake. This disaster has sent the nation to the stone ages. I have a family to feed and to care for. My meager resources have been depleted and I don't have a place to live. For this reason, I am humbly requesting that you grant my request for deferred action for myself and my son, [redacted]

Respectfully submitted,

[redacted]

Applicant

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REQUEST FOR HAITIAN DEFERRED ACTION

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**TO USCIS
KENDALL
07-06-2010**

Received By: Olga L. Mtega

REQUEST FOR DEFERRED ACTION
COVER LETTER

Applicants Name:

Date of Birth: 09/07/1999 and 11/17/2004

Alien Number: NONE

Applicant's Address:

Service Requested: **DEFERRED ACTION**

Attorney Name:

Attorney Signature

Date: July 1, 2010

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July 1, 2010

To Whom It May Concern:

My name is [REDACTED]. I am submitting this request for Deferred Action for my two children, [REDACTED] and [REDACTED] was born on [REDACTED] and is now ten (10) years old. My daughter [REDACTED] is five years old and was born on [REDACTED]

My daughters entered the United States on January 29, 2010 on tourist visas. At the time they traveled, international flights were suspended to and from Haiti because of the earthquake that damaged the airport in Port au Prince on January 12, 2010. Consequently, in order to join me in the U.S., my husband [REDACTED] and my daughters traveled to the Dominican Republic and boarded a plane in Santo Domingo.

Two weeks after he arrived in Miami, my husband had to return to Haiti because he is a [REDACTED] and his presence was required at his workplace. Since he is the only one supporting the family at the present time, he had to travel back to Haiti. Since his return, my husband has been residing in [REDACTED] Haiti with his cousin since our house was completely destroyed in the earthquake.

When the earthquake happened in Haiti on January 12, 2010, I was on a visit in Miami, Florida. My visit was prompted by my ailing aunt [REDACTED], who suffers from high blood pressure and a heart condition. My aunt is a Lawful Permanent Resident and lives in Miami, Florida. She was sick for some time and needed help around the house. When I decided to travel to the States and help her, I left behind my two children and my husband. I came to Miami on December 18, 2010 and was expected to return to Haiti on February 18, 2010.

When I heard news of the quake, my first thought was about the safety of my family. I was beside myself with worry and anxiety. I was crying and inconsolable. The news about the neighborhood of [REDACTED] was very dim. Some said that the whole neighborhood had been destroyed; others said that very few people had survived in that area. For two days, I lived in a state of panic. My calls yielded no direct answers about my family.

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Two days after the quake, I was able to get in contact with my husband. He told me that he and the children were safe but our house was destroyed. He was at work when the quake happened but the children were at home with my mother. As soon as she felt the earth shake, my mother realized what was happening and prompted the children out of the house. She and the children got out of the house in the nick of time because minutes later, the house collapsed. For the next two nights, my husband and children slept in a tent that they set up in the yard outside our home.

On Thursday, January 14, the whole family traveled to Cabaret for the burial of my younger brother [REDACTED] who was a victim of the earthquake. Once in Cabaret, they decided to remain for a period of time since they now had roof over their heads. But the house was overcrowded and unable to accommodate the whole family for an extended period of time. Moreover, the children were traumatized from having experienced the earthquake and they started exhibiting signs of post traumatic stress.

For example, my youngest daughter [REDACTED], suffered from a high fever, diarrhea and constant vomiting. She constantly felt the earth shaking underneath her and she would grab hold of any piece of furniture until she felt steadied. At night time, she could not sleep. When [REDACTED] arrived in Miami, I had to take her to the Doctor's to seek medical attention. She was prescribed medication because of rashes on her skin. To this day, she is traumatized about having to return to Haiti.

Soon after the earthquake happened, I was able to apply for and receive temporary protected status. I was granted employment authorization and I am now actively searching for a job. I am also taking a course to become a Certified Nursing Assistant. Prior to the earthquake, I operated a small business outside of my home in Haiti where I sold groceries. However, all was lost on January 12, 2010.

I pray that you allow my children to remain in the United States for a period of time until the situation in Haiti normalizes itself. My husband and I have nowhere to go. While my husband resides with his cousin, she would be unable to welcome the whole family because she has four kids of her own. My husband and I are unable to rebuild our home because of our economic situation. Based on the foregoing, I humbly request that you allow my children to remain with me in the U.S.

Respectfully submitted,

[REDACTED]

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[Redacted]

[Redacted]

REQUEST FOR DEFERRED ACTION
COVER LETTER

Applicants Name

Date of Birth:

[Redacted]

Alien Number: **NONE**

Applicant's Address:

[Redacted]

Service Requested: **DEFERRED ACTION**

Attorney Name:

Attorney Signature:

[Redacted]

Date: **July 7, 2010**

[Redacted]

(b)(6)

July 7, 2010

To Whom It May Concern:

My name is [REDACTED] I am a naturalized United States citizen. I am the aunt and guardian of my two nieces, [REDACTED]. My nieces are the children of my sister, [REDACTED] currently in [REDACTED] Haiti where she is working as a [REDACTED]

My niece [REDACTED] was born on [REDACTED] She is currently 17 years old. She is enrolled in the 12th grade [REDACTED] was born on [REDACTED] and is now 13 years old. She is starting the 8th grade at [REDACTED] School in August.

My nieces traveled from Haiti after the earthquake that devastated the country on January 12, 2010. They arrived in the U.S. on February 10, 2010 on tourist visas, having traveled from Haiti through the Dominican Republic and unto Fort Lauderdale, Florida.

Prior to the earthquake, [REDACTED] resided with their mother, aunt and grandmother in [REDACTED] Haiti. However, their house collapsed when the quake hit. The children's aunt who was inside the house at the time died instantly. She was buried in the yard of the house when her body was retrieved the day after the quake. Their grandmother was also buried under the rubbles but she made out alive after nearly 24 hours. However, she died two months later from complications related to the injuries that she suffered in the quake. She was ninety eight (98) years old at the time of her death.

My nieces were on their way home from school when the earthquake hit. When they felt the quake, the driver immediately got out of the car and left my nieces in the middle of the street. The girls could hear noises from the homes collapsing around them but they were unable to see anything because of the dust from the fallen structures. They decided to remain in the car until the quake stopped. Once the quake subsided, they got out of the car and started making their way home by foot.

As they were walking home, they found a neighbor who ushered them inside her home. That neighbor had seen the collapse of my nieces' home and prevented them from proceeding any further. While the neighbor had no direct knowledge of the casualties inside the home; she suspected that no one survived the quake at the house. Meanwhile, my nieces were able to make contact with their mother and informed her of their safety. During that conversation, my nieces informed their mother that the home had collapsed.

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At around 8:30PM, a friend of their mother's picked up the girls and brought them to their mother in Cabaret where they stayed until they left the country a month later.

The day after the quake, my sister went to her home and called around until she heard a noise from underneath the rubbles indicating that my mother had survived. She and others worked tirelessly until they retrieved my mother at 1PM. My mother suffered a very deep wound in the left arm and she was transported to Hospital La Paix where she remained for a period of seven (7) days. When my sister decided that she would send my nieces to me, our mother was still alive. My sister stayed behind to see to the convalescence of our mother. Unfortunately, my mother died two months after the earthquake.

Currently, my sister is still living with a friend in Cabaret. However, her friend is unable to accommodate her and her children inside her home. While my sister is actively looking for a place to rent, it has proven quite difficult to find a place in Haiti right now.

This traumatic experience comes less than a year after the death of my niece's father in August 2009 who died from complications related to his diabetes. In less than a minute, my nieces lost their aunt, grandmother, friends and all of their possessions. From one day to the next, they found themselves without a place to call home. It is impossible for them to return in the current situation that exists in Haiti at this time. And for this, I humbly request that you grant this request for deferred action.

Respectfully submitted,



Marie Vital

Guardian for Children Applicants

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(b)(6)

July 6, 2010

ATTN: Miami District Office Director
U.S. Department of Homeland Security
Miami District Office
8801 NW 7th Avenue
Miami, Florida 33150

RE: Deferred Action Request for

Dear Director:

We are writing to request deferred action in the case of [redacted] and her daughter [redacted] (G-28 enclosed)

[redacted] is a native and citizen of Haiti. Her daughter [redacted] is also a native and citizen of Haiti. Her daughter [redacted] is a born U.S. citizen. [redacted] and children entered the United States on March 8, 2010.

Mrs. [redacted] is a businessperson. She owned a small warehouse where she kept all goods she purchased in the United States. This building was destroyed. She lost her goods in addition to that many of her customers were killed and others who owed her money lost their goods.

Mrs. [redacted] was injured during the earthquake when a wall fell and broke on her lumbar. Her children suffered with an infection with various symptoms. Mrs. [redacted] and children have been sleeping in the open air at Champs de Mars. The children are traumatized. Mr. [redacted] new hopes are to find a way to support her U.S. citizen and Haitian citizen daughters financially and other family members including spouse who remain in Haiti.

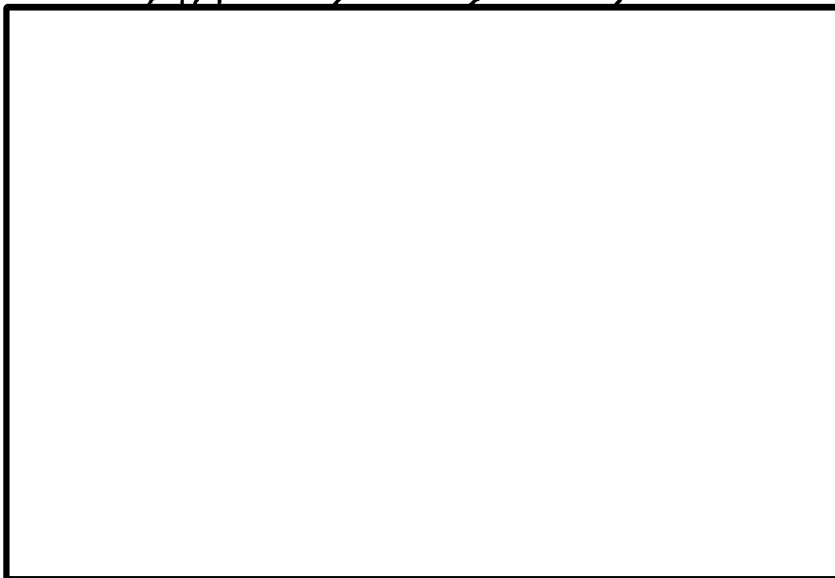
We now request deferred action status so Mrs. [redacted] and Haitian child be eligible for work authorization and Mrs. [redacted] will be able to feed her children, one of whom is a U.S. citizen.

Mrs. [redacted] and child [redacted] understand that Deferred Action is not an immigration status, but an act of discretion. They would greatly appreciate that you grant Deferred Action to [redacted]

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Thank you for your kind consideration, and please read their enclosed sworn statement.

Respectfully,



(b)(6)

AFFIDAVIT OF

In Support of Request for Deferred Action Status for:

STATE OF FLORIDA

COUNTY OF DADE

BEFORE me, the undersigned authority, personally appeared [redacted]
[redacted] who upon first being duly sworn, deposes and says:

I, [redacted] am a native and citizen of Haiti. I came to the United States on March 8, 2010 with my U.S. citizen child [redacted] (copy of passport attached) and Haitian citizen child [redacted]. My business was destroyed. My business was located at [redacted] Haiti. It was completely destroyed. I lost all the merchandise.

I am a businessperson. I am married to [redacted]. Apart from [redacted] my U.S. citizen child, we have one more child, [redacted] age 8. The business that I owned was destroyed. I traveled back and forth from United States to Haiti. I purchased items such as clothes and shoes in whole and sell them to small merchants. I usually sold the articles to small merchants – and collect the money later or I would give them a time to collect the money because they needed time to re-sell the articles they purchased from me. I kept all my merchandise at [redacted]. [redacted] The small merchants would re-sell the articles. After they re-sold, they would make payment. This house was destroyed completely – I lost all that I owned. Most of the small merchants were killed during the earthquake. Among those who are alive some cannot be found - they do not have a home; therefore, they lost their merchandise and others cannot afford to pay back for one reason or the other they were also affected by the earthquake and they cannot pay back.

I fled the country on March 8, 2010. Our U.S. visas were still valid. I took the children to Cap-Haitien to evacuate. Before I traveled, I went to see a doctor in Cap-Haitien. During the earthquake, the wall of the house where I kept my merchandise fell on my back. I was also distraught by the terrible event that killed thousands of people and left millions homeless. I was shocked by the event. I did not know what I would do to help my children. I spent about 22 days sleeping on a door to help me with my lumbar - I was beginning to feel pain below my stomach. Therefore, besides doctor's medication, I took some homemade medicine.

My husband traveled to Port-au-Prince with the children in February 2010. He went to the U.S. Embassy to see if he could get aboard U.S. military plane to accompany the children to the U.S. He was refused access. He was told that he did not have a U.S. visa and that he would not accompany the children. He was told that once I recuperated I should evacuate with the children. My husband returned to Cap-Haitien with the children until I could travel.

On March 8, 2010, I took the children to Cap-Haitien Airport and we arrived in the United States via Lynx Airlines at the Fort Lauderdale Airport that same day.

After the earthquake, I had been sleeping in the open air at Champ de Mars, with all the dust and grime with my two children for two nights. While in Haiti, the children had a bad cough because they had been sleeping in the open air. [redacted] my U.S. citizen child had a diarrhea – she had been vomited and had a stomachache. I could not afford to take her to see a doctor. I applied for Medicaid for her. I received the card last night (June 21). I went to a medical clinic with her today (June 22) – they rescheduled her for Friday, June 25. I took my older daughter to a medical clinic called Borinquen. They told me that they would send the results of the exam within a few days. When I took my older child to Borinquen, the person that I first saw or the social worker applied for Medicaid for my U.S. citizen child. She told me that she would give me a letter for my older daughter to see the doctor and that I would not have to pay. She told me that the U.S. child had qualified for Medicaid and that I could wait until I receive the card within a few days. This is the reason I waited and that I did not ask to see both children that day. The children were terribly bitten by mosquitoes. We all had these symptoms.

As the caregiver of a U.S. citizen, I am very grateful that the U.S. government allowed me and my two children to come to the United States. I am grateful that my older daughter was accepted to go to school and that my other child will begin school in August. I am grateful that my older daughter was seen by a doctor at no cost to me and that my U.S. child just received Medicaid card – therefore she would see a doctor.

It would be dangerous for me and my two daughters to go now to Haiti, because we have no safety from aggressive men that prowl the lawless streets of Port au Prince. Many detainees escaped from the prison after the earthquake. There are all types of threats under these tents, including killing, raping, masturbation, stealing.

Since we arrived, we have been living at my brother's house. He has been very kind, but he cannot afford to support us much longer.

The entire family was admitted as B1/2 visitors, and not as humanitarian parolees, except for [redacted] who is a U.S. citizen. As such, I cannot work legally and cannot provide for my two children, or send money to Haiti for the rest of my family. I now request deferred action status because in such status I will be eligible for work authorization and I will be able to feed my two children, pay rent and send remittances to Haiti. I urge you to help us - we have no other avenues and we always count on the U.S. government to come to our rescue. Thank you for your great consideration.

June 30, 2010

ATTN: Acting Field Office Director, A. Castro
U.S. Department of Homeland Security
Miami Field Office
8801 N.W. 7 Ave.
Miami, Florida 33150

RE: Deferred Action Request for [REDACTED]

Dear Ms. Castro:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti, now residing at [REDACTED]. Her 12 year-old son, [REDACTED] is a born U.S. citizen. She and her son entered the United States on January 21, 2010, as evacuees transported to a military base near Orlando, FL. Their family home and business in Port au Prince were destroyed during the earthquake. Moreover, they were evacuated because her son required medical treatment for a head injury caused by falling blocks during the earthquake. After his entry he was treated at Jackson Memorial Hospital in Miami, FL.

[REDACTED] has a valid visa but her period of authorized stay will expire on July 20, 2010. She is unable to work in her current status and she has no home or business to return to in Haiti. Photos of [REDACTED] at her destroyed home are enclosed. She now hopes to find a way to earn money to support her U.S. citizen son. We request deferred action status so she will be eligible for work authorization.

[REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

Respectfully,

[REDACTED]

(b)(6)

(b)(6)

AFFIDAVIT OF [REDACTED]
In Support of Request for Deferred Action Status

STATE OF FLORIDA

COUNTY OF BROWARD

BEFORE me, the undersigned authority, personally appeared [REDACTED] who upon first being duly sworn, deposes and says:

[REDACTED] am a native and citizen of Haiti. I came to the United States on January 21, 2010, when me and my U.S. citizen son, [REDACTED] were transported to a U.S. military base near Orlando, FL. Our passage on the flight was arranged because my son had a head injury and was unable to get proper medical attention in Haiti. When the blocks of our home fell, my son was struck in the head. After three days of attempting to get treated in Haiti, infection began to set in, and I knew we needed to try to get to the U.S. for proper treatment. Fortunately, after we arrived in Florida my son was able to get treated for the wounds on his head at Jackson Memorial Hospital in Miami. (Medical records attached).

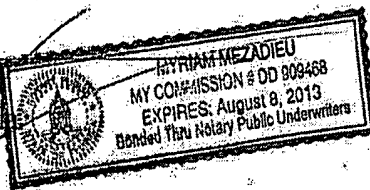
Since that time, my problem has been that I was admitted as B2 visitor, and not as a humanitarian parolee. As such, I have had no way to provide for my child because I cannot work legally. Our house was severely damaged in the earthquake. (Photos attached). We could not sleep inside the house because it was unstable and we were still experiencing aftershocks and tremors. In addition, my sole means of income was the restaurant located on the first floor of my home. If I return to Haiti, I will have nowhere to stay, and no income. Here in the U.S. I have been completely dependent on family and friends to provide for me and my son. I am not married, and I do not know the whereabouts of my son's father. At least here in the United States my son has been able to get counseling at the Notre Dame D'Haiti church to help him deal with all the trauma we experienced in Port au Prince. It was very traumatic for us as we were seeking medical care. We were waiting in hospitals and clinics, surrounded by the dead and dying. It was very hard on my young child to witness those things.

I now request deferred action status because in such status I will be eligible for work authorization and will be able to feed my child. Please help us.

FURTHER, AFFIANT SAYETH NAUGHT [REDACTED]

Sworn to and subscribed before me this 24th day of June, 2010

Notary Public
State of Florida



(b)(6)

My commission expires:

(b)(6)

Miami Florida

July 10, 2010

To whom it may concern:

This is to confirm I [redacted] born in Haiti in [redacted] so I am 36 ages old. I have my daughter [redacted] who born in Greece in [redacted] she is 12 years old. I started visiting the United States since October 3, 1998. Often, I visit my sister [redacted] with my family.

Because my house is seriously damage in Haiti whiles the recent earthquake so I come here in Miami to stay temporary and go back to Haiti as soon as possible. The reason that I'm afraid to go there, there is a man name [redacted] who was trying to abuse my daughter [redacted] sexually, So I with her father went to report this to the police in Haiti on the date of March 13, 2009 and get Mr. [redacted] arrested and been putted to the custody.

Unfortunately, while the recent earthquake [redacted] get out of jail since the prison was broken and he sent word to us saying he is going to get [redacted] abuse again, that one of the reason I come here in Miami with my daughter in order to avoid [redacted] from been abusing by this man. As the police is searching for him but he is hiding want to rape my daughter again. I am waiting anxiously to hear that man be captured and put back in custody as soon as possible. Many time [redacted] is yelling screaming because she is dreaming that dramatic event.

Enclosed, a report from the police station in Haiti which was aware of this event and was arrested that crimin [redacted] Many times I came here just to help my sister with her pregnancy and when she was giving birth so she needed me so I come just to help her with her kids.

I ask your kind assistance in this issue and ask your comprehension as well. Should you need any information please feel free to contact me in the above number.

Sincerely yours,

(b)(6)

To whom it may concern:

DEFERRED ACTION

This letter is to be ask to the autorities of deferred action to please helping my wife [redacted] and my daughter [redacted] to be able to applied for some legal paper in the United States of America. Since our house is seriously damage and need to take down soon so we have no place really in Haiti to be staying hence I sent my family over to be there with my children.

Because I have 3 children who were born in the States and we were sleeping on the street so I ask my wife to go to the States with them all, unfortunately, they have no legal paper while [redacted] has a us passport so they have no problem being in the States. But [redacted] was born in Greece so she don't have the legal paper also to be staying legally in America, because we can't even enter to our old house so it is most likely impossible for them to return here in Haiti until I work to build a new house, I'm asking that deferred action to take this matter in consideration so they can eitheid applied for their social security and stay there legally for a while.

Since the expert has been asked that we do not enter to this house, it impossible for me to get them back to Haiti specially my children are afraid of this house. I'm sending some pictures of that house. I pray that you help my family since it is an important issue to us hence it is now an urgent that you assist Mrs [redacted]

I myself living in a tent but it is impossible for me to be in the tent with my family which is a larger family with those little children, I'm praying that you understand the reason and the importance of this letter to you. Here are my email for any further informations you may need.

I'am an [redacted] who work in education and every thing in social help for the Haitians people, but today I need your help too for my family and so.

I want to thank you for your kind comprehension to my family.

Yours in Christ,

[REDACTED]

ATTN: Acting Field Office Director, A. Castro
U.S. Department of Homeland Security
Miami Field Office
8801 N.W. 7 Ave.
Miami, Florida 33150

RE: Deferred Action Request for:

[REDACTED]

Dear Ms. Castro:

I am writing to request deferred action in the case of [REDACTED] and her daughter, [REDACTED] (G-28 enclosed)

Mr. [REDACTED] and her 9 year old daughter are natives and citizens of Haiti, now residing at [REDACTED]. They entered the United States on January 21, 2010, as evacuees transported to a military base near Orlando, FL. They were granted passage to the United States in order to reunite [REDACTED] a minor U.S. citizen, with his mother living in the United States. The [REDACTED] family home in Port au Prince was severely damaged during the earthquake and they had been forced to sleep outdoors.

Before the earthquake, [REDACTED] had been staying with [REDACTED] neighbor, Madame [REDACTED] along with about eight other individuals, adults and children, who were otherwise homeless. She gave them a place to sleep and fed them out of charity. Both of [REDACTED] parents were in the United States, and he had no one to care for him in Haiti. After the earthquake, Madame [REDACTED]'s home was severely damaged. It did not completely collapse, but no one could sleep inside because it was unstable, and we were still experiencing strong aftershocks and tremors.

Madame [REDACTED] spoke to [REDACTED]'s mother by telephone and agreed to make arrangements for [REDACTED] to be evacuated to the United States. She asked Ms. [REDACTED] to accompany [REDACTED] to the United States. Ms. [REDACTED] described herself as the "cousin" of [REDACTED] and that statement has since been characterized as misrepresentation. Nevertheless, [REDACTED] is now safely living with his grandfather in North Miami, thanks to Ms. [REDACTED] and her husband, who contacted the grandfather.

Mr. [REDACTED] a deacon in his church in Miami and has a pending application for Lawful

AFFIDAVIT OF [REDACTED]

In Support of Request for Deferred Action Status

STATE OF FLORIDA |

COUNTY OF BROWARD |

BEFORE me, the undersigned authority, personally appeared [REDACTED] who upon first being duly sworn, deposes and says:

I, [REDACTED] am a native and citizen of Haiti. I came to the United States on January 21, 2010, with my daughter, [REDACTED], who is also a native and citizen of Haiti. We were transported to a U.S. military base near Orlando, FL. Our passage on the flight was arranged by the U.S. Embassy for me to escort Sheldon Joseph, a minor U.S. citizen who survived the earthquake. (Copy of visa attached).

Before the earthquake, [REDACTED] had been staying with my neighbor [REDACTED] along with about eight other individuals, adults and children, who were otherwise homeless. She gave them a place to sleep and fed them out of charity. Both of [REDACTED]'s parents were in the United States, and he had no one to care for him in Haiti. After the earthquake, Madame [REDACTED]'s home was severely damaged. It did not completely collapse, but no one could sleep inside because it was unstable, and we were still experiencing strong aftershocks and tremors. My own home was in the same condition. We could not sleep inside the house.

Madame [REDACTED] knew that my husband was already in the United States, and that [REDACTED] parents were also there. She spoke to [REDACTED] mother by telephone and agreed to make arrangements for [REDACTED] to be evacuated to the United States. She asked me to accompany [REDACTED] to the United States. The plan was for [REDACTED]'s mother to come to the airport to get upon our arrival. I went with one of my daughters to the U.S. Consulate to try to make arrangements for the evacuation. My younger daughter did not have a passport, so I had to leave her with my aunt in Haiti. Our situation was very desperate.

I made a decision out of desperation to tell the U.S. consulate that I am the cousin of [REDACTED] mother. This was not true because I am not a blood relative of [REDACTED] or his mother, but as his neighbor I felt very strongly that I could help Sheldon reunite with his mother and reunite my own family by simply saying that we were cousins. I acknowledge that what I said was untrue, I am only asking you to consider the circumstances we were facing sleeping on the streets of Port au Prince during those nine days immediately after the earthquake. It was hard to think clearly, and every decision we made, large and small, was made under duress. I was under-fed, exhausted and paranoid. Please forgive my error.

After we arrived at the air base near Orlando, I gave the immigration officer the phone number for [REDACTED] mother. When the officer called her, she said she did not know me (we had only met once, briefly). Sadly, it seemed [REDACTED]'s mother was unable or unwilling to reunite with [REDACTED] but his mother called my husband and wanted us to take [REDACTED] to his grandfather in

(b)(6)

Permanent Residence and petition as a religious worker. They are now requesting deferred action for Ms [REDACTED] to enable her to work and support their daughter, [REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement before exercising your discretion.

Respectfully,



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Miami. My husband was able to make contact with [REDACTED]'s grandfather in Miami, and [REDACTED] is now with him. His grandfather was so grateful to us for helping [REDACTED] leave the desperation of Port au Prince.

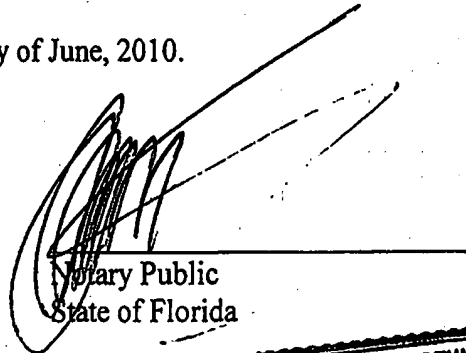
I have been placed in removal proceedings for fraud or misrepresentation. I plan on denying the charge on the grounds that the misrepresentation I made was not willful, but rather compelled under duress. My daughter is nine years old and she is not in removal proceedings. My husband has a pending application for Lawful Permanent Residence as a religious worker because he is a Deacon in the church. I am asking that you grant me deferred action to allow our family to remain together. Thank you.

FURTHER, AFFIANT

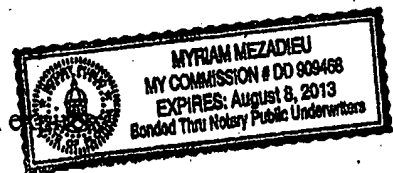


Sworn to and subscribed before me this 24th day of June, 2010.

(b)(6)


Notary Public
State of Florida

My commission expires



(b)(6)

[REDACTED]

June 15, 2010

Ms. Linda Swacina
District Director
U.S. Department of Homeland Security
8801 NW 7th Avenue
Miami, Florida 33150

[REDACTED]

Dear Ms. Swacina:

I am writing you today about [REDACTED], a client of Sant La's, and also a survivor of the January 12th earthquake in Haiti. We are seeking your assistance in granting "Deferred Action" status to [REDACTED] who currently holds a B1/B2 Visa.

Following the earthquake in Haiti, [REDACTED] was airlifted to Memorial Health South in Broward where she was treated for multiple medical issues related to injuries sustained while trapped under the rubble for two days. As a result [REDACTED] is now in a wheelchair, is a paraplegic, had her left leg amputated, and a metal rod placed in her back, requiring on-going medical attention and assistance.

Based on the circumstances of [REDACTED] entry into the United States, she would normally have received humanitarian status. Unfortunately, because there was a current visa on her passport her special circumstances were not taken into account. Additionally, she was granted a three (3) month I-94 which expired on April 19, 2010, just two weeks after her release from the hospital. A first extension for this visa has been filed and granted.

I urge you to grant [REDACTED] Deferred Action, while we continue to assist her in obtaining the medical treatment and necessary physical therapy, so critical to her recovery.

Should you have any additional questions or concerns please feel free to contact us at [REDACTED]

I look forward to your favorable recommendation.

Regards,

[REDACTED]

Executive Director

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(b)(6)

July 17, 2010

Dear Sir or Madam:

I am writing this letter in support of my application for Deferred Action. My name is [REDACTED] I am a Haitian national, who arrived in the United States on January 20, 2010 following the January 12, 2010 earthquake. In the aftermath of the earthquake I was buried for two days under the ruins of the [REDACTED] [REDACTED] place of work.

As a result of the injuries I sustained during the earthquake, I was transported to the United States via Global Rescue Aeromedical Services to receive treatment at Memorial regional Hospital in Hollywood Florida. While at the hospital the doctors were unable to save my left leg, and it was amputated. Although, I had surgery to repair my fractured back, the doctor's informed that I will never be able to walk again and will be confined to a wheel chair for the rest of my life.

Due to the current condition of my country, I am not able to return as there are no current facilities or services to accommodate a person with my disabilities at this time. I am currently living at the residence of [REDACTED] who is providing me with room and board. It is my hope to be able to obtain permission to work in order to be able to support myself and family until such time that that the conditions improve so that I can return home.

My current tourist visa, following its extension, will expire in October 19th. I require your assistance in order to extend my stay so that I can continue to receive much needed medical care and hopefully obtain the ability to work.

Thank you for your time and assistance with this matter.

[REDACTED]

(b)(6)

July 15, 2010

ATTN: District Director
U.S. Department of Homeland Security
Miami Field Office
8801 NW 7th Ave.
Miami, Florida 33150

RE: Deferred Action Request for [REDACTED]

Dear Ms. Swacina:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed).

[REDACTED] is a native and citizen of Haiti. She has one U.S. citizen ("USC") child, [REDACTED] entered the United States on January 20th, 2010, as a B1/B2 visitor. She fled Haiti by car to the Dominican Republic on January 19th. Her apartment building was completely destroyed during the earthquake and she was traumatized when trapped underneath the rubble for over two hours. She sustained many cuts and bruises all over her body. Additionally, [REDACTED] is diabetic and did not have access to her necessary medication. The majority of her neighbors were killed when the building collapsed.

[REDACTED] slept in the streets from January 12th until she left Haiti on the 19th. She receives counseling from The Pierre Toussaint Haitian Catholic Center for recurring flashbacks. Her emotional state necessitates her staying in the United States, for a brief period, so that she may receive support from her daughter and other loved ones.

Prior to the earthquake, M [REDACTED] worked as a teacher in Haiti. She was laid off without pay after the earthquake. She has been informed by the school director that enrollment is down by seventy five (75) percent. There is no indication that the school will be able to resume normal operations in the near future, nor that [REDACTED] would be able to return to work.

[REDACTED] has been traveling to the United States on a visitor visa for several years. It was never her intention to remain beyond the time period she was authorized. She has lost everything in Haiti and needs some time to rebuild her life. She is aware that she is not able to

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work legally in the United States at this time. If granted deferred action, Ms. [REDACTED] may request employment authorization and begin the long road to returning home. Additionally, a grant of deferred action would permit her to continue with the counseling she receives from the Catholic Center.

We now request deferred action status so she will be eligible for work authorization and will be able to feed herself and help provide for her USC daughter.

Ms. Auguste understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

Respectfully,

[REDACTED]

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AFFIDAVIT OF Marie Florence Auguste

In Support of Request for Deferred Action Status

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

BEFORE me, the undersigned authority, personally appeared, [REDACTED]
who upon first being duly sworn, deposes and says:

I, [REDACTED] am a native and citizen of Haiti. I came to the United States on January 20, 2010. I left my home country of Haiti by car on January 19 and traveled to the Dominican Republic. My family arranged for me to get a flight from the Dominican Republic to the United States the following day. I currently reside at [REDACTED] with a friend named [REDACTED]. This home is just a few minutes from where my United States citizen daughter and her father reside. My daughter's name is [REDACTED].

My apartment in Haiti (was) located at [REDACTED] Port au Prince, Haiti. The apartment building was completely destroyed during the earth quake on January 12 and I was home at the time. I was trapped under the rubble for over two hours. I was able to crawl out from under the rubble when a passage way opened up during one of the aftershocks. The majority of my neighbors in the building were killed when the building collapsed. I sustained many cuts and bruises all over my body. Additionally, I am diabetic and did not have access to my medication. From January 12th until I left Haiti on the 19th, I spent the days walking around the area of my home, and slept at night on the Champs-de-Mars. I slept in the open air, exposed to all of the dust and debris.

Since arriving in the United States, I have been receiving counseling through the Pierre Toussaint Haitian Catholic Center. I continue to have flashbacks to when I was under the rubble of my house thinking I was going to die. Whenever I feel a vibration or hear loud noises, I get scared. I am not currently in an emotional state to be able to return to Haiti.

While in Haiti, I worked as [REDACTED] for [REDACTED] that is located at [REDACTED]. Due to the earthquake, the school was forced to eliminate some classes and reduce staff for the remainder of the year. I was given a letter advising that I would remain on staff without pay for the 2009 – 2010 school year. To date, the school has not advised whether classes will resume normal schedules in September. Furthermore, the administrators have begun firing teachers because enrollment is less than one-fourth what it was prior to the earthquake. As such, I am without a home to live, and without employment to sustain myself.

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I am currently staying in the home of [REDACTED] my daughter's father. He and my family members in the United States provide for all of my financial needs.

I was admitted to the United States as a B1/B2 visitor. When I entered, I had hoped to be able to return to Haiti after a few months. The situation in Haiti has not improved, I do not have a home to return to, I do not have a job to sustain my self and I am receiving counseling here in the United States to deal with the trauma I suffered. I respectfully ask this request for deferred action be granted. This will permit additional time for me to be able to prepare to return to Haiti at some point in the future.

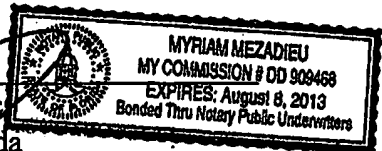
FURTHER, AFFIANT



Sworn to and subscribed before me this 6th day of July 2010.

(b)(6)

Notary Public
State of Florida



My commission expires:

July 6, 2010

ATTN: Miami District Office Director
U.S. Department of Homeland Security
Miami District Office
8801 NW 7th Avenue
Miami, Florida 33150

RE: Deferred Action Request for

Dear Director:

We are writing to request deferred action in the case of [REDACTED]
(spouse) [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti. His spouse [REDACTED] and children [REDACTED] and [REDACTED] are also citizens of Haiti. His three and a half-month daughter [REDACTED] is a born U.S. citizen. His wife and daughter [REDACTED] entered the United States on January 17, 2010, as evacuees transported to a military base in Homestead, Florida. Mr. [REDACTED] and children [REDACTED] entered the United States on February 7, 2010. They traveled from Haiti to the Dominican Republic and arrived at the Fort Lauderdale, Florida's airport. Their family home in Port-au-Prince was destroyed during the earthquake. Mr. [REDACTED] is a [REDACTED] in Haiti, the school where he served as the censor was also destroyed.

[REDACTED]s three-year old son was injured while running to exit the building that would collapse in a few seconds. [REDACTED] son suffered viral infection and was hospitalized upon his arrival in the United States. There has been a fungus growing on the head of Mr. [REDACTED] son. His daughter has a cyst growing above her nose. Mr. [REDACTED] and family including his three-month and a half U.S. citizen daughter have been sleeping under a tent made with bed sheets. They are traumatized. In addition, Mr. [REDACTED] suffered past persecution in Haiti due to his professional and social affiliations. His wife was shot by gang members. Mr. [REDACTED] new hopes are to find a way to support financially his U.S. citizen son, his two children and spouse and other family members who remain in a tent in Port-au-Prince.

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We now request deferred action status so Mr [redacted] spouse and 2 children will be eligible for work authorization and Mr [redacted] will be able to feed his spouse, children, one of whom is a U.S. citizen.

[redacted], spouse and children understand that Deferred Action is not an immigration status, but an act of discretion. They would greatly appreciate that you grant Deferred Action to [redacted]
[redacted]

Thank you for your kind consideration, and please read their enclosed sworn statement.

Respectfully,

[redacted]

(b)(6)

AFFIDAVIT OF [REDACTED]

In Support of Request for Deferred Action Status for:

- 1.
- 2.
- 3.
- 4.

STATE OF FLORIDA

COUNTY OF DADE

BEFORE me, the undersigned authority, personally appeared, [REDACTED] who upon first being duly sworn, deposes and says:

I, [REDACTED] am a native and citizen of Haiti. I came to the United States on February 7, 2010. My wife [REDACTED] came to the United States on January 17, 2010 with my daughter [REDACTED]. They were transported to a U.S. military base in Homestead, Florida. Their passage on the flight was arranged by the U.S. Embassy because my three and a half-month daughter [REDACTED] is a born U.S. citizen (copy of passport attached). Our house was destroyed. My home is (was) located at [REDACTED] Haiti section of Port-au-Prince. It was completely destroyed.

I am a [REDACTED] and worked at [REDACTED] as the [REDACTED]. I am married to [REDACTED]. Apart from [REDACTED] my U.S. citizen child, we have two more children, [REDACTED] age 9, and [REDACTED] age 3. The [REDACTED] where I worked was destroyed. I worked there for almost 6 years. I supported my wife and my three children and my wife's nephew, who also lives(d) with me.

After my wife was able to evacuate with our three and a half-month child [REDACTED], later or on February 7, 2010 I fled Haiti with my two other children. Our U.S. visas were still valid. I took the children to the Dominican Republic to evacuate. I took a taxi with my two children. It took us to the Malpasse Border – from Malpasse, I took a taxi to Jimani, – and from Jimani I took a bus to Santo Domingo, DR. We stayed at a Hotel. The next day we took a taxi to Las Americas Airport and arrived in the United States via Jet Blue at the Fort Lauderdale Airport on February 7, 2010.

During the earthquake, my three-year old child was inside the house. He ran to escape to save his life. While he was running to exit the house that would collapse in a few seconds, my son felt. He was injured and scar remains on his right face. He had several issues.

Since after the earthquake we had been sleeping in the open air, with all the dust and grime with our three children for two nights. On the third night, we built a tent made with bed sheets. My three-year old son caught an infection. At the Dominican Republic Airport, he had several issues – he was vomiting and had a diarrhea. He was in anguish. While I was at immigration, I was advised to take my son to a medical clinic before I traveled with him. I took him to the medical clinic at the airport. The nurse told me that he could travel after she gave him some medication. Twenty to twenty-five minutes later after the plane took off my son became ill again. He was vomited and the diarrhea continued. After the plane landed and while I was at immigration, he was dehydrated and was vomited. Immediately immigration agents took the child from me and called the Red Cross. They took our passports from me and the Red Cross took the child to Broward General Hospital. He was hospitalized for one week. To date he remains very fragile. He is psychologically weak. He is traumatized. While at Broward General Hospital, someone flushed the toilet in his room, he was very scared he thought it was an earthquake.

While in Haiti, the children had a bad cough because they had been sleeping in the open air. There was a fungus growing on the head of my three-year old child – now it has become worse. The children were terribly bitten by mosquitoes. We all had these symptoms, but my three-year old child was the most severely affected.

I took my three-year old child to Plantation Hospital to ask for help for his head. They prescribed several medications and a shampoo. I brought little that I could. The other medications I did not buy them because I cannot afford to buy them.

My nine-year old child has a cyst growing above her nose. I noticed it a few days after the earthquake - now it became evident that it could be seen. I cannot afford to take her to the hospital or to see a doctor. She told me that she is beginning to feel pain. I have enclosed the medical record for my three-year old son but my daughter I still cannot afford to take her to the hospital. (see her photo).

As the caregiver of a U.S. citizen, I am very grateful that the U.S. government evacuated my wife and my U.S. child. I am also grateful that the U.S. government allowed me and my two other children to come to the United States. I am grateful that my daughter was accepted to go to school - my three-year old child was able to get medical help though I cannot afford to buy the medications prescribed by the doctor to help him and though I still cannot take my daughter to see a doctor – and she is suffering. However, my three-year old child began to recover slowly in the United States.

Before the earthquake, I had been threatened. Gang members were after me due to my professional and social activities. My wife was shot. (see police report and medical records) So after the earthquake, in all the lawlessness, people would come and look for me at night and flash lights around the rubble of our house and say, "Where are they – we know you are somewhere th[REDACTED]" Our tent was not too far from our house. I learnt from my wife's nephew that they came to the tent where we were and they were able to identify him and asked for us. They said they would find us if we are not under the rubble and we will be their January 12, 2010.

(b)(6)

It would be dangerous for my wife and my nine-year old daughter, because we have no safety from aggressive men that prowl the lawless streets of Port au Prince. Many detainees escaped from the prison after the earthquake including the ones who shot my wife. Some of the gang members were arrested by the police. There are all types of threats under these tents.

Since we arrived, we have been staying at different locations. At our first arrival, my wife lived in Miami with friends and I was sent to Fort Lauderdale. After I arrived in Fort Lauderdale, my wife joined me at the hospital. We were told that not all of us could stay at the hospital. They helped us find a room at the McDonalds house across the hospital, later we were told that we could not longer stay after our son was released. A social worker helped us and the Red Cross gave us \$200 – then we were referred to a pastor who took us to a friend's house – the friend asked us to pay \$400 per month to stay there – people contributed to help us – now we are told that we have to pay \$800 and we do not have the money. We cannot even afford to buy the medications required to help cure our three-year old son. These people have been very kind, but they cannot afford to support us much longer.

The entire family was admitted as B1/2 visitors, and not as humanitarian parolees, except for [redacted] who is a U.S. citizen. As such, I cannot work legally and cannot provide for my three children and wife, or send money to Haiti for the rest of my family. I now request deferred action status because in such status I will be eligible for work authorization, my wife will have work authorization and we will be able to feed our three children, pay rent and send remittances to Haiti. I urge you to help us - we have no other avenues and we always count on the U.S. government to come to our rescue. Thank you for your great consideration.

FURTHER, AFFIAN [redacted]

Sworn to and subscribed before me this 21st day of June, 2010.

(b)(6)

Notary Public
State of Florida



My commission expires:

July 15, 2010

ATTN: District Director
U.S. Department of Homeland Security
Miami Field Office
8801 NW 7th Ave.
Miami, Florida 33150

RE: Deferred Action Request for [REDACTED]

Dear Ms. Swacina:

I am writing to request deferred action in the case: [REDACTED] (G-28 enclosed)

Ms. [REDACTED] a native and citizen of Haiti. She came to the United States on January 20th, 2010, when she accompanied one of her United States citizen ("USC") brothers, [REDACTED]. They were transported to Orlando, Florida by military plane when the U.S. embassy was evacuating U.S. citizens from Haiti. [REDACTED] is here in the United States with her mother, [REDACTED], and her brother [REDACTED]. Mrs. [REDACTED] has also submitted a request for Deferred Action.


[REDACTED] was a student at Sacred Heart School in Haiti. The school was completely destroyed and has not resumed full operations. During the earthquake, [REDACTED] witnessed the death of one of her neighbors when he was crushed by falling debris. Her home was destroyed during the earthquake and the entire family was forced to sleep in the streets.

[REDACTED]s mother, [REDACTED], was the main source of income for the family. [REDACTED] would purchase goods from the United States and sell them in Haiti. Her warehouse was destroyed during the earthquake with all of the merchandise inside. As both the business and their home were destroyed, the family would be forced to live in the streets if they return to Haiti now.

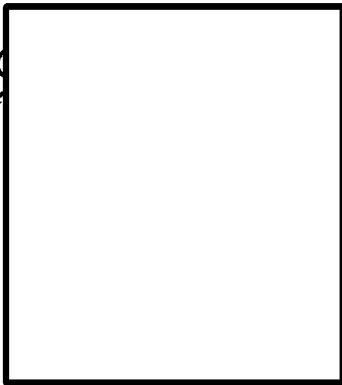
[REDACTED] hopes to be able to continue with her education while her parents begin the process of rebuilding in Haiti for her eventual return. If she were to return to Haiti now, she will likely lose another year of schooling. Additionally, [REDACTED] would like to be able to work a part-time job to help support the family. Both attending school, and working without employment authorization, would be violations of the status she is in currently.

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We now request deferred action status so she will be eligible to continue her studies, as well as becoming eligible for employment authorization.

 understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

Respectfully,



(b)(6)

AFFIDAVIT OF [REDACTED]

In Support of Request for Deferred Action Status

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

BEFORE me, the undersigned authority, personally appeared [REDACTED] who upon first being duly sworn, deposes and says:

I [REDACTED], am a native and citizen of Haiti. I came to the United States on January 20, 2010, when I had to accompany my younger brother, [REDACTED] Evens is a citizen of the United States and was born of [REDACTED] in Palm Beach, Florida. [REDACTED] and I were transported by U.S. military plane to Orlando, Florida. Our passage on the flight was arranged by the U.S. Embassy because my twenty three month brother [REDACTED], is a native born U.S. citizen (birth certificate attached). Our house and my mother's business were destroyed. My home is (was) located at [REDACTED] Haiti. My mother's business is (was) located at [REDACTED], in Port au Prince, Haiti. Both buildings were destroyed. I have a picture of my destroyed home and enclosed it here. My mother, my two U.S. Citizen brothers and my father are all here in the United States. My mother and father are also requesting deferred action

I was a student in Haiti and attended the equivalent of ninth grade at a school named [REDACTED]. The school was completely destroyed during the earth quake on January 12, 2010. I was home when the earthquake hit. I lost consciousness when a neighbor was killed before my eyes by the falling concrete. I did not regain consciousness for two days. To this day, anytime I hear a loud noise, or feel any shaking or trembling, I get scared and feel the way I felt when the earth quake hit.

My brother was injured on his face and we were evacuated on January 20. From the 12th to the 20th, we had been sleeping in the open air with all the dust and grime. Additionally, we were terribly bitten by mosquitoes.

My mother was a business woman and would travel to the United States and other countries to purchase goods and sell them in Haiti. Her business was the family's main means of support. She lost all of her merchandise when the building collapsed. My mother was standing outside of her warehouse when the building fell and she was injured on her hands and legs.

I am currently living with my mother's long time friend, [REDACTED]. She provides for all of our financial needs.

As the person who accompanied my U.S. citizen brother, I am very grateful that the U.S. government evacuated us from the tragedy. I was admitted as a B1/B2 visitor and as such, I

cannot attend school, nor can I work legally to help my family financially. I now request deferred action status because in such status I will be eligible to complete my studies and possibly obtain work authorization to help provide for my family. Please help me.

FURTHER, AFFIAN

(b)(6)

Sworn to and subscribed before me this 1st day of July, 2010.



Notary Public
State of Florida

My commission expires:

July 15, 2010

ATTN: District Director
U.S. Department of Homeland Security
Miami Field Office
8801 NW 7th Ave.
Miami, Florida 33150

RE: Deferred Action Request for [REDACTED]
[REDACTED]

Dear Ms. Swacina:

I am writing to request deferred action in the case of [REDACTED] and her two minor children: [REDACTED] (G-28 enclosed)


[REDACTED] and her minor children [REDACTED] are natives and citizens of Haiti. Her minor child [REDACTED] is a born U.S. citizen. She her three children entered the United States on January 19, 2010, as evacuees transported to a military base in Florida. Their family home in Port au Prince was severely damaged during the earthquake [REDACTED] worked as [REDACTED] before the earthquake. Her husband continues to work and reside in Haiti in an effort to rebuild their home.

[REDACTED]'s United States citizen daughter was traumatized by the earthquake. She has improved since her arrival in the United States. Both [REDACTED] and her child [REDACTED] were briefly hospitalized after the earthquake. If returned to Haiti [REDACTED] her three children will not have a place to live. Her husband moves from house to house living with friends and family. [REDACTED]'s husband has informed her that the hospital where they both worked will not be able to continue her employment.

We now request deferred action status so she will be eligible for work authorization and will be able to feed her children, one of whom is a U.S. citizen.

[REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

Respectfully,

ALM


(b)(6)

AFFIDAVIT OF [REDACTED]

In Support of Request for Deferred Action Status and Deferred Action Status for Her Children: Algoe Guerrier and Benchley Guerrier

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

BEFORE me, the undersigned authority, personally appeared, [REDACTED]
[REDACTED] who upon first being duly sworn, deposes and says:

I, [REDACTED] am a native and citizen of Haiti. I came to the United States on January 19, 2010, with my two sons, [REDACTED] and my US citizen daughter [REDACTED]. We were transported to a U.S. military base in Florida. I went to the U.S. Embassy and I was told to go to the Port-au-Prince airport to be placed on a flight. At the Port-au-Prince airport I spoke to U.S. Embassy staff members who allowed me and my three children to be placed on the military flight.

During the earthquake my children were playing outside of the house. My son [REDACTED] was struck by falling debris. Our house suffered serious damage and no one is able to live there. My home is (was) located in Cange outside of Port-au-Prince. I worked as a [REDACTED] in Cange.

Shortly after the earthquake my children and I were living outside of my house because it was not safe to go inside. My husband is currently living in Haiti. He works as a [REDACTED] in the [REDACTED]. My husband is currently living with friends and family. He stays with friends or family for a few days, but due to the hardship he constantly moves to new locations. No one can help him for an extended period of time. After the earthquake my son [REDACTED] and I were taken to the hospital. [REDACTED] suffered a head injury and his head was swelling. I began suffering from high blood pressure due to the shock. My daughter [REDACTED] a U.S. citizen, became very afraid after the earthquake. She completely changed. During our time in the United States she has become calmer and has shown great improvement from the trauma she suffered.

My husband, [REDACTED], also has a visa to travel to the United States. He has visited us in the United States since the earthquake. He returned to Haiti because he did not have a way to support himself or us in the United States. The family that we are living with in the United States has shown great compassion for me and my children. My husband does not want to create more of a burden for this caring family. My husband also returned to Haiti so that he could keep his position at the hospital. He did not want to risk losing his job in Haiti, because jobs are very difficult to find. We did not want to risk our entire future in Haiti due to our current hardship.

If I return to Haiti my children and I will be homeless. My husband is able to find temporary housing with family and friends, but even he can not find a permanent place to live on his own. If my children and I return to Haiti at this time we will not be able to survive. My husband has

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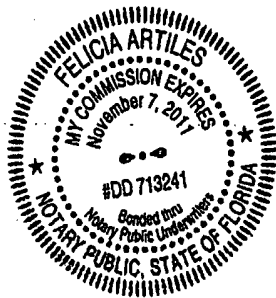
told me that the hospital where we used to work will not be able to rehire me at this time. My husband can not support us on his income alone. We are not able to live in our house and my three children will be forced onto the streets.

My problem is that I was admitted as a B2 visitor, and not as a humanitarian parolee. As such, I cannot work legally and cannot provide for my children in the United States, or send money to Haiti to assist my husband. I now request deferred action status because in such status I will be eligible for work authorization and will be able to feed my children. Please help me.

FURTHER, AFFIANT



Sworn to and subscribed before me this 15th day of July, 2010.



Felicia Artiles

Notary Public
State of Florida

My commission expires: *Nov. 07/2011*

(b)(6)

June 30, 2010

(b)(6)

ATTN: Acting Field Office Director, A. Castro
U.S. Department of Homeland Security
Miami Field Office
8801 N.W. 7 Ave.
Miami, Florida 33150

RE: Deferred Action Request for:

Dear Ms. Castro:

I am writing to request deferred action in the case of [REDACTED] and her family. (G-28 enclosed)

[REDACTED] a native and citizen of Haiti, now residing at [REDACTED]. Her 5 year-old son [REDACTED] and 2 year-old daughter [REDACTED] are also natives and citizens of Haiti. Her 1 year old daughter [REDACTED] is a born U.S. citizen. On January 19, 2010, Ms. [REDACTED] and her three children were transported out of Haiti by the U.S. military because of [REDACTED]'s status as a U.S. citizen. Their family home and business in Port au Prince were destroyed during the earthquake. Moreover, Ms. [REDACTED] is diabetic and requires insulin shots twice daily. In the days following the earthquake it was very difficult for her to get the required shots, and since their evacuation she has difficulty paying for insulin in the U.S. because she cannot work.

We request deferred action status so she will be eligible for work authorization and be able to buy insulin and support her three children, one of whom is a U.S. citizen. They have no home and no business to return to in Haiti.

[REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

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(b)(6)

Respectfully,



AFFIDAVIT OF [REDACTED]
In Support of Request for Deferred Action Status

STATE OF FLORIDA

COUNTY OF BROWARD

BEFORE me, the undersigned authority, personally appears [REDACTED]
who upon first being duly sworn, deposes and says:

I, [REDACTED], am a native and citizen of Haiti. I came to the United States on January 19, 2010, when me and my three children were transported to a U.S. military base near Orlando, FL. Our passage on the flight was arranged because my daughter [REDACTED] [REDACTED] a born U.S. citizen.

Our house was severely damaged in the earthquake, and for all purposes, it was destroyed. (Photos attached). We could not sleep inside the house because it was unstable and we were still experiencing aftershocks and tremors. In addition, my place of business was destroyed and I have attached evidence of this here. If I return to Haiti, I will have nowhere to stay, and no income. Here in the U.S. I have been completely dependent on family and friends to provide for me and my three children. They cannot afford to support us any longer. I am diabetic and must receive an insulin shot twice daily. It has been very difficult for me to get money to pay for the prescriptions I have been getting from the Borinquen Health Care Center.

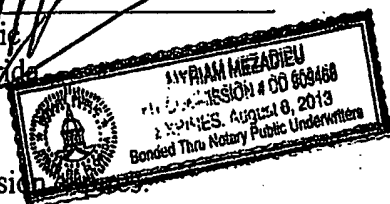
I now request deferred action status because in such status I will be eligible for work authorization and will be able to feed my children. Please help us.

FURTHER, AFFIANT S [REDACTED]

Sworn to and subscribed before me this 24th day of June, 2010.

Notary Public
State of Florida

My commission



July 15, 2010

ATTN: District Director
U.S. Department of Homeland Security
Miami Field Office
8801 NW 7th Ave.
Miami, Florida 33150

RE: Deferred Action Request for [REDACTED]

Dear Ms. Swacina:

I am writing to request deferred action in the case of M [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti. Her twin two (2) year-old sons [REDACTED] and [REDACTED] are natural born U.S. citizens ("USC"). [REDACTED] entered the United States on January 19, 2010, as evacuees transported by U.S. military plane to Orlando, FL. Their family home in Port au Prince was destroyed during the earthquake. Mrs. [REDACTED] was a self-employed business person in Haiti, and the main income earner in the family. Her warehouse was also destroyed along with all of the merchandise she had for sale. She suffered injuries to her hands and legs from the falling debris.


[REDACTED] has five children in total. [REDACTED] and [REDACTED] are citizens of the United States and are with her here in Florida. [REDACTED] is fifteen (15) years old and also here in Florida. [REDACTED] was evacuated by military plane on January 20th to accompany [REDACTED] to the United States. Two of M [REDACTED] minor children are still in Haiti.

After the earth quake and prior to coming to the United States, Mrs. [REDACTED] slept in the streets with her entire family. She has been traveling to the United States on a visitor visa for several years. She is not currently able to sustain herself and family in Haiti. She now hopes to be able to earn money to support her family, and begin the process of preparing to return to Haiti when feasible.

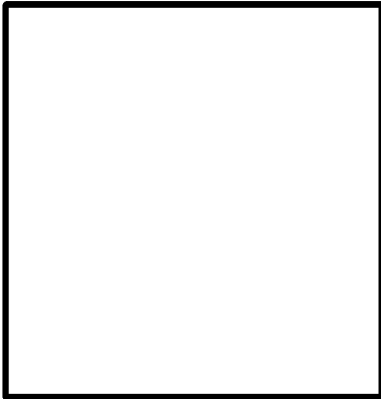
(b)(6)

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We now request deferred action status so she will be eligible for work authorization and will be able to feed her children, two of whom are USC's.

 understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

Respectfully,



(b)(6)

AFFIDAVIT OF [REDACTED]

In Support of Request for Deferred Action Status

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

BEFORE me, the undersigned authority, personally appeared [REDACTED]
who upon first being duly sworn, deposes and says:

I, Marielene Guerrier-Paul, am a native and citizen of Haiti. I came to the United States on January 19, 2010, when I, along with one of my sons [REDACTED] were transported by U.S. military plane to Orlando, Florida. Our passage on the flight was arranged by the U.S. Embassy because my twenty three month old son, [REDACTED], is a native born U.S. citizen (birth certificate attached). Our house and my business were destroyed. My home is (was) located at [REDACTED] Haiti. My business is (was) located at [REDACTED] Haiti. Both buildings were destroyed. I have a picture of my destroyed home and enclosed it here.

I am a business woman and would travel to the United States and other countries to purchase goods and sell them in Haiti. My business was whole sale and retail sales of the items I purchased. Apart from [REDACTED] have four additional children [REDACTED] age 23 months and also a United States citizen; [REDACTED] age 15; [REDACTED] age 13; and [REDACTED] age 6 [REDACTED] my other United States citizen child was evacuated from Haiti on January 20, 2010, and accompanied by my daughter [REDACTED] Three of my five children, [REDACTED] are here with me in the United States. The remaining two children are still in Haiti. My husband [REDACTED] is also here with me in the United States.

My business was my main means of supporting my immediate family and extended family members that also lived with me. I had to leave two of my children in a province called Hinche with my brother and sister in order to evacuate [REDACTED] to the U.S. Neither [REDACTED] nor [REDACTED] were injured in a life threatening way, but we had been sleeping in the open air with all the dust and grime. Additionally, we were terribly bitten by mosquitoes. I was standing outside of my warehouse when the building fell and was injured on my hands and legs. I am currently living with a long time friend, [REDACTED] She provides for all of our financial needs.

In June 2009, prior to the earthquake, I had been threatened and beaten by some people who wanted to steal my land. Two of the people who beat me were arrested in July of 2009 and remained in prison until they broke out of jail during the aftermath of the earthquake. After the earthquake, the entire family slept in the streets. There was lawlessness, throughout the area and I feared for my safety as well as the safety of my children. The people who attacked me are still free.

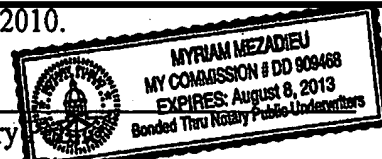
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As the caregiver of two U.S. citizens, I am very grateful that the U.S. government evacuated us from the tragedy. I was admitted as a B2 visitor and as such, I cannot work legally and cannot provide for [REDACTED] nor can I send money to Haiti for the rest of my family. I now request deferred action status because in such status I will be eligible for work authorization and will be able to feed my children. Please help me.

FURTHER, AFFIAN [REDACTED]
[REDACTED]

Sworn to and subscribed before me this 22nd day of June, 2010.

Notary
State of Florida



(b)(6)

My commission expires:

(b)(6)

Office of Adjudications

U.S. Department of Homeland Security
4451 NW 31st Avenue
Oakland Park, FL 33309



U.S. Citizenship
and Immigration
Services

Date: March 11, 2010



File No



On September 3, 2009, this office received your request for deferred action. I am pleased to advise you that your request for deferred action has been granted. This approval is valid until March 11, 2011. If at the end of the validity period you wish to seek an extension of this status, you may file your request with the USCIS office having jurisdiction over your place of residence.

If you wish to receive employment authorization, please mail the attached Form I-765 with the appropriate fee to USCIS, Box 805887, Chicago, Illinois 60680-4120. Before completing the form, please read the attached instructions carefully.

Sincerely,

Linda Swacina
District Director



(b)(6)

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(b)(6)



7/12/2010

USCIS
Attn: District Director
8801 NW 7th Ave
Miami, FL 33150

Dear Sir or Madam:

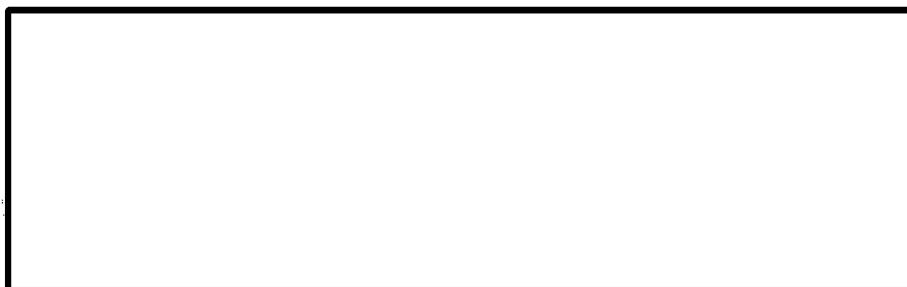
I'm writing to you on behalf of my client [REDACTED] I would like to see if my client qualifies for Deferred Action for the Haitian earthquake victims with B-1/B-2 nonimmigrant status.

[REDACTED] is unable to return to Haiti for the following reasons:

- 1- [REDACTED] is a 21yrs old young woman who's B-2 visa expired April 17, 2010. She arrived in this country on 01/18/2010.
- 2- An extension of the visa application was sent to the Vermont Service Center where the I-539 should have been adjudicated and it was denied for the reason of non payment.
- 3- With the I-539 application a fee waiver was attached with all the supporting documents.
- 4- [REDACTED] has a medical condition where her diagnostic data reveals that she suffers from fractures to the left foot and ankle.
- 5- The x-rays reveal that she has a tendon rupture and her ankle suffers from soft tissue defect.
- 6- [REDACTED] was seen at Broward General Hospital where she continues with physical therapy; attached is all her medical records.
- 7- Most of all [REDACTED] was placed in a shelter home at Ronald McDonald House of Ft. Lauderdale for not having any family and friends that can attend to her.

This office will greatly appreciate any efforts made to help this client in need.

Thanking you in advance,



(b)(6)

(b)(6)

May 21, 2010

Linda Swacina
District Director
U.S. Citizenship and Immigration Services
8801 NW 7th Avenue
Miami, FL 33150
Sent via email linda.swacina@dhs.gov

RE:

Request for Exercise of Prosecutorial Discretion and
Deferred Action

Dear Ms. Swacina:

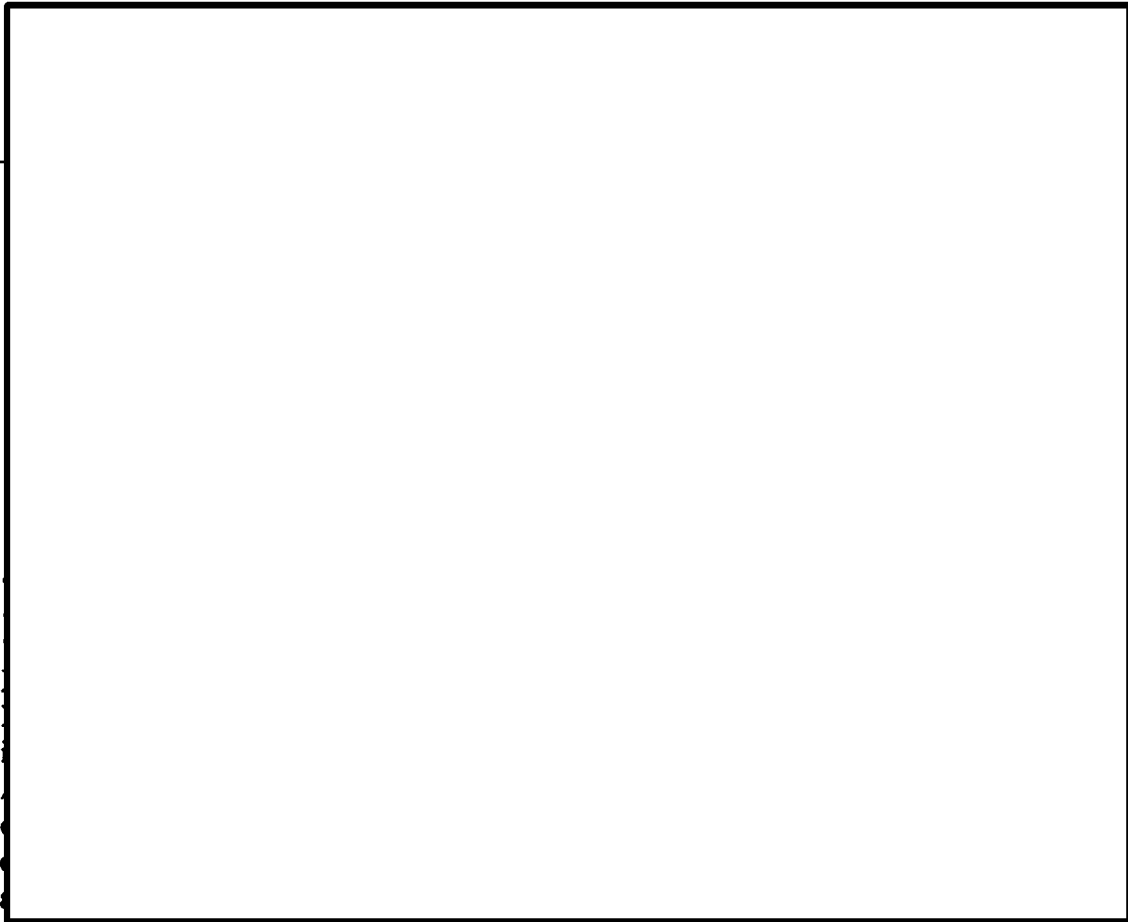
The [redacted] represents [redacted]
[redacted] a 24-year old Brazilian student. See attached G-28. We write to
request that U.S. Citizenship and Immigration Services exercise
prosecutorial discretion and immediately grant [redacted] deferred action in the
United States. [redacted] has excelled academically since he arrived in the
United States when he was just 14 years old. His case, courage, and spirit
have become symbolic of the need for the DREAM Act, which would allow
the United States to benefit from the exceptional talents of foreign-born
students like [redacted] by giving them a path to regularize their immigration
status here. [redacted] requests that [redacted] be granted deferred action pending
consideration of the DREAM Act.¹

¹ The Development, Relief, and Education for Alien Minors (DREAM) Act is a bill that offers a path to legalization to deserving high-school graduates who were brought here at a young age, stay out of trouble and attend college or serve in the U.S. military for at least two years. The bill was first introduced in 2001. It was re-introduced in the current Congress as H.R. 1751 in the House, where it has 118 co-sponsors, and S. 729 in the Senate, where it has 38 co-sponsors.

(b)(6)

(b)(6)

[redacted]
Request for prosecutorial discretion and deferred action
[redacted]
Page 2



[redacted] suffered terrible abuse as a child in Brazil. When his mother became severely ill and could no longer care for him or protect him, she sent him to the United States at age 14. [redacted] did not even know he was out of status until he was in high school and could not take driver's education class because he could not get a driver's license.

[redacted] enrolled in [redacted] in 2007, where he excelled. In 2009, he graduated from the [redacted] with a 3.81 GPA and earned his Associate of Arts degree in International Relations. He has now transferred to [redacted] where he is working towards a Bachelor's degree in Economics.

Even before embarking on the [redacted] has shown tremendous leadership in the student community, as Student Government President at [redacted] from 2007-2008 and Student Representative to the Board of Trustees for [redacted] in 2008. He has earned extensive recognition for his academic performance, community service and volunteer achievements. In 2008, he was named a [redacted]

[redacted] He was one of only 20 students across the country to receive the [redacted] in 2008, which is a partnership of [redacted] and the [redacted]. In 2008 he also received the [redacted]

(b)(6)

[REDACTED]

Request for prosecutorial discretion and deferred action

[REDACTED]

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[REDACTED] In 2009, he received the Davis Putter Award for his leadership on social justice issues.

[REDACTED] in 2007 and 2008 on account of the hundreds of volunteer hours he has registered assisting the community. [REDACTED] founded and built a volunteer program called [REDACTED] [REDACTED] provide mentoring to elementary school children in [REDACTED] [REDACTED] In addition, he has volunteered as a mentor with middle school youth as well. He also started a club at [REDACTED] that raised \$3000 for schools for child soldiers in Uganda.

This highlights only a few of [REDACTED] achievements and awards. A portfolio is attached that demonstrates the extent to which Felipe has excelled.

[REDACTED] did not intend to violate any immigration laws in the United States. He entered at a young age with little input into the decision to send him here. His entry was on a valid visa. He has never been placed in removal proceedings.

There are no negative factors in [REDACTED] background. He has no criminal history. To the contrary, he has done everything he can to contribute to our community. Enclosed with this request are a portfolio of his achievements and the words of his supporters as well as his own statement. School officials, political figures and thousands of everyday Americans have come forward to ask that these remarkable students be given the chance to fulfill their potential in the U.S. and offer their talents to the country that has supported them.

The authority to place a case in deferred action status derives from the general principles of prosecutorial or administrative discretion and is considered to be an administrative tool used to allocate fiscal and human resources in the most effective manner possible.

Prosecutorial discretion and deferred action have long been available to DHS to remedy unduly harsh results caused by strict enforcement of the immigration law. It vests the District Director with the power not to seek the removal of removable aliens. See Standard Operating Procedures for Enforcement Officers: Arrest, Detention, Processing, and Removal (Standard Operating Procedures), Part X; Meissner, Comm., Memo, H QOPP 50/4 (November 17, 2000). Immigration officers "are not only authorized by law but expected to exercise discretion in judicious manner at all stages of the enforcement process—from planning investigations to enforcing final orders." *Id.* at 1. (emphasis added).

[REDACTED]
Request for prosecutorial discretion and deferred action

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Historically, the Director is to take into account the following factors: (1) the likelihood of removal; (2) the presence of sympathetic factors; (3) the likelihood that because of sympathetic factors, a large amount of adverse publicity will be generated; (4) whether the person's presence in the U.S. is desired by law enforcement; and (5) whether the individual is a member of a class of deportable aliens whose removal has been given high enforcement priority. See Standard Operating Procedures for Enforcement Officers: Arrest, Detention, Processing, and Removal (Standard Operating Procedures), 20.8 Deferred Action (March 27, 2006).

Other factors that should be taken into account when deciding whether to exercise prosecutorial discretion include: immigration status; length of residence; criminal history; immigration history (including history of re-entering, failing to appear at hearing, etc.); whether the alien is likely to become eligible for other relief; effect of action on future inadmissibility; community attention; humanitarian concerns (such as family ties, whether the alien entered at a very young age, whether the person speaks the home language, and conditions in the home country). See Meissner, Comm., Memo, H QOPP 50/4.

[REDACTED] seeks deferred action for a limited period of time to give Congress time to act on the DREAM Act. There are extraordinary and significant sympathetic factors in this case. [REDACTED] is a remarkable student who came to the U.S. at a relatively young age, with no input into whether he should enter or not. He has remained here and excelled both in school and as an outstanding community leader. He has a strong work ethic and solid character, is dedicated to community service and desires nothing more than to be productive, contributing member of our society. He would be traumatized if he lost the opportunity to give back to the country he loves and calls home.

These sympathetic factors are what have inspired the [REDACTED]

[REDACTED] primary, it cannot be argued that removing [REDACTED] is a priority for ICE removal. With no criminal record, no history of fraud and an entry that occurred when he was young, he is not among any of the classes of individuals on which DHS claims the need to focus enforcement efforts. Under the traditional criteria for deferred action, he presents an undeniably compelling case for a favorable exercise of discretion.

Without deferred action, [REDACTED] may be denied an opportunity to remain in the country that has become his home. Moreover, Congress is certainly aware of and in the process of seeking to remedy the situation faced by individuals like [REDACTED] through the DREAM Act, which has broad, bipartisan support. In the Senate, the DREAM Act has 38 cosponsors and the House version has 118 cosponsors.

[REDACTED]

Request for prosecutorial discretion and deferred action

[REDACTED]

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The DREAM Act would provide a form of relief for students like [REDACTED]

[REDACTED] Subjecting them to removal proceedings would have tragic consequences by making them ineligible for the benefits of this legislation, which has a very good possibility of being enacted in this session of Congress. In addition, their removal would cause the United States to lose a vital asset: educated and promising students who have demonstrated a serious commitment to hard work and a strong desire to be contributing members of society. Their case illustrates the compelling need for DHS to exercise favorable prosecutorial discretion and grant them deferred action.

A grant of deferred action for [REDACTED] would also be consistent with the Administration's support for the DREAM Act. President Obama voted for the DREAM Act as a Senator and supported it on the campaign trail. At a hearing of the U.S. Senate Judiciary Committee on May 6, 2009, Secretary Napolitano testified, "the Dream Act is a good piece of legislation and a good idea." Their support recognizes that DHS can better serve its mission of protecting the homeland from security and law enforcement threats if it did not need to remove young people like [REDACTED] and the other [REDACTED]

It is likely that Congress will act on the DREAM Act in this legislative session, which runs through October 2010. A grant of deferred action for this period will allow [REDACTED] to participate in the debate and serve as examples of what this legislation was meant to achieve. If Congress passes the DREAM Act, they would be eligible to seek benefits our lawmakers' desire for them.

Thank you for your kind consideration of this request. Please contact us at the numbers below should you have any questions.

[REDACTED]

[REDACTED]

(b)(6)

[Redacted]

Request for prosecutorial discretion and deferred action

[Redacted]

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(b)(6)

May 24, 2010

Linda Swacina
District Director
U.S. Citizenship and Immigration Services
8801 NW 7th Avenue
Miami, FL 33150
Sent via email linda.swacina@dhs.gov

RE:

**Request for Exercise of Prosecutorial Discretion and
Deferred Action**

Dear Ms. Swacina:

The [redacted] represents [redacted], a 25-year old Ecuadoran student. See attached G-28. We write to request that Immigration & Customs Enforcement ("ICE") exercise prosecutorial discretion and immediately grant [redacted] deferred action in the United States. She has excelled academically since she arrived in the United States at age seven. Her case, courage, and spirit have become symbolic of the need for the DREAM Act, which would allow the United States to benefit from the exceptional talents of foreign-born students like [redacted] by giving them a path to regularize their immigration status here. [redacted] requests that [redacted] be granted deferred action pending consideration of the DREAM Act.¹

¹ The Development, Relief, and Education for Alien Minors (DREAM) Act is a bill that offers a path to legalization to deserving high-school graduates who were brought here at a young age, stay out of trouble and attend college or serve in the U.S. military for at least two years. The bill was first introduced in 2001. It was re-introduced in the current Congress as H.R. 1751 in the House, where it has 118 co-sponsors, and S. 729 in the Senate, where it has 38 co-sponsors.

[REDACTED]
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[REDACTED] was brought to this country from Ecuador at age 7. She graduated from high school with the Superintendent Diploma of Distinction, and was the [REDACTED] nominee for Music in 2003. In high school, [REDACTED] was the highest ranked Junior ROTC student and had the highest score on the military's vocational aptitude test. No wonder the Air Force tried to recruit her. Her status prevented her from serving.

A born leader, [REDACTED] has served as president of both the [REDACTED] student government and the statewide Junior Community College Student Government Association. She has earned two associates degrees, in music and early childhood education, and graduated with a BS in special education K-12. [REDACTED]
[REDACTED]

Her community service work has also been exemplary. [REDACTED] graduated from high school with over 1000 community service hours. In 2006 she was given the [REDACTED]. She helped write and direct a grant that allowed forty youth from three different high schools to work on bimonthly service learning projects, and participated as a mentor and Project Manager in [REDACTED] from 2004-2008. Additionally, she worked as the Student Government Advisor for one of eight [REDACTED] campuses and started the [REDACTED] at the College. This highlights only a

[REDACTED]

Deferred Action
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few of [REDACTED] achievements and awards. A portfolio is attached that demonstrates the extent to which she has excelled.

[REDACTED] did not intend to violate any immigration laws in the United States. She entered at a young age with little input into the decision to send her here. Her initial entry was on a valid tourist visa that subsequently expired. In 1993 she obtained a student visa, which was reinstated in 2004. However, she withdrew from [REDACTED] in December 2009 because she wanted to pursue a Masters and PhD degree rather than simply continue to earn undergraduate credits.

There are no negative factors in [REDACTED]'s background. She has no criminal history. To the contrary, she has done everything she can to contribute to our community. Enclosed with this request are a portfolio of her achievements and the words of her supporters as well as her own statement. School officials, political figures and thousands of everyday Americans have come forward to ask that these remarkable students be given the chance to fulfill their potential in the U.S. and offer their talents to the country that has supported them.

The authority to place a case in deferred action status derives from the general principles of prosecutorial or administrative discretion and is considered to be an administrative tool used to [REDACTED] in the most effective manner possible.

Prosecutorial discretion and deferred action have long been available to ICE to remedy unduly harsh results caused by strict enforcement of the immigration law. It vests the Field Office Director with the power not to seek the removal of removable aliens. See Standard Operating Procedures for Enforcement Officers: Arrest, Detention, Processing, and Removal (Standard Operating Procedures), Part X; Meissner, Comm., Memo, H QOPP 50/4 (November 17, 2000). Immigration officers "are not only authorized by law but expected to exercise discretion in judicious manner at all stages of the enforcement process—from planning investigations to enforcing final orders." *Id.* at 1. (emphasis added).

Historically, the Director is to take into account the following factors: (1) the likelihood of removal; (2) the presence of sympathetic factors; (3) the likelihood that because of sympathetic factors, a large amount of adverse publicity will be generated; (4) whether the person's presence in the U.S. is desired by law enforcement; and (5) whether the individual is a member of a class of deportable aliens whose removal has been given high enforcement priority. See Standard Operating Procedures for Enforcement Officers: Arrest, Detention, Processing, and Removal (Standard Operating Procedures), 20.8 Deferred Action (March 27, 2006).

[REDACTED]
Deferred Action
May 24, 2010

Other factors that should be taken into account when deciding whether to exercise prosecutorial discretion include: immigration status; length of residence; criminal history; immigration history (including history of re-entering, failing to appear at hearing, etc.); whether the alien is likely to become eligible for other relief; effect of action on future inadmissibility; community attention; humanitarian concerns (such as family ties, whether the alien entered at a very young age, whether the person speaks the home language, and conditions in the home country). See Meissner, Comm., Memo, H QOPP 50/4.

[REDACTED] seeks deferred action for a limited period of time to give Congress time to act on the DREAM Act. There are extraordinary and significant sympathetic factors in this case [REDACTED] is a remarkable student who came to the U.S. as a young child, with no input into whether she should enter or not. She has remained here and excelled both in school and as an outstanding community leader. She has a strong work ethic and solid character, is dedicated to community service and desires nothing more than to be productive, contributing member of our society. She would be traumatized if he lost the opportunity to give back to the country he loves and calls home.

These sympathetic factors are what have inspired the DREAM Act as well as the [REDACTED]

[REDACTED] Finally, it cannot be argued that removing [REDACTED] is a priority for ICE removal. With no criminal record, no history of fraud and an entry that occurred when she was young, she is not among any of the classes of individuals on which ICE claims the need to focus enforcement efforts. Under the traditional criteria for deferred action, she presents an undeniably compelling case for a favorable exercise of discretion.

Without deferred action, [REDACTED] may be denied an opportunity to remain in the country that has become his home. Moreover, Congress is certainly aware of and in the process of seeking to remedy the situation faced by individuals like [REDACTED] through the DREAM Act, which has broad, bipartisan support. In the Senate, the DREAM Act has 38 cosponsors and the House version has 118 cosponsors.

The DREAM Act would provide a form of relief for students like [REDACTED] and her fellow students [REDACTED] to make their case and be a voice for others like themselves. Subjecting them to removal proceedings would have tragic consequences by making them ineligible for the benefits of this legislation, which has a very good possibility of being enacted in this session of Congress. In addition, their removal would cause the United States to lose a vital asset: educated and promising students who have demonstrated a serious commitment to hard work and a strong desire to be contributing members of society. Their case illustrates the compelling need for DHS to exercise favorable prosecutorial discretion and grant them deferred action.

[REDACTED]
Deferred Action
May 24, 2010

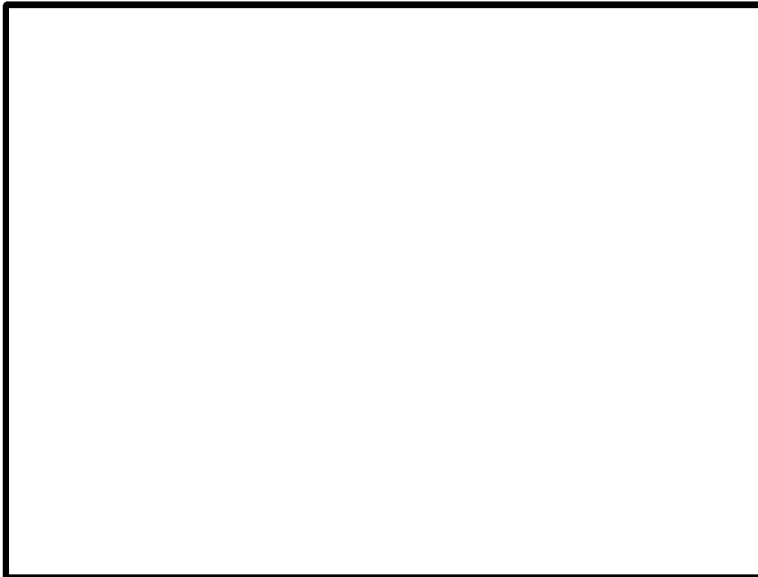
A grant of deferred action for [REDACTED] would also be consistent with the Administration's support for the DREAM Act. President Obama voted for the DREAM Act as a Senator and supported it on the campaign trail. At a hearing of the U.S. Senate Judiciary Committee on May 6, 2009, Secretary Napolitano testified, "the Dream Act is a good piece of legislation and a good idea." Their support recognizes that ICE can better serve its mission of protecting the homeland from security and law enforcement threats if it did not need to remove young people like [REDACTED] and the other Trail of DREAMs Walkers.

It is likely that Congress will act on the DREAM Act in this legislative session, which runs through October 2010. A grant of deferred action for this period will allow [REDACTED] to participate in the debate and serve as examples of what this legislation was meant to achieve. If Congress passes the DREAM Act, they would be eligible to seek benefits our lawmakers' desire for them.

Thank you for your kind consideration of this request. Please contact us at the numbers below should you have any questions.



Cc:



May 21, 2010

Linda Swacina
District Director
U.S. Citizenship and Immigration Services
8801 NW 7th Avenue
Miami, FL 33150
Sent via email linda.swacina@dhs.gov

RE:

**Request for Exercise of Prosecutorial Discretion and
Deferred Action**

Dear Ms. Swacina:

The [redacted] represents [redacted]
[redacted] Jr. a 22-year-old Venezuelan student. See attached G-28. We
write to request that U.S. Citizenship and Immigration Services exercise
prosecutorial discretion and immediately grant [redacted] deferred action in the
United States. [redacted] was brought to the United States when he was just two
years old and is an exemplary student at Miami Dade College. His case,
courage, and spirit have become symbolic of the need for the DREAM Act,
which would allow the United States to benefit from the leadership and
exceptional talents of foreign-born students like [redacted] by giving them a
path to regularize their immigration status here. [redacted] requests that [redacted] be
granted deferred action pending consideration of the DREAM Act.¹

[redacted]

¹ The Development, Relief, and Education for Alien Minors (DREAM) Act is a bill that offers a path to legalization to deserving high-school graduates who were brought here at a young age, stay out of trouble and attend college or serve in the U.S. military for at least two years. The bill was first introduced in 2001. It was re-introduced in the current Congress as H.R. 1751 in the House, where it has 118 co-sponsors, and S. 729 in the Senate, where it has 38 co-sponsors.

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[REDACTED]
Request for prosecutorial discretion and deferred action
[REDACTED]

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[REDACTED]

Act. They are not asking for anything different than generations of young people before them – a chance to succeed in a country where hard work and talent determine success rather than color, creed or background. And they believe the DREAM Act is the key to their aspirations.” See attached op-ed.

Even before the [REDACTED]

[REDACTED] He enrolled [REDACTED] in 2007 and began studying architecture. He has maintained a 3.6 GPA. As an [REDACTED] he has advocated for the college in the state capitol.

[REDACTED] never intended to violate any immigration laws in the United States. He entered at the age of two with no input into the decision to come here. His entry was on a valid visa with his family. He has never been placed in removal proceeding [REDACTED] paternal grandfather was a U.S. Citizen. His family came to the United States in order to support his grandfather when he became extremely ill. Although [REDACTED] grandfather petitioned for his family, he passed away before they were able to regularize their status, even though they inherited his property.

[REDACTED] mother died in the United States in 2006 after a long battle with breast cancer. [REDACTED] has two sisters. One, [REDACTED] is a U.S. Citizen. The other, [REDACTED] is a Lawful Permanent Resident.

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Request for prosecutorial discretion and deferred action

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[redacted] has grown up in the United States, attending schools here from preschool to college. After 20 years in the United States and coming here as just a toddler, he has no memory of Venezuela. Although [redacted] speaks Spanish, he does not consider himself fluent.

There are no negative factors in [redacted] background. He has no criminal history. To the contrary, he has done everything he can to contribute to our community. Enclosed with this request are numerous letters of support and [redacted]. School officials, political figures and thousands of everyday Americans have come forward to ask that these remarkable students be given the chance to fulfill their potential in the U.S. and offer their talents to the country that has supported them.

The authority to place a case in deferred action status derives from the general principles of prosecutorial or administrative discretion and is considered to be an administrative tool used to allocate fiscal and human resources in the most effective manner possible.

Prosecutorial discretion and deferred action have long been available to DHS to remedy unduly harsh results caused by strict enforcement of the immigration law. It vests the District Director with the power not to seek the removal of removable aliens. See Standard Operating Procedures for Enforcement Officers: Arrest, Detention, Processing, and Removal (Standard Operating Procedures), Part X; Meissner, Comm., Memo, H QOPP 50/4 (November 17, 2000). Immigration officers "are not only authorized by law but expected to exercise discretion in judicious manner at all stages of the enforcement process—from planning investigations to enforcing final orders." *Id.* at 1. (emphasis added).

Historically, the Director is to take into account the following factors: (1) the likelihood of removal; (2) the presence of sympathetic factors; (3) the likelihood that because of sympathetic factors, a large amount of adverse publicity will be generated; (4) whether the person's presence in the U.S. is desired by law enforcement; and (5) whether the individual is a member of a class of deportable aliens whose removal has been given high enforcement priority. See Standard Operating Procedures for Enforcement Officers: Arrest, Detention, Processing, and Removal (Standard Operating Procedures), 20.8 Deferred Action (March 27, 2006).

Other factors that should be taken into account when deciding whether to exercise prosecutorial discretion include: immigration status; length of residence; criminal history; immigration history (including history of re-entering, failing to appear at hearing, etc.); whether the alien is likely to become eligible for other relief; effect of action on future inadmissibility; community attention; humanitarian concerns (such as family ties, whether the alien entered at a very young age,

[REDACTED]
Request for prosecutorial discretion and deferred action

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whether the person speaks the home language, and conditions in the home country). See Meissner, Comm., Memo, H QOPP 50/4.

[REDACTED] seeks deferred action for a limited period of time to give Congress time to act on the DREAM Act. There are extraordinarily sympathetic factors in this unique case. [REDACTED] is a good student who came to the United States when he was only two years old. He has grown up here and done well at school, stayed out of trouble, and become an inspiring and strong community leader, dedicated to human rights and community service. His courage and character are remarkable. He wants nothing more than to be productive, contributing member of our society. He would be traumatized if he lost the opportunity to give back to the country he loves and calls home.

These sympathetic factors are what have inspired the DREAM Act [REDACTED]

[REDACTED] Finally, it cannot be argued that removing [REDACTED] is a priority for removal. With no criminal record, no history of fraud and an entry that occurred when he was just two years old, he is not among any of the classes of individuals on which ICE claims the need to focus enforcement efforts. Under the traditional criteria for deferred action, he presents an undeniably compelling case for a favorable exercise of discretion.

Without deferred action [REDACTED] may be denied an opportunity to remain in the country that has become his home. Moreover, Congress is certainly aware of and in the process of seeking to remedy the situation faced by individuals like [REDACTED] through the DREAM Act, which has broad, bipartisan support. In the Senate, the DREAM Act has 38 cosponsors and the House version has 118 cosponsors.

The DREAM Act would provide a form of relief for students like [REDACTED]



[REDACTED] and be a voice for others like themselves. Subjecting them to removal proceedings would have tragic consequences by making them ineligible for the benefits of this legislation, which has a very good possibility of being enacted in this session of Congress. In addition, their removal would cause the United States to lose a vital asset: educated and promising students who have demonstrated a serious commitment to hard work and a strong desire to be contributing members of society. Their case illustrates the compelling need for DHS to exercise favorable prosecutorial discretion and grant them deferred action.


A grant of deferred action for [REDACTED] would also be consistent with the Administration's support for the DREAM Act. President Obama voted for the DREAM Act as a Senator and supported it on the campaign trail. At a hearing of the U.S. Senate Judiciary Committee on May 6, 2009,

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Request for prosecutorial discretion and deferred action


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Secretary Napolitano testified, "the Dream Act is a good piece of legislation and a good idea." Their support recognizes that DHS can better serve its mission of protecting the homeland from security and law enforcement threats if it did not need to remove young people like  and the other .

It is likely that Congress will act on the DREAM Act in this legislative session, which runs through October 2010. A grant of deferred action for this period will allow  to participate in the debate and serve as examples of what this legislation was meant to achieve. If Congress passes the DREAM Act, they would be eligible to seek benefits our lawmakers' desire for them.

Thank you for your kind consideration of this request. Please contact us at the numbers below should you have any questions.



(b)(6)

(b)(6)

U.S. Department of Homeland Security
Miami and Caribbean District
Office of the District Director
8801 NW 7th Avenue
Miami, Florida 33150



U.S. Citizenship
and Immigration
Services

Interoffice Memorandum

To: Rosemary Langley Melville
Acting Regional Director
Southeast Region

From: Linda M. Swacina *Linda M. Swacina*
District Director
District 9

Date: June 17, 2010

Re: Deferred Action Recommendation/DREAM Act

Deferred action status has been requested for the following [REDACTED]

[REDACTED] They each entered the U.S. on B1/B2 visas that have since expired. [REDACTED] was 1 year of age when he entered in 1989; he is now 22. [REDACTED] was 7 when she entered in 1993; she is now 25; [REDACTED] was 14 when he entered in 2001; he is now 24.

The request from the recommending attorney's from [REDACTED] for deferred action status is convincing insofar as there is a humanitarian desire to keep the three in the U.S. since they were each brought or sent to the U.S. by their parents at a relatively young age, and they have each achieved much academically. [REDACTED] asks that deferred action be granted to give Congress time to act on the Development, Relief and Education for Alien Minors (DREAM) Act. This legislation was first introduced in 2001 and Congress has not acted on it to date and does not seem poised to enact it in this legislative session either. Thus, there is little or no likelihood that any of the three will qualify for any legal immigration status through passage of the DREAM Act in the immediate or near future.

Neither [REDACTED] seem to have the ability to qualify for legal immigration status through any existing laws or regulations. However, [REDACTED] previously held an F-1 visa, which was deactivated in August 2009 and terminated in January 2010 when [REDACTED] elected not to continue her studies. Pursuant to 8 CFR 214.2(f)(16), it appears [REDACTED] could apply to have her F-1 status reinstated if she is currently pursuing or intending to pursue a full course of study at a school that has or will issue a Form I-20.

(b)(6)

There are no supporting documents from administrative or judicial officials; however, there are supporting documents from Senators and Members of Congress indicating their support for the DREAM Act.

The exercise of our USCIS discretion to reach a favorable action on this deferred action status request is not supported by any compelling information that se [redacted] apart from any other person with a good academic or work history and a long period of time residing in the U.S. None of them have any apparent medical circumstance or physical condition that would affect their ability to travel. Similarly, there is no reason to expect each of them would not be accepted by their country of citizenship

District 9/Kendall Field Office has checked available CIS systems records to determine if [redacted] [redacted] has any criminal record. The results for all three were negative. None of them have been in proceedings.

Information provided by [redacted] and a review of USCIS' records indicate that there are no pending benefit applications and/or petitions for [redacted]

I have determined that the circumstances pertaining to these individuals are not compelling. Accordingly, I recommend the requests for deferred action status for [redacted] be denied.

(b)(6)

(b)(6)

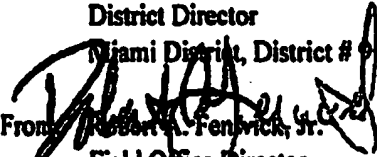
Kendall Field Office

U.S. Department of Homeland Security
14675 SW 120th Street
Miami, FL 33186






U.S. Citizenship
and Immigration
Services




Interoffice Memorandum

To: Linda M. Swacina
District Director
Miami District, District # 9
From: 
Robert A. Fenwick, Jr.
Field Office Director
Kendall Field Office

Date: June 9, 2010

RE: Deferred Action Recommendations for 

 was born in  Brazil. He is a 24-year old student that entered the United States at the age of 14 on January 3, 2001. He entered on a B-2 tourist visa and was admitted to remain in the United States until July 2, 2001.  does not have any apparent medical circumstance or physical condition that would affect his ability to travel. Similarly, there is no reason to expect he would not be accepted by Brazil.

The recommending attorney's request for "Exercise of Prosecutorial Discretion and Deferred Action" is convincing insofar as the humanitarian desire of keeping  in the United States because he last entered this country at the age of 14 (over 10 years ago). Since then  has earned several education achievements, awards, recognition, demonstrated leadership skills, and exemplary community service. The fact that  seeks deferred action for a limited period of time to give Congress time to act on the Development, Relief, and Education for Alien Minors (DREAM) Act is not a guarantee that Congress will act on this bill during the current legislative session ending in October 2010. As a matter of fact, this bill was first introduced in 2001 and it was re-introduced in the current Congress. There is little or no likelihood that he will qualify for any legal immigration status in the immediate or near future.

(b)(6)

www.uscis.gov

(b)(6)

Linda M. Swacina, District Director, Miami District, District # 9

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There are no supporting documents from administrative or judicial officials; however, there are supporting documents from Senators, Congressmen, and Congresswoman indicating their support for the DREAM Act. Furthermore, the exercise of our Citizenship and Immigration Services (CIS) choice prerogative to reach a favorable action on this "Deferred Action Status" request is not supported by any compelling information that sets [] apart from any good work history and long time residing person living in the United States.

The Kendall Field Office/District # 9, through one of our Senior Immigration Services Officers, checked available CIS systems records to determine if [] has any criminal record. The results were negative.

Information provided by the attorney associated with this request, [] and a review of Citizenship and Immigration Services records indicate that there are no pending benefit applications and/or petitions for []

I have determined that the circumstances pertaining to [] are not compelling. Accordingly, I recommend the request for "Deferred Action Status" be denied.

(b)(6)

Name [Redacted]		Address [Redacted]		FIELD OFFICE Kendall Field Office – District #9	FILE NO [Redacted]										
[Redacted]		BIRTHPLACE Brazil		NATIONALITY Brazilian											
DATE AND MANNER OF LAST ENTRY January 3, 2001 with a B-2 tourist visa				EVER LAWFULLY ADMITTED FOR PERMANT RESIDENCE No											
PRESENT IMMIGRATION STATUS AND AVAILABILITY OF ANY ADMINISTRATIVE RELIEF CCDI records check revealed that [Redacted] was issued a B-2 visa on November 10, 1998 and December 22, 2000; and that he was also refused a B-2 visa on October 2, 1996 and December 1, 2000. Entered the United States at age 14 on January 3, 2001 with a valid B-2 tourist visa. Current Status: Authorized stay in the United States expired on July 2, 2001. Humanitarian relief under 8 CFR § 212.5 appears not to be available.															
GROUND OF DEPORTABILITY Present in violation of law. Section 237(a)(1)(B) of the Immigration and Nationality Act (INA), as amended states in part: Any alien who is present in the United States in violation of this Act or any other law of the United States, or whose nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) has been revoked under section 221(i) [8 USCS § 1201(i)], is deportable.															
ALL PERIODS OF RESIDENCE IN U.S. Appears to have resided since age 14															
FROM		TO													
January 3, 2001		To present													
PHYSICAL & MENTAL CONDITION REQUIRING TREATMENT OR CARE IN U.S. None known at this time															
FAMILY SITUATION: 1. LOCATION OF SPOUSE, SONS, DAUGHTERS, PARENTS <table border="1"> <thead> <tr> <th>NAME</th> <th>AGE</th> <th>RELATIONSHIP</th> <th>LOCATION</th> <th>IMMIGRATION STATUS</th> </tr> </thead> <tbody> <tr> <td colspan="5">[Redacted]</td> </tr> </tbody> </table> Claims no spouse, children or dependents.						NAME	AGE	RELATIONSHIP	LOCATION	IMMIGRATION STATUS	[Redacted]				
NAME	AGE	RELATIONSHIP	LOCATION	IMMIGRATION STATUS											
[Redacted]															
2. EFFECT OF EXPULSION An expulsion would cause a trauma on [Redacted] and his opportunity to remain in the country that has become his home will vanish.															
(Cont'd on reverse)															
NONPRIORITY STATUS: RECOMMENDED <i>[Signature]</i> 6/14/10 District Director (Signature and Date)		APPROVED / DENIED Regional Commissioner (Signature and Date)													
DEFERRED ACTION CASE SUMMARY															

CRIMINAL IMMORAL OR SUBVERSIVE ACTIVITIES OR AFFILIATIONS IN U.S.*(Include recent conduct)*

1. CRIMINAL RECORD	OFFENSE	DATE & PLACE	DISPOSITION <i>(Include periods of imprisonment)</i>
None known at this time	None known at this time	None known at this time	None known at this time

2. SUBVERSIVE ACTIVITIES OR AFFILIATIONS

None known at this time

OTHER FACTORS

- (1) The pending Development, Relief, and Education for Alien Minors (DREAM) Act, which was first introduced in 2001 and re-introduced in the current Congress. It is pending to be acted on in this legislative session ending in October 2010;
- (2) United States Senate, Dick Durbin and Richard Lugar, United State Senators, April 21, 2010 letter of request for assistance in obtaining a "Deferred Action Status";
- (3) House of Representatives, Alcee L. Hastings, Member of Congress, January 7, 2010 letter commending these fine young people and declaring Thursday, January 7, 2010 Students Working for Equal Rights (SWER) in the 23rd Congressional District of Florida;
- (4) Several education achievements (Associate of Arts degree in International Relations from Miami-Dade Honors College with a 3.81 GPA and currently transferred to St. Thomas University working towards a Bachelor's degree in Economics), awards, recognition, leadership skills, and exemplary community service;
- (5) THE HILL, Dick Durbin (D-Ill.), United States Senator, May 11, 2010 Making the DREAM Act a reality;
- (6) Diaz-Balart, Ros-Lehtinen Meet with Trail of Dream Walkers in U.S. Capitol, Lincoln Diaz-Balart and Mario Diaz-Balart, Congressman, Ileana Ros-Lehtinen, Congresswoman, April 29, 2010 urging President Obama to Back Comprehensive Immigration Reform, DREAM Act;
- (7) None known criminal record at this time.

INSTRUCTIONS**Preparation:** In duplicate**Date and Manner of last entry:** Include place if known, e.g., 1-31-58 El Paso as USC or 2-15-68 without inspection near El Paso.**Ever lawfully admitted for permanent residence:** date, port, and class of admission.**Present Immigration Status:** include dates of OSC, WIA, O/D, and give briefly relevant immigration history.**Grounds of deportability:** All grounds whether or not lodged as charges, together with specifications e.g. Convicted of two crimes involving moral turpitude - bigamy (1938) Perjury (1950)**Physical and Mental Condition:** Set forth any pertinent information in full. If no treatment required, so state. If mental case show dates of hospitalization. Include information on both subject and dependents.**Family Situation:**

1. Location of spouse, etc.: Country only if not U.S. If U.S. and living with subject, indicate LWS, not living with subject, give city and state. Indicate status of those in U.S. as USC, PRA, NI, ILLEG. After spouse in () the date of marriage.
2. Effect of Expulsion: Explain fully economic and other pertinent effects on members of family.

Criminal, immoral or subversive Activities:

1. Arrest record should be set out whether convicted or not.
2. Nature, extent and periods of subversive activities or affiliations should be fully covered.

Other factors to be considered: Items which should be considered both for and against recommendation. Include type of employment and earnings.

June 15, 2010



ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

RE: Deferred Action Request for:





Dear Ms. Patterson:

I am writing to request deferred action in the case of  and his family.

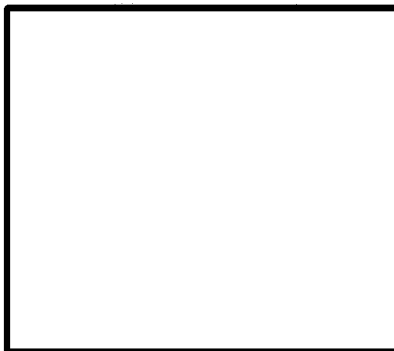
 are natives and citizens of Haiti. Their youngest daughter  is a born U.S. citizen. They all entered the United States on January 20, 2010, as evacuees transported to a military base near Orlando, FL. Their family home in Port au Prince was destroyed during the earthquake.

As a result of being admitted as B2 visitors, and not as humanitarian parolees, they are currently ineligible to receive employment authorization. They have no way to provide for their children and their situation has become desperate.

We now request deferred action status so this couple will be eligible for work authorization and will be able to feed their children, one of whom is a U.S. citizen.

 and his family understand that Deferred Action is not an immigration status, but an act of discretion.  and family have maintained valid travel documents. (Attached).

Respectfully,



(b)(6)

Peace, Justice, and Love for Newcomers

2010 JUN 17 AM 11:38

500 JUN 15 AM 11 39

June 15, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

2010 JUN 17 AM 11:38

RE: Deferred Action Request for [REDACTED]

Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti. Her 4 year-old son, [REDACTED] is a born U.S. citizen. She and [REDACTED] entered the United States on January 18, 2010, as evacuees transported to a military base in Homestead, FL. Their family home in Port au Prince was destroyed during the earthquake. [REDACTED] is a [REDACTED] in Haiti, and her [REDACTED] was also destroyed. Moreover, her husband has been missing since the earthquake, and she assumes he is dead.


[REDACTED] left her two older children in Haiti under the care of her mother, who also lives with them in Port au Prince. Her mother suffered a broken wrist when cement blocks collapsed over her. (Photos enclosed). After escorting her USC son to the U.S. to seek medical care, Ms. [REDACTED] returned to Haiti on January 26, 2010, in an attempt to assist her mother and two other children, aged 11, and 9 years. She left her son in the temporary care of a pastor in North Miami. [REDACTED] her two children, and her mother slept outdoors until they were provided a tent by relief workers. She spent more than two weeks trying to find a way to get her children out of Haiti, but found no options. [REDACTED] has a valid visa, and returned to the U.S. on February 12, 2010, because the placement of her son with the pastor was supposed to be for just one week. She now hopes to find a way to earn money to support her U.S. citizen son and to send money to her mother and two children who remain in a tent in Port au Prince.

We now request deferred action status so she will be eligible for work authorization and will be able to feed her children, one of whom is a U.S. citizen.

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(b)(6)

 understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

Respectfully,



(b)(6)

To Whom It May Concern,

As you are probably aware, the people of Haiti experience a terrifying and traumatizing earthquake on the 12th of January 2010. This Earthquake effect on Port-au-Prince, Haiti's Capital, left nearly the entire town on the ground, many people dead, and more missing. That day, my family and I, including my son [REDACTED] were right in the middle of the chaos as we live in Port-au-Prince.

It has been obvious since the incident that my son was significantly traumatized with it. All around us were dead people that he had known all his life, buildings he was accustomed to spending time in and even worse was the heavy coat of sadness around the town.

For this reason I took him with me to the United States where things were definitely better.

Since he's been here, he has started going to school, learned the language very well and even made some friends. In my opinion, he has made a lot of progress on forgetting some of the events that happened six months ago. Everything seemed fine with him at least until I reminded him that his stay in this country was about to end and it has become time for him to return to Haiti.

As his mother, his reactions to this really hurt me because I know I do not have much control over this. Not only was the event a terrifying one that left him in a post-traumatic state, within the last couple of months he has been hearing news of how bad the country has gotten. The Earth hasn't completely stopped shaking, the people are still so scared that even now no one is sleeping inside their homes. To make matters worse the people from our hometown have started kidnapping others for ransom, and even killing them.

My son is not ready to return to Haiti. I would appreciate any amount of compassion on your part that would extend his stay in this country. Thank you in advance.

Best Regards,



(b)(6)

June 30, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

RE: Deferred Action Request for [REDACTED]

Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti. He entered the United States on May 22, 2010 with a valid B2 visitor visa. On January 12, 2010, he was living in Port au Prince, Haiti, with his wife and two children aged 4 and 2 years. [REDACTED] is a [REDACTED] but his house and his [REDACTED] office were destroyed by the earthquake. The family has been sleeping outside since that time, and they have no income. His children have developed medical problems, fever, malnourishment, diarrhea, abdominal pain and general nervousness.

[REDACTED] is the only member of his family with a U.S. visa, so his wife and children remain in Haiti, while he has taken temporary shelter with his aunt at [REDACTED]

We now request deferred action status so [REDACTED] will be eligible for work authorization and will be able to send money to his wife and children in Haiti. [REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read [REDACTED] enclosed sworn statement.

Respectfully,

(b)(6)

AFFIDAVIT OF [REDACTED]

In Support of Request for Deferred Action Status

STATE OF FLORIDA

COUNTY OF BROWARD

BEFORE me, the undersigned authority, personally appeared, [REDACTED]
who upon first being duly sworn, deposes and says:

I [REDACTED] am a native and citizen of Haiti. I entered the United States on May 22, 2010 with a valid B2 visitor visa. On January 12, 2010, I was living in [REDACTED] Haiti, with my wife, [REDACTED] and our two children, [REDACTED] aged 4 and 2 years. Our house was destroyed by the earthquake and we have been sleeping outside since that time. I have attached photos of my wife and children and the tent they now live in.

After the earthquake the situation became very dire and dangerous and no place for young children. We could not find food or water. The children still have difficulty sleeping and are generally paranoid because of the things we witnessed on the streets of Port au Prince. Children should not see people dead and dying. The kids soon developed medical problems: fever, malnourishment, diarrhea, abdominal pain and general nervousness.

I am [REDACTED] in Haiti, but my place of business was destroyed, so my livelihood and home are now in ruins. I was the only one who had a U.S. visa, so my wife and children remain in that wretched place, while I am visiting my aunt. Now I am requesting deferred action status to be eligible for work authorization and be able to send money to help my family and rebuild Haiti. Please help me.

FURTHER, AFFIANT [REDACTED]

Sworn to and subscribed before me this 28th day of June, 2010.

NOTARY PUBLIC STATE OF FLORIDA
Tamara Celestin Garcia
Commission # DD861632
Expires: FEB. 15, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

Tamara Celestin Garcia
Notary Public
State of Florida

My commission expires: Feb. 15, 2013

July 08, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

2010 JUL 12 PM 1:49

RE: Deferred Action Request for [REDACTED]

Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti. She entered the U.S. on January 16, 2010, with her (then) three month-old daughter [REDACTED], a U.S. citizen. Ms.

[REDACTED] and her daughter are now residing at [REDACTED]. Their evacuation was arranged through the U.S. Consulate and they flew on a U.S. military plane from Port au Prince to Homestead, FL. Ms. [REDACTED] was admitted with a valid B2 visa.

Her home was severely damaged in the earthquake as was the bank that she worked in. Her husband also lost his job after the earthquake so the family has no home and no income. Her husband was not allowed to board the evacuation plane and he remains in Port au Prince.

Ms. [REDACTED] now requests deferred action status because in such status she will be eligible for work authorization and will be able to feed her eight month-old U.S. citizen child.

Ms. [REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read [REDACTED] enclosed sworn statement.

Respectfully,

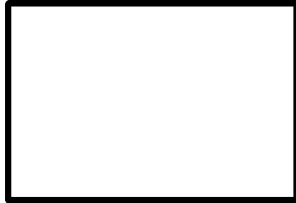
(b)(6)

SUB MIT 15 64 1:18

June 30, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

RE: Deferred Action Request for:



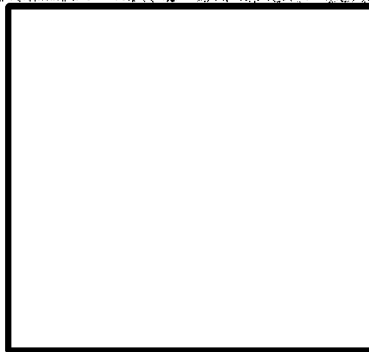
Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] and her family. (G-28 enclosed)

[REDACTED] and her three children, aged 11, 9 and 7 are natives and citizens of Haiti. They all entered the U.S. on February 1, 2010, with valid B2 visitor visas. They fled Haiti because their house and place of business were destroyed in the January 12th earthquake.

They are requesting deferred action status so [REDACTED] will be eligible for work authorization and will be able to support her children herein the United States until their home can be rebuilt in Haiti. [REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read Ms. Albert's enclosed sworn statement.

Respectfully,



(b)(6)

AFFIDAVIT O [REDACTED]

In Support of Request for Deferred Action Status For

M [REDACTED]

STATE OF FLORIDA

COUNTY OF BROWARD

BEFORE me, the undersigned authority, personally appeared, [REDACTED] who upon first being duly sworn, deposes and says:

I [REDACTED] am a native and citizen of Haiti. I last entered the United States on February 1, 2010, with my three children, [REDACTED] aged 11, 9 and 7 years. They are also natives and citizens of Haiti.

We fled Haiti on January 25, 2010, and went to Santo Domingo by car. We left because our house was destroyed in the January 12th earthquake. My husband drove me and our three children to the border and we boarded a bus for Santo Domingo. My husband stayed behind to be with his mother and other family members struggling to survive. We decided that I should take our young children out of the danger zone.

When we left Haiti we had already spent nearly two weeks sleeping in the streets because our house was gone. Three of my cousins died. The situation was very dire and dangerous and no place for young children. We could not find food or water. The children still have difficulty sleeping and are generally paranoid because of the things we witnessed on the streets of Port au Prince. Children should not see people dead and dying.

Our place of business was also destroyed. My husband and I are [REDACTED] and our workshop was destroyed. We primarily work with [REDACTED]

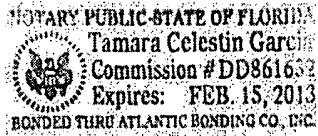
Our family business was lost.

Our problem now is that we were admitted as B2 visitors, and not as humanitarian parolees. As such, I have no way to provide for our children and cannot work legally, and I have nothing to return to in Haiti. I now request deferred action status because in such status we will be eligible for work authorization and will be able to feed our children and send money to help our family and rebuild Haiti. Please help us.

(b)(6)

FURTHER, AFFIANT

Sworn to and subscribed before me this 25th day of June, 2010.



Tamara Celestin Garcia
Notary Public
State of Florida

My commission expires:

June 30, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

RE: Deferred Action Request for:

Dear Ms. Patterson:

I am writing to request deferred action in the case of [redacted] and his family. (G-28 enclosed)

[redacted] and their daughters [redacted] (ages 9 and 7) are natives and citizens of Haiti. Their 5 year-old son [redacted] is a born U.S. citizen. [redacted] and [redacted] entered the United States on January 26, 2010, as evacuees, and their transportation was arranged through the U.S. consulate in Port au Prince because of [redacted] status as a U.S. citizen.

[redacted] has respiratory problems. He suffers from obstructive sleep apnea and has serious difficulty breathing through his nose. He is allergic to dust and has allergic rhinitis, but it is very difficult to provide an environment that is sufficiently dust-free for him, especially in Haiti. This problem existed before the earthquake, and he was brought here to the U.S. for treatment in July of 2008. He has been to the doctor several times since the family arrived after the earthquake, and he has also seen a specialist. He has been prescribed medication, and the records of his visits are enclosed here.

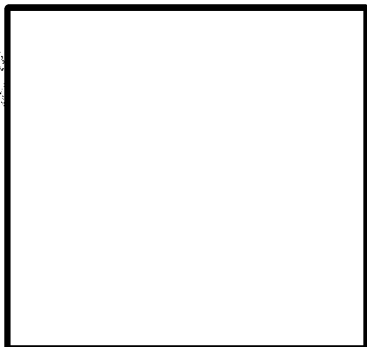
The family is now requesting deferred action status so the parents will be eligible for work authorization and will be able to feed their children, one of whom is a U.S. citizen.

(b)(6)

(b)(6)

The [REDACTED] family understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read the enclosed sworn statement of Mesidor Hsaint.

Respectfully,



(b)(6)

AFFIDAVIT OF [REDACTED]
In Support of Request for Deferred Action Status

STATE OF FLORIDA

COUNTY OF BROWARD

BEFORE me, the undersigned authority, personally appeared [REDACTED] who upon first being duly sworn, deposes and says:

I, [REDACTED] am a native and citizen of Haiti. My wife, [REDACTED], is also a native and citizen of Haiti, as are our two daughters, [REDACTED]. Our son, [REDACTED] is a born United States citizen.


My wife and son last entered the U.S. on January 26, 2010 when they were transported to a U.S. military base near Orlando, FL. Their passage on the flight was arranged by the U.S. Embassy because of our son's status as a U.S. citizen (passport attached). As the caregivers for a U.S. citizen, we are very grateful that the U.S. government evacuated us from the tragedy that befell Haiti when the earthquake struck.

My son [REDACTED] has respiratory problems. He suffers from obstructive sleep apnea and has serious difficulty breathing through his nose. He is allergic to dust and has allergic rhinitis, but it is very difficult to provide an environment that is sufficiently dust-free for him, especially in Haiti. This problem existed before the earthquake, and we even brought him here to the U.S. for treatment in July of 2008. He has been to the doctor several times since we arrived here in the U.S. after the earthquake, and has also seen a specialist. They prescribed medication, and the records of his visits are enclosed here.

Our problem is that we were admitted as B2 visitors, and not as humanitarian parolees. As such, we have no way to provide for our children and cannot work legally. We now request deferred action status because in such status we will be eligible for work authorization and will be able to feed our children. Please help us.

FURTHER, AFFIANT [REDACTED]

Sworn to and subscribed before me this 25th day of June, 2010.


Notary Public
State of Florida

ESPERANZA MONTALDO
Notary Public, State of Florida
Commission #DD969727
My Commission Expires Feb. 17, 2012

My commission expires:

Feb 17/2012



July 7, 2010

Dear Immigration Official:

I am writing this letter on behalf of [redacted] was granted entry into the US under the status of a Haitian Earthquake Victim on January 22, 2010. She accompanied her two grandsons - [redacted] both of them are born U.S. citizen. [redacted] were living in Haiti with their grandmother Ms. [redacted] when the disastrous earthquake hit Haiti.

[redacted] is a senior individual who has been through a very traumatic ordeal, in Haiti. Like many Haitians [redacted] home was totally demolished. With most of her relatives living now in the U.S., and with no home to return to, I am requesting an extension for her to stay in the U.S. As you know the earthquake has left Haiti in a devastating state, and to be honest as of today there are very little to no sign of alleviation. This situation is also difficult for the children because they have lived with their grandmother their entire lives she has been their primary caretaker. Still now, while in here she is the person that cares for them, while their parent(s) are working.

Finally, you know the plight Haitian people. I'm quite sure you've reviewed numerous cases and have received countless letters of request day after day, asking for what I am asking right now. I appeal to your conscience, let an elderly person who does not have a home or family to return to remain here with her family. I thank you for the understanding that you have given this letter, and mostly this case.

Sincerely,



June 30, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] and his family. (G-28 enclosed)

[REDACTED] are a natives and citizens of Haiti. Their 3 year-old son [REDACTED] is also a native and citizen of Haiti, but the couple's second child, 1 year old [REDACTED] is a born U.S. citizen. [REDACTED] and the two children entered the United States on January 17, 2010, as evacuees, and their transportation was arranged through the U.S. consulate in Port au Prince because of [REDACTED] status as a U.S. citizen. Their family home in Port au Prince was destroyed during the earthquake, as was their family business, a beauty salon.

[REDACTED] remained in Haiti until January 24, 2010. He stayed behind to make arrangements for the funeral of [REDACTED] grandmother who was killed in the earthquake. He arrived on a commercial flight. Since the family's arrival nearly six months ago, they have been completely reliant on the goodwill of friends and family, but they now find themselves in very dire straits. At the moment they do not even have a room to sleep in.

We now request deferred action status so [REDACTED] will be eligible for work authorization and will be able to feed their children, one of whom is a U.S. citizen.

The [REDACTED] family understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read the enclosed sworn statement

(b)(6)

(b)(6)

of 1

Respectfully,



July 13, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

2010 JUL 15 PM 1:33

RE: Deferred Action Request for [REDACTED]

Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed).

[REDACTED] is a native and citizen of Haiti who entered the U.S. on January 25, 2010 with a valid B2 visitor visa. His fiancé, [REDACTED] died in the earthquake of January 12, 2010. Her home collapsed on her. [REDACTED] home was also destroyed, as was my place of business.

[REDACTED] now requests deferred action status because in such status I will be eligible for work authorization and will be able to send money to Haiti to support his mother and help to rebuild Haiti.

[REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read his enclosed sworn statement.

Respectfully submitted,

[REDACTED]

(b)(6)

3010 707 12 64 1:33

July 13, 2010

(b)(6)

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

RECEIVED
USCIS MIAMI

JUL 15 2010

USCIS MIAMI
MAILROOM

RE: Deferred Action Request for [REDACTED]

Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti. Her 12 year-old son, [REDACTED] is a native and citizen of Haiti. She and [REDACTED] entered the United States on January 19, 2010, using B-2 tourist visas. Their family home in Port au Prince was severely damaged during the earthquake. Ms. [REDACTED]'s son was nearly killed when his school collapsed around him, he suffered extreme psychological trauma as he had to bear witness to the death and destruction of most of his classmates and teachers (please see enclosed letters and supporting documents).

[REDACTED] escorted her son to the U.S. due to the extreme psychological trauma that he had suffered and the uninhabitable conditions in post-earthquake Haiti. After escorting her son to the U.S., [REDACTED] returned to [REDACTED] on February 10, 2010, in an attempt to return to her employment in an effort to sustain herself and her son. She left her son in the temporary care of her son's two godmothers in Fort Lauderdale. Ms. [REDACTED] returned to the U.S. after the persistent phone calls she received from the U.S. regarding her son's troubled mental state. [REDACTED] as a valid visa, and returned to the U.S. on March 14, 2010, because she could no longer be away from her son while he is in such a precarious psychological state. She now hopes to find a way to earn money to support her traumatized son and to send money to her niece and two infant cousins in Haiti who she supports financially.

We now request deferred action status so she will be eligible for work authorization and will be able to feed her son.

[REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read her enclosed sworn statement.

Peace, Justice, and Love for Newcomers

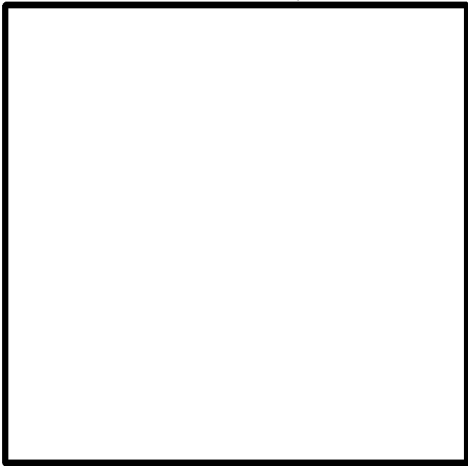
(b)(6)

ORIGINAL OF
N. C. 100-1000

2000 100-1000 1000

(b)(6)

Respectfully,







July 20th. 2010



To whom it may concern

I,  hereby certify that Ms  is my niece and she lives with me since February 2010.

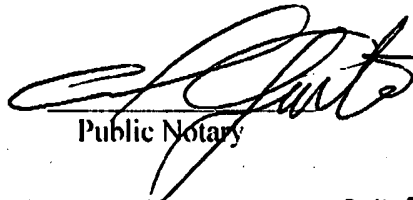
 is a survivor from the terrible earthquake that occurred in Haiti on January 12, 2010. Her house was destroyed as well as her school. She lost her cousin, grand father and an aunt. Actually, her parents along with his brother and 2 sisters live in tent where their lives are exposed to treat of an epidemic and diseases. So far the situation has got even worse; consequently,  would be at risk if she comes back to Haiti.

She traveled the USA on February 13th and she is attending School at  school in Naples Florida. As her aunt, I obtained from the Haitian legal authorities the and from her father her legal custody rights. I fully understand my responsibility as her legal guardian and will do my best to provide to her the specials accommodations in terms of household, money and the necessary support she needs.  would like to obtain her legal document in order to stay in USA to finish her high school in furthermore attend college. I would appreciate it if her request could be taken in consideration.

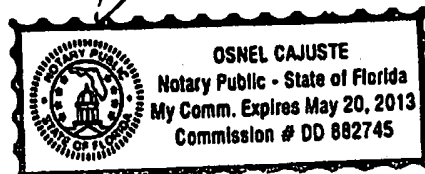
Enclosed: custody authorization for  and her Birth certificate

I swear and affirm under penalty of perjury that I know the contents and statements that I have made are true and correct.




Public Notary

(b)(6)



July 13, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

RE: Deferred Action Request for [REDACTED]

Dear Ms. Patterson:

I am writing to request deferred action in the case of [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti. He entered the U.S. on January 21, 2010 when he was transported to a U.S. military base near Orlando, FL. His passage on the flight was arranged by the U.S. Embassy for the purpose of escorting his niece, 2 year old [REDACTED] U.S. citizen, whose parents have not been seen since the earthquake and are presumed dead. Additionally, [REDACTED]'s home and place of employment were also destroyed in the earthquake.

[REDACTED] and his niece have been living with his brother in Pompano Beach, FL, but he can no longer support them. [REDACTED] now requests deferred action status because in such status he will be eligible for work authorization and will be able to help support his young niece.

[REDACTED] understands that Deferred Action is not an immigration status, but an act of discretion. Thank you for your kind consideration, and please read his enclosed sworn statement.

Respectfully,

(b)(6)



2010 JUL 15 PM 1:34

pe:1 M9 21 JUL 0103

June 30, 2010

ATTN: Field Office Director, Katherine Patterson
U.S. Department of Homeland Security
Oakland Park Field Office
4451 N.W. 31 Ave.
Oakland Park, Florida 33309

2010 JUL 15 PM 1:35

RE: Deferred Action Request for [REDACTED]

Dear Ms. Patterson:

I am writing to request deferred action in the case [REDACTED] (G-28 enclosed)

[REDACTED] is a native and citizen of Haiti currently residing at [REDACTED]
[REDACTED] She entered the U.S. on January 22, 2010, with her son, four year-old
[REDACTED] nt, a U.S. citizen. Their evacuation was arranged through the U.S.
Consulate on 1/20/2010 and they flew on a U.S. military plane from Port au Prince to Santo
Domingo and were transported again by the military to Miami, FL on 1/22/2010. She was
admitted with a valid B2 visa.

[REDACTED] lost her home in the earthquake and she also lost her job due to damage to the
building where she was employed. She is now requesting deferred action status so she will be
eligible for work authorization and will be able to support her U.S. citizen child.

[REDACTED] understands that Deferred Action is not an immigration status, but an act of
discretion. Thank you for your kind consideration, and please read [REDACTED]'s enclosed sworn
statement.

Respectfully,

(b)(6)

[REDACTED]

Peace, Justice, and Love for Newcomers

22 JUL 1964

USCIS

Field Ops:

Here are the deferred action approval and denial numbers for Field Operations:

Total	2005	2006	2007	2008	2009	2010	2011
Approvals	10	4	6	23	40	56	182
Denials	Unknown	Unknown	Unknown	Unknown	Unknown	unknown	20

We only have going back to 2005 and we are working on getting the number of pending deferred action requests, but are still gathering that data and don't have them right now.

SCOPS: VSC – T, U and VAWA Deferred Action

Fiscal Year	Total
January 1, 2003 to September 30, 2003	3013
FY04	5324
FY05	9881
FY06	8394
FY07	9552
FY08	7037
FY09	6075
FY10	11796
FY11	1359
Grand Total	62431

Farnam, Julie E

From: Tintary, Ruth E
Sent: Wednesday, January 12, 2011 12:06 PM
To: Farnam, Julie E
Subject: RE: Haitian B2 visa
Follow Up Flag: Follow up
Flag Status: Blue

Great, so I can say that?

Ruth E. Tintary

Associate Chief
 Legislative Branch
 HQ Office of Legislative Affairs
 U.S. Citizenship and Immigration Services
 Department of Homeland Security
 (202) 272-1947

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From: Farnam, Julie E
Sent: Wednesday, January 12, 2011 12:05 PM
To: Tintary, Ruth E
Subject: RE: Haitian B2 visa

Usually a person can only request one extension of their B-2, but SCOPS said for the Haitians who entered on a tourist visa right after the earthquake, they would consider additional extension requests.

From: Tintary, Ruth E
Sent: Wednesday, January 12, 2011 12:00 PM
To: Farnam, Julie E
Subject: RE: Haitian B2 visa

Hi Julie,

Thanks for the info. What does this mean: "SCOPS would accept a second extension request" ?

Ruth E.

From: Farnam, Julie E
Sent: Tuesday, January 11, 2011 2:33 PM
To: Tintary, Ruth E
Subject: RE: Haitian B2 visa

The person can request deferred action. He would make an Infopass appointment and do this at his local office. Or SCOPS has indicated that they would accept a second extension request. If he is granted deferred action, he would be eligible to apply for work authorization. There is no fee to request deferred action. Neither is a permanent solution, but those are his options right now. Please let me know if you need anything additional.

Julie Farnam
 Special Assistant to the Deputy Associate Director
 Field Operations Directorate
 U.S. Citizenship and Immigration Services
 Phone: 202-272-1102
 Fax: 202-272-0923

From: Tintary, Ruth E
Sent: Tuesday, January 11, 2011 1:48 PM
To: Farnam, Julie E

4/6/2011

Subject: FW: Haitian B2 visa

(b)(6)

See below. Any thoughts?

Ruth E. Tintary

Associate Chief
Legislative Branch
HQ Office of Legislative Affairs
U.S. Citizenship and Immigration Services
Department of Homeland Security
(202) 272-1947

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From: Thompson, Pat [mailto:Pat.Thompson@mail.house.gov]
Sent: Tuesday, January 11, 2011 1:44 PM
To: 'Tintary, Ruth E'
Subject: FW: Haitian B2 visa

Good afternoon:

Sorry to bother you with this again, however the Congressman has seen people who have asked that we try to help this man in his situation. Since the cholera outbreak and continued devastation, we wanted to see if there might be something discussed since he is not considered a TPS.

I had talked with Woody as you suggested, however he indicated there was not much available other than someone hiring [REDACTED] and filing the proper paperwork. It was suggested he obtain a good attorney. Neither option can be considered due to the economy and [REDACTED] relying on his brother for any financial assistance. ---He will have been here one full year as of January 19th. He has no place to go back to and would like to stay legally and become a productive citizen.

If you feel that you have exhausted all information available, can you suggest another department we might plead he case to.

Thank you,
Pat

Pat Thompson

Congressman John J. Duncan, Jr. (Tn 2)
800 Market Street, Suite 110
Knoxville, TN 37902
Phone: (865) 523-3772
Fax: (865) 544-0728

From: Thompson, Pat
Sent: Tuesday, September 21, 2010 3:32 PM
To: 'Tintary, Ruth E'
Subject: Haitian B2 visa

RE: [REDACTED]

Issued - 19, January, 2010 for B2 class - father accompanying American citizen minor [REDACTED]

The above gentleman entered the US with his American daughter on January 19 of 2010 after the earthquake on a B2 visa. The daughter was born in Florida on [REDACTED] to a Haitian woman who chose to give birth in the US and then leave solely with the father.

[REDACTED] U.S. brother [REDACTED] by naturalization provided the money for both to travel. [REDACTED] indicates his home and his workplace were both destroyed in the earthquake and they were living on the streets.

A 539 application with fee was submitted June 7, 2010 for an extension of the B2 visa. A letter of denial was sent back to him by INS on July 1, 2010 prior to the expiration of his I94. He was told he could file a Notice of Appeal/Motion with an addition fee. Unfortunately, since he has no funds other than the brother, this office sent a request of waiver for the additional fee along with further information which was accepted and then subsequently approved until January of 2011.

(b)(6)

4/6/2011

(b)(6)

[REDACTED] has hopes of adhering to the US law, however he indicates he has nothing to return to if he chooses to take his child back. His brother here is not married and would be unable to care for the child if the brother chose to return home without her. Also, if he did return, he would not have a job that could help to support himself and the child. He tells us that if he cannot get another renewal to stay, he will not go back home, therefore he would be out of status.

He would like to be able to work and help pay back the brother who has taken care of them both since January. However there seems to be nothing available at this time for his particular situation.

We would like to be kept informed if anything would open up so that this man can apply to stay in a legal manner if possible.

Thank you for your time and attention to this matter.

Pat Thompson

Congressman John J. Duncan, Jr. (Tn 2)
800 Market Street, Suite 110
Knoxville, TN 37902
Phone: (865) 523-3772
Fax: (865) 544-0728

4/6/2011

(b)(6)

Farnam, Julie E

From: Tritten, Leslie D
Sent: Thursday, December 02, 2010 2:04 PM
To: Melero, Mariela; Monica, Donald J; Harrison, Julia L; Farnam, Julie E
Cc: Geary, Andrew C
Subject: FW: Request for Deferred Action [REDACTED]
Importance: High
Attachments: Deferred Action Request for [REDACTED].doc

Adding Julia and Julie, in the event they have any updates on this request

Leslie Tritten

Chief, Project Liaison Team

Office of the Director, IJSCIS, DHS

202-272-1775 (Office) [REDACTED] Leslie.Tritten@dhs.gov

From: Melero, Mariela
Sent: Monday, November 29, 2010 8:56 AM
To: Tritten, Leslie D; Monica, Donald J
Subject: Request for Deferred Action: [REDACTED]
Importance: High

Leslie, Don

Good day. Our Office has been working on this case for months with no resolution. It appears that all offices involved (including OFO) agreed to proceed with deferred action for this young man but no action has been taken. Unfortunately he continues to accrue unlawful presence.

Any updates will be greatly appreciated.

Best,

Mariela

Ps Leslie, Drew is also aware of the case.

(b)(6)

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Deferred Action Request for [REDACTED]

[REDACTED] is a native and citizen of India who lawfully entered the United States in H4 status in 2002 and maintained this status until its expiration on August 12, 2010. [REDACTED] father is the beneficiary of a 3rd preference employment based petition with a priority date of February 26, 2004. On August 1, 2007, USCIS accepted adjustment of status applications for [REDACTED] father, mother, and sister. As a result of a clerical error on the part of the firm representing the [REDACTED] application was submitted with the incorrect fee due to a miscalculation of his age. As a result, [REDACTED] application was rejected, while the rest of his family's were accepted. Under normal circumstances, USCIS quickly provides notice of rejection and the applicant may reapply. Unfortunately, [REDACTED] application was received during a major surge. The surge was caused by the enactment of a significant fee increase and compounded by the availability of visas in categories that have had historically been over subscribed. This caused the normal clerical function of notifying applicants of the receipt or rejection of a filing to become significantly backlogged. [REDACTED] was not notified of the rejection until 11 weeks later. Additionally, the glut of applicants in the 3rd preference employment based classification for India caused the priority date to regress several years. These two circumstances combined to deprive [REDACTED] of the opportunity to successfully re-file his adjustment application. [REDACTED] father's employer chose not to seek renewal of his H1B status, because he is employment and travel authorized during the pendency of the adjustment application, leaving Paul's H4 status to expire.

[REDACTED] case first came to the attention of OP&S in December 2009. It prompted a discussion of whether any ameliorative policy could be implemented in a broad or limited scope. An options paper was drafted during the summer of 2010 for SPC review. A decision has yet to be rendered. In light of the larger policy issues and the particular humanitarian concerns, OP&S began to consider the possibility of a temporary discretionary relief for [REDACTED] OP&S engaged OFO and OCC to discuss possible relief for [REDACTED]. Several options were considered and ruled out. Accepting a nunc pro tunc filing would fly in the face of a long standing regulatory bright line on what constitutes a properly filed application and was determined a legally unsound option. Issuing parole in place was technically outside USCIS's legal authority because [REDACTED] entered the US lawfully. After ruling these options out, deferred action was found to be the only viable option for administrative relief.

Deferred action is an administrative form of discretionary relief for an individual in unlawful status. It is not a benefit, per se, but rather an affirmative exercise of prosecutorial discretion that allows an individual to remain in the US and obtain employment authorization for a finite period of time. Granting deferred action would serve as an interim relief while larger policy issues are considered. It would prevent [REDACTED] accrual of unlawful presence. Although he would become ineligible to adjust status because deferred action does not serve as maintenance of lawful status for purposes of adjustment, he would remain eligible to seek an immigrant visa through consular processing because he would not trigger a bar under 212(a)(9)(B).

[] is the unfortunate victim of circumstances beyond his control. He has not, personally, by act or omission, caused his current dilemma. He was a child relying on his family and an attorney to obtain permanent resident status in 2007. An attorney's clerical error caused the rejection and USCIS took nearly 3 months to provide a rejection notice, an action that normally happens in less than a week. Another attorney from the same firm has worked diligently to try to correct the error, to no avail, and USCIS has moved at a glacial pace in considering policy options. Considering these circumstances, OP&S worked with OFO and consulted OCC to consider legally sound options that would provide temporary relief and permit [] to seek to immigrate with the remainder of his family. Deferred action was found to be the only viable option and OFO agreed to coordinate processing of a formal deferred action request.

[]'s status expired on August 12, 2010. On August 5, 2010, a request for deferred action was made to the St. Louis Field Office (STL) including supporting evidence of [] lawful entry, maintenance of status, and the humanitarian considerations and equities that warrant a favorable exercise of discretion. [] fingerprinting at the local ASC was expedited so as to complete it before he travelled to Arizona to start his first year of college. The results were [] Since that time, OP&S has continued to follow up with STL and OFO and seek updates on the processing of [] request and has been stonewalled. [] will complete his first semester of college in December 2010. He finds himself in the unenviable position, without a grant of deferred action, of dropping out of college and departing the United States. [] is not lived in India since he was a small child, he has no criminal history or history of immigration violations, and he is facing leaving the country in which he has grown up, his family, and the higher education he started at a mere 18 years old due to the mistakes and inefficiencies of others.

[] represents exactly the type of individual case born of exceptional circumstances that warrants the favorable exercise of discretion. A grant of deferred action in his case constitutes nothing more than a well reasoned and defensible exercise of statutory discretion, based on exception circumstances, humanitarian considerations, and a weighing of equities. In addition to the unfortunate events that leave [] without status, his life and future are being compromised by political games in Washington. This constitutes an impressive failure on the part of USCIS to fairly and timely administer the INA with effects that may have a lifelong detrimental impact on a child who has done nothing wrong.

(b)(6)

Farnam, Julie E

From: Geary, Andrew C
Sent: Thursday, December 02, 2010 2:06 PM
To: Tritten, Leslie D; Melero, Mariela; Monica, Donald J; Harrison, Julia L; Farnam, Julie E
Subject: RE: Request for Deferred Action: [REDACTED]
Attachments: FW [REDACTED]

Please see attached.

Project Liaison Team
USCIS

From: Tritten, Leslie D
Sent: Thursday, December 02, 2010 2:04 PM
To: Melero, Mariela; Monica, Donald J; Harrison, Julia L; Farnam, Julie E
Cc: Geary, Andrew C
Subject: FW: Request for Deferred Action: [REDACTED]
Importance: High

Adding Julia and Julie, in the event they have any updates on this request

Leslie Tritten

Chief, Project Liaison Team

Office of the Director, USCIS, DHS

202-272-1775 (Office) | [REDACTED] | Leslie.Tritten@dhs.gov

From: Melero, Mariela
Sent: Monday, November 29, 2010 8:56 AM
To: Tritten, Leslie D; Monica, Donald J
Subject: Request for Deferred Action: [REDACTED]
Importance: High

Leslie, Don

Good day. Our Office has been working on this case for months with no resolution. It appears that all offices involved (including OFO) agreed to proceed with deferred action for this young man but no action has been taken. Unfortunately he continues to accrue unlawful presence.

Any updates will be greatly appreciated.

Best,

Mariela

Ps Leslie, Drew is also aware of the case.

(b)(6)

4/6/2011

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Farnam, Julie E

From: Moyer, Chester S
Sent: Monday, November 29, 2010 3:51 PM
To: Geary, Andrew C
Subject: FW: [REDACTED]

FYI- I sent this message to Erica Simpson and received an "out of office" reply.

From: Moyer, Chester S
Sent: Monday, November 29, 2010 2:45 PM
To: Simpson, Erica
Subject: RE: [REDACTED]

The request and recommendation was sent to the DD last Friday and has since been sent to CRO for review.

From: Simpson, Erica
Sent: Tuesday, November 16, 2010 3:14 PM
To: Moyer, Chester S; Geary, Andrew C
Cc: Harrison, Julia L; Gallagher, Ellen; Dawkins, Laura; Chang, Pearl B
Subject: FW: [REDACTED]

All,

I continue to try to get updates on [REDACTED] deferred action request to no avail. We had reached a consensus between OP&S and OFO over the summer that we would do this for this child in the exercise of discretion, since he is in a tough spot through no fault of his own. The request has been pending over four months. He is currently facing the possibility of needing to drop out of college after his first semester to depart the US so that he won't have a 212(a)(9)(B) bar when a visa becomes available to consular process. Please advise on the status of this case and the reason for the lengthy processing time. Thank you.
Erica

(b)(6)

Farnam, Julie E

From: Monica, Donald J
Sent: Monday, November 29, 2010 9:03 AM
To: Harrison, Julia L; Farnam, Julie E
Subject: FW: Request for Deferred Action: [REDACTED] (b)(6)
Importance: High
Attachments: Deferred Action Request f [REDACTED].doc

Ring a bell for either of you?

From: Melero, Mariela
Sent: Monday, November 29, 2010 8:56 AM
To: Tritten, Leslie D; Monica, Donald J
Subject: Request for Deferred Action: [REDACTED]
Importance: High

Leslie, Don

Good day. Our Office has been working on this case for months with no resolution. It appears that all offices involved (including OFO) agreed to proceed with deferred action for this young man but no action has been taken. Unfortunately he continues to accrue unlawful presence.

Any updates will be greatly appreciated.

Best,

Mariela

Ps Leslie, Drew is also aware of the case.

(b)(6)

(b)(6)

Farnam, Julie E

From: Farnam, Julie E
Sent: Monday, November 29, 2010 9:08 AM
To: Farnam, Julie E
Subject: Re: Request for Deferred Action [REDACTED]

This is out of the St. Louis office. Evidently both the PLT and Erica Simpson in OP&S have sent inquiries to St. Louis, but have not received a response.

----- Original Message -----

From: Monica, Donald J
To: Harrison, Julia L; Farnam, Julie E
Sent: Mon Nov 29 09:02:30 2010
Subject: FW: Request for Deferred Action: [REDACTED]

Ring a bell for either of you?

From: Melero, Mariela
Sent: Monday, November 29, 2010 8:56 AM
To: Tritten, Leslie D; Monica, Donald J
Subject: Request for Deferred Action: [REDACTED]
Importance: High

(b)(6)

Leslie, Don

Good day. Our Office has been working on this case for months with no resolution. It appears that all offices involved (including OFO) agreed to proceed with deferred action for this young man but no action has been taken. Unfortunately he continues to accrue unlawful presence.

Any updates will be greatly appreciated.

Best,

Mariela

Ps Leslie, Drew is also aware of the case.

(b)(6)

Farnam, Julie E

From: Harrison, Julia L
Sent: Monday, November 29, 2010 9:59 AM
To: Farnam, Julie E; Monica, Donald J
Subject: RE: Request for Deferred Action [REDACTED]
Categories: cc only

I talked w/Gary in CRO about this before I went on leave. They are working on it-should have it done in the next week or so.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Farnam, Julie E
Sent: Monday, November 29, 2010 9:15 AM
To: Monica, Donald J
Cc: Harrison, Julia L
Subject: RE: Request for Deferred Action [REDACTED]

This is out of the St. Louis office. Evidently both the PLT and Erica Simpson in OP&S have sent inquiries to St. Louis, but have not received a response (see latest email from OP&S attached). Please let me know if you would like me to look into it.

Julie

From: Monica, Donald J
Sent: Monday, November 29, 2010 9:03 AM
To: Harrison, Julia L; Farnam, Julie E
Subject: FW: Request for Deferred Action: [REDACTED]
Importance: High

Ring a bell for either of you?

From: Melero, Mariela
Sent: Monday, November 29, 2010 8:56 AM
To: Tritten, Leslie D; Monica, Donald J
Subject: Request for Deferred Action: [REDACTED]
Importance: High

Leslie, Don

Good day. Our Office has been working on this case for months with no resolution. It appears that all offices involved (including OFO) agreed to proceed with deferred action for this young man but no action has been taken. Unfortunately he continues to accrue unlawful presence.

Any updates will be greatly appreciated.

Best,

Mariela

Ps Leslie, Drew is also aware of the case.

(b)(6)

4/6/2011


Farnam, Julie E

From: DUGAN, MAUREEN B [maureen.dugan1@dhs.gov]
Sent: Thursday, August 19, 2010 8:34 AM
To: Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L
Subject: Re: Advance Parole/Deferred Action Entry

Will USCIS be issuing an advance parole for the child?

From: Farnam, Julie E <julie.farnam@dhs.gov>
To: DUGAN, MAUREEN B
Cc: Rogers, Debra A; Harrison, Julia L
Sent: Thu Aug 19 07:58:48 2010
Subject: Advance Parole/Deferred Action Entry

Good morning

 a
woman will return to the U.S. on or around August 28th via the Houston airport. We wanted to give your agency the heads up that this woman will be returning with her son. My understanding is that the son has a nonimmigrant visa (I assume it is a B1/B2, but am not sure) and will try to enter the U.S. on that. Please let me know if CBP needs anything from USCIS regarding this case or if there is anything that we can do to facilitate the reentry of these individuals.

Their information is as follows:


Entering the U.S. on/around August 28, 2010 at the Houston Airport.

Thank you,
Julie Farnam
Special Assistant to the Deputy Associate Director
Field Operation Directorate
U.S. Citizenship and Immigration Services
202-272-1102

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(b)(6)

4/6/2011

Farnam, Julie E

From: DUGAN, MAUREEN B [maureen.dugan1@dhs.gov]
Sent: Thursday, August 19, 2010 12:03 PM
To: Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L; BROWN, LISABETH M
Subject: RE: Advance Parole/Deferred Action Entry

It may be more appropriate for USCIS to authorize a humanitarian parole versus admit as B2 since we would not be able to establish intent to return foreign. In the meantime, I have alerted our field office and will continue to loop them in if a parole is issued.

Maureen Dugan
Acting Executive Director
Admissibility and Passenger Programs
Customs and Border Protection
[REDACTED]

From: Farnam, Julie E [mailto:julie.farnam@dhs.gov]
Sent: Thursday, August 19, 2010 8:36 AM
To: DUGAN, MAUREEN B
Cc: Rogers, Debra A; Harrison, Julia L
Subject: RE: Advance Parole/Deferred Action Entry

No, because the child does not have any status and does not have anything pending with us. The child has not been in the U.S. for about a year, so he has not be given deferred action either.

From: DUGAN, MAUREEN B [mailto:maureen.dugan1@dhs.gov]
Sent: Thursday, August 19, 2010 8:34 AM
To: Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L
Subject: Re: Advance Parole/Deferred Action Entry

Will USCIS be issuing an advance parole for the child?

From: Farnam, Julie E <julie.farnam@dhs.gov>
To: DUGAN, MAUREEN B
Cc: Rogers, Debra A; Harrison, Julia L
Sent: Thu Aug 19 07:58:48 2010
Subject: Advance Parole/Deferred Action Entry

Good morning,

Your name was given to me by USCIS's Service Center Operations and I am hoping that you will be able to assist me or point me in the right direction. We recently granted Advance Parole to a woman who has deferred action. She has filed a petition for U nonimmigrant status and will be approved in October when additional U visa numbers become available, but until then she has deferred action. [REDACTED]

(b)(6)

[REDACTED] The woman will return to the U.S. on or around August 28th via the Houston airport. We wanted to give your agency the heads up that this woman will be returning with her son. My

(b)(7)(c)

4/6/2011

understanding is that the son has a nonimmigrant visa (I assume it is a B1/B2, but am not sure) and will try to enter the U.S. on that. Please let me know if CBP needs anything from USCIS regarding this case or if there is anything that we can do to facilitate the reentry of these individuals.

Their information is as follows:



Entering the U.S. on/around August 28, 2010 at the Houston Airport.

Thank you,
Julie Farnam
Special Assistant to the Deputy Associate Director
Field Operation Directorate
U.S. Citizenship and Immigration Services
202-272-1102

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(b)(6)

Farnam, Julie E

From: Rogers, Debra A
Sent: Thursday, August 19, 2010 12:11 PM
To: Scialabba, Lori; Farnam, Julie E; Harrison, Julia L
Subject: Fw: Advance Parole/Deferred Action Entry

Lori: putting this on your radar. Debbie

----- Original Message -----

From: DUGAN, MAUREEN B <maureen.dugan1@dhs.gov>
To: Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L; BROWN, LISABETH M
Sent: Thu Aug 19 12:02:50 2010
Subject: RE: Advance Parole/Deferred Action Entry

It may be more appropriate for USCIS to authorize a humanitarian parole versus admit as B2 since we would not be able to establish intent to return foreign. In the meantime, I have alerted our field office and will continue to loop them in if a parole is issued.

Maureen Dugan

Acting Executive Director

Admissibility and Passenger Programs

Customs and Border Protection

202-344-2784

From: Farnam, Julie E [mailto:julie.farnam@dhs.gov]
Sent: Thursday, August 19, 2010 8:36 AM
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Cc: Rogers, Debra A; Harrison, Julia L
Subject: RE: Advance Parole/Deferred Action Entry

No, because the child does not have any status and does not have anything pending with us. The child has not been in the U.S. for about a year, so he has not be given deferred action either.

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(b)(6)

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[REDACTED]

The woman will return to the U.S. on or around August 28th via the Houston airport. We wanted to give your agency the heads up that this woman will be returning with her son. My understanding is that the son has a nonimmigrant visa (I assume it is a B1/B2, but am not sure) and will try to enter the U.S. on that. Please let me know if CBP needs anything from USCIS regarding this case or if there is anything that we can do to facilitate the reentry of these individuals.

Their information is as follows:

[REDACTED]

(b)(6)

Entering the U.S. on/around August 28, 2010 at the Houston Airport.

Thank you,

Julie Farnam

Special Assistant to the Deputy Associate Director

Field Operation Directorate

U.S. Citizenship and Immigration Services

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Farnam, Julie E

From: Farnam, Julie E [julie.farnam@dhs.gov]
Sent: Thursday, August 19, 2010 4:10 PM
To: DUGAN, MAUREEN B; Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L; BROWN, LISABETH M
Subject: Re: Advance Parole/Deferred Action Entry

Thank you for this information. We will reach out to the attorney regarding the humanitarian parole and will keep you posted.

Thanks again,
Julie Farnam
Field Operations
USCIS

----- Original Message -----

From: DUGAN, MAUREEN B <maureen.dugan1@dhs.gov>
To: Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L; BROWN, LISABETH M
Sent: Thu Aug 19 12:02:50 2010
Subject: RE: Advance Parole/Deferred Action Entry

It may be more appropriate for USCIS to authorize a humanitarian parole versus admit as B2 since we would not be able to establish intent to return foreign. In the meantime, I have alerted our field office and will continue to loop them in if a parole is issued.

Maureen Dugan

Acting Executive Director

Admissibility and Passenger Programs

Customs and Border Protection

202-344-2784

From: Farnam, Julie E [mailto:julie.farnam@dhs.gov]
Sent: Thursday, August 19, 2010 8:36 AM
To: DUGAN, MAUREEN B
Cc: Rogers, Debra A; Harrison, Julia L
Subject: RE: Advance Parole/Deferred Action Entry


No, because the child does not have any status and does not have anything pending with us. The child has not been in the U.S. for about a year, so he has not been given deferred action either.


From: DUGAN, MAUREEN B [mailto:maureen.dugan1@dhs.gov]
Sent: Thursday, August 19, 2010 8:34 AM
To: Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L
Subject: Re: Advance Parole/Deferred Action Entry

Will USCIS be issuing an advance parole for the child?

From: Farnam, Julie E <julie.farnam@dhs.gov>
To: DUGAN, MAUREEN B
Cc: Rogers, Debra A; Harrison, Julia L
Sent: Thu Aug 19 07:58:48 2010
Subject: Advance Parole/Deferred Action Entry

Good morning,

Your name was given to me by USCIS's Service Center Operations and I am hoping that you will be able to assist me or point me in the right direction. We recently granted Advance Parole to a woman who has deferred action. She has filed a petition for U nonimmigrant status and will be approved in October when additional U visa numbers are made available.  until then she has deferred action.

 The woman will return to the U.S. on or around August 28th via the Houston airport. We wanted to give your agency the heads up that this woman will be returning with her son. My understanding is that the son has a nonimmigrant visa (I assume it is a B1/B2, but am not sure) and will try to enter the U.S. on that. Please let me know if CBP needs anything from USCIS regarding this case or if there is anything that we can do to facilitate the reentry of these individuals.

Their information is as follows:

(b)(6)

 (b)(6)

Entering the U.S. on/around August 28, 2010 at the Houston Airport.

Thank you,

Julie Farnam

Special Assistant to the Deputy Associate Director

Field Operation Directorate

U.S. Citizenship and Immigration Services

202-272-1102

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Farnam, Julie E

From: Leutbecker, Kenneth G
Sent: Thursday, August 19, 2010 4:31 PM
To: DUGAN, MAUREEN B; Leutbecker, Kenneth G; Scialabba, Lori; Ruppel, Joanna; Bird, John W; Hernandez, Velma; Urquiola, Rosa R; Farnam, Julie E
Subject: RE: Advance Parole/Deferred Action Entry

Importance: High

OK, I left Julie a message to call me. Ken

-----Original Message-----

From: DUGAN, MAUREEN B [mailto:maureen.dugan1@dhs.gov]
Sent: Thursday, August 19, 2010 4:22 PM
To: Leutbecker, Kenneth G; Scialabba, Lori; Ruppel, Joanna; Bird, John W; Urquiola, Rosa R
Subject: RE: Advance Parole/Deferred Action Entry

Thanks Ken. I will continue to keep our field office in the loop

Maureen Dugan
Acting Executive Director
Admissibility and Passenger Programs
Customs and Border Protection

[REDACTED] (b)(7)(c)

-----Original Message-----

From: Leutbecker, Kenneth G [mailto:kenneth.leutbecker@dhs.gov]
Sent: Thursday, August 19, 2010 3:36 PM
To: Scialabba, Lori; Ruppel, Joanna; Bird, John W; Urquiola, Rosa R; DUGAN, MAUREEN B
Subject: RE: Advance Parole/Deferred Action Entry
Importance: High

Hi Maureen, we have discussed and think you're correct that the parole route is the most beneficial. I will contact Julie Farnam and discuss the process with her. Hope all is well, Ken

-----Original Message-----

From: Scialabba, Lori [mailto:lori.scialabba@dhs.gov]
Sent: Thursday, August 19, 2010 1:35 PM
To: Leutbecker, Kenneth G; Ruppel, Joanna; Bird, John W; Urquiola, Rosa R
Subject: FW: Advance Parole/Deferred Action Entry

Guys,

Once she hits port it's CBP but wanted you to be aware of the situation.

Lori

-----Original Message-----

From: Rogers, Debra A
Sent: Thursday, August 19, 2010 12:11 PM
To: Scialabba, Lori; Farnam, Julie E; Harrison, Julia L
Subject: Fw: Advance Parole/Deferred Action Entry

Lori: putting this on your radar. Debbie

----- Original Message -----

From: DUGAN, MAUREEN B <maureen.dugan1@dhs.gov>
To: Farnam, Julie E
Cc: Rogers, Debra A; Harrison, Julia L; BROWN, LISABETH M
Sent: Thu Aug 19 12:02:50 2010
Subject: RE: Advance Parole/Deferred Action Entry

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Maureen Dugan

Acting Executive Director

Admissibility and Passenger Programs

Customs and Border Protection



(b)(7)(c)

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Sent: Thursday, August 19, 2010 8:36 AM
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From: DUGAN, MAUREEN B [mailto:maureen.dugan1@dhs.gov]
Sent: Thursday, August 19, 2010 8:34 AM
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Subject: Re: Advance Parole/Deferred Action Entry


Will USCIS be issuing an advance parole for the child?

From: Farnam, Julie E <julie.farnam@dhs.gov>
To: DUGAN, MAUREEN B
Cc: Rogers, Debra A; Harrison, Julia L
Sent: Thu Aug 19 07:58:48 2010
Subject: Advance Parole/Deferred Action Entry

(b)(6)

Good morning,

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A large rectangular black box used to redact a significant portion of the text at the bottom of the page.

(b)(6)

will be returned to her.

[REDACTED]

The woman will return to the U.S. on or around August 28th via the Houston airport. We wanted to give your agency the heads up that this woman will be returning with her son. My understanding is that the son has a nonimmigrant visa (I assume it is a B1/B2, but am not sure) and will try to enter the U.S. on that. Please let me know if CBP needs anything from USCIS regarding this case or if there is anything that we can do to facilitate the reentry of these individuals.

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Thank you,

Julie Farnam

Special Assistant to the Deputy Associate Director

Field Operation Directorate

U.S. Citizenship and Immigration Services

202-272-1102

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Farnam, Julie E

From: Leutbecker, Kenneth G
Sent: Thursday, August 19, 2010 4:57 PM
To: Farnam, Julie E
Subject: RE: Advance Parole/Deferred Action Entry

I can be reached at 703-235-4158.

-----Original Message-----

From: Farnam, Julie E
Sent: Thursday, August 19, 2010 4:40 PM
To: Leutbecker, Kenneth G
Subject: Re: Advance Parole/Deferred Action Entry

Hi Ken,

I am in Dallas today and tomorrow. I can give you a call if you are in the office. What's your number?

Julie

----- Original Message -----

From: Leutbecker, Kenneth G
To: DUGAN, MAUREEN B; Leutbecker, Kenneth G; Scialabba, Lori; Ruppel, Joanna; Bird, John W; Hernandez, Velma; Urquiola, Rosa R; Farnam, Julie E
Sent: Thu Aug 19 16:31:06 2010
Subject: RE: Advance Parole/Deferred Action Entry

OK, I left Julie a message to call me. Ken

-----Original Message-----

From: DUGAN, MAUREEN B [mailto:maureen.dugan1@dhs.gov]
Sent: Thursday, August 19, 2010 4:22 PM
To: Leutbecker, Kenneth G; Scialabba, Lori; Ruppel, Joanna; Bird, John W; Urquiola, Rosa R
Subject: RE: Advance Parole/Deferred Action Entry

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Maureen Dugan
Acting Executive Director
Admissibility and Passenger Programs
Customs and Border Protection

(b)(7)(c)

-----Original Message-----

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Sent: Thursday, August 19, 2010 3:36 PM
To: Scialabba, Lori; Ruppel, Joanna; Bird, John W; Urquiola, Rosa R; DUGAN, MAUREEN B
Subject: RE: Advance Parole/Deferred Action Entry
Importance: High

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To: Farnam, Julie E

Cc: Rogers, Debra A; Harrison, Julia L; BROWN, LISABETH M

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Subject: RE: Advance Parole/Deferred Action Entry


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Acting Executive Director

Admissibility and Passenger Programs

Customs and Border Protection

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Sent: Thursday, August 19, 2010 8:36 AM

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Cc: Rogers, Debra A; Harrison, Julia L

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Sent: Thursday, August 19, 2010 8:34 AM

To: Farnam, Julie E

Cc: Rogers, Debra A; Harrison, Julia L

Subject: Re: Advance Parole/Deferred Action Entry

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Thank you,

Julie Farnam

Special Assistant to the Deputy Associate Director

Field Operation Directorate

U.S. Citizenship and Immigration Services

202-272-1102

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(b)(6)

Farnam, Julie E

[REDACTED]

Sent: Tuesday, October 19, 2010 1:58 PM
To: Farnam, Julie E
Subject: deferred action receipt

Attachments: DOC031.pdf



DOC031.pdf (34
KB)

Hi Julie,

Just keeping you in the loop. Thanks.

[REDACTED]

(b)(6)

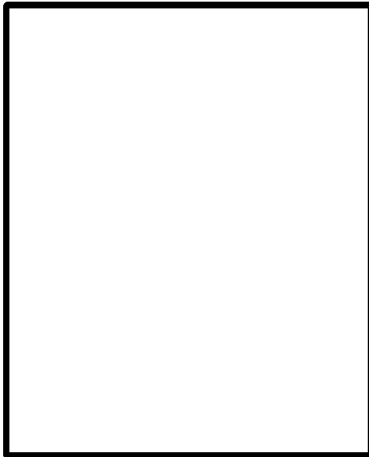
U.S. Department of Homeland Security
Jacob K. Javits Federal Building
26 Federal Plaza
New York, NY 10278



U.S. Citizenship
and Immigration
Services

(b)(6)

October 15, 2010

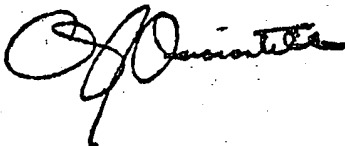


On October 14, 2010, you submitted a request for Deferred Action. Your request has been accepted and will be reviewed by USCIS. You should receive a decision or notice of other action within 60 days of the date of this letter.

This notice does not constitute a grant of deferred action nor does it establish employment authorization to be used in place of an Employment Authorization Document. This notice does not entitle you to be admitted or paroled back into the United States. Should you decide to travel outside the country, any departure from the United States, with or without permission from the government, may affect your ability to return to the country.

If you require additional assistance, forms or filing instructions, we invite you to visit our website at www.uscis.gov or contact USCIS National Customer Service Center at 1-800-375-5283.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea J. Quarantillo".

Andrea J. Quarantillo
District Director
District 3

(b)(6)

Mobile: [REDACTED]

From: Rogers, Debra A [mailto:debra.a.rogers@dhs.gov]
Sent: Thursday, July 01, 2010 3:03 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Parole issue for spouse of military (UNCLASSIFIED)

Copying Linda.

----- Original Message -----

From: Krebs, Kristie <kristie.krebs@dhs.gov>

To: [REDACTED]
Cc: [REDACTED]
<[REDACTED]>

Sent: Thu Jul 01 14:55:37 2010
Subject: RE: Parole issue for spouse of military (UNCLASSIFIED)

Hi Carol -

I just sent a message to our Southeast Regional Office requesting information on this case. I will let you know of our findings.

Thanks,
Kristie

-----Original Message-----

From: [REDACTED]

Sent: Thursday, July 01, 2010 1:19 PM
To: Rogers, Debra A

[REDACTED]
Subject: FW: Parole issue for spouse of military (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

[REDACTED]
I received the e-mail below from an immigration attorney who is frustrated with a case where she is seeking parole in place for a spouse of a Soldier. I have no particular tie to this case at all and really do not know the details, but I know you have said at multiple meetings that you want us to bring any contentious cases we hear about to your attention before they get to the media.

Please let me know if you need any further information.

Carol

V/R,

[REDACTED]
(b)(6)

(b)(6)

-----Original Message-----

From: [REDACTED]
Sent: Thursday, July 01, 2010 12:53 AM

Subject: Parole issue for spouse of military

Dear Ms. Stahl:

Per our earlier conversation, I am writing to update you on the status of the soldier for whom I had submitted a request for a Parole in Place to the local CIS office. Today I was informed by the Oakland Park Field Office Director that because there is no clear policy on how to handle the issue, it needs to be escalated to her superiors. Seems these cases are being handled very differently across the U.S. and as we discussed, there is no final policy to date.

The facts of the case are as follows:

Foreign national: [REDACTED]
Date of Birth: [REDACTED]
Place of Birth: [REDACTED] Mexico
Date of Marriage: [REDACTED]
Place of Marriage: [REDACTED] Texas
Soldier Name: [REDACTED]
Soldier's date of birth is [REDACTED]
Place of Birth: [REDACTED] North Carolina
He is currently serving in the [REDACTED]
[REDACTED]
Unit Association: [REDACTED]

The soldier has just returned from combat duty abroad after two back-to-back tours in the Middle East. His formal discharge date is set to end in October 2010 although he has been awaiting information for processing of deployment orders with a civilian government contractor. He and his wife have applied for adjustment of status and their case is pending with USCIS.


The local Field Office Director for Oakland Park, Florida reviewed their file and has indicated that the field office is not in position of authority for the purposes of paroling [REDACTED] into the US. My client's wife is a non-criminal and while it is our position that she was inspected and admitted when she entered the U.S., she does not have proof of her entry since she was a minor who was in a car that was waived into the U.S. across the border.

At this time, I am not sure what the outcome of the case will be or if they will place my client's wife in removal proceedings. If proceedings are initiated at this time, her options will be limited as she would only have about 9 years and 8 months of the required 10 years that is needed to demonstrate eligibility for a waiver before an immigration judge. I am hoping that CIS will parole her. As I mentioned, I am typically very reluctant to go public on these cases because I think there are more productive ways of addressing the issues.

I plan to be in Washington DC this week for the AILA national conference and would be happy to meet with anyone you think might be helpful in guiding me on this matter. Thank you for your consideration. Please do not hesitate to contact me if you need further information.

(b)(6)

Regards,



(b)(6)

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

Classification: UNCLASSIFIED
Caveats: NONE

** LAST

** PAGE

(b)(6)

Comments from D23

The congressional unit actually was involved with one of these cases going back several years. (Congressman Becerra)

[REDACTED]
Deferred action was initially granted March 30, 2005, and again on 3/17/2008, and the last time was on 6/16/2010.

History [REDACTED] entered the United States on May 2, 2002 to accompany his daughter [REDACTED] – so she could have an operation to remove a brain tumor. His daughter developed Panhypopituitarism and diabetes and is currently on complete pituitary hormone replacement to sustain her life. Her medical insurance is through her father's employment.

2. Information from cases after January 1, 2003 in which an individual made a request for deferred action - None
3. Information from cases after January 1, 2003 in which an individual did not make a formal request, but was considered for deferred action. None
4. Information from cases after January 1, 2003 in which an individual requested deferred action but was denied. None
5. Information from cases after January 1, 2003 in which an individual qualified as part of a group eligible for deferred action. None

Note: There was another recent case [REDACTED] that was granted a renewal of his deferred action. The Office of Customer Service did not actually submit this request for deferred action but received a request from our district director to clarify the procedures for applying for a renewal of his employment authorization document. I may be able to get you the A number if needed

Dianne Armenteros, OSC

1. Information from cases after January 1, 2003 in which deferred action was granted:

[REDACTED] deferred action was granted on 01/16/2007, for the alien to apply for naturalization, under Section 329 of the INA. The factors considered in the decision included his nine years of service in the [REDACTED] and others), his claim that he believed he was a U.S. citizen – based on a birth certificate given to him by his mother that was later determined to be a fraud document, and his eleven year marriage to his U.S. born wife. He currently has a pending N400 application.

[REDACTED] deferred action was granted on 06/20/2008, for a period to expire on 06/01/2010. The factors considered in the decision included information provided to USCIS from law enforcement officials in Israel that indicate the [REDACTED] would be a target for retaliation if she were to remain in Israel following her participation in a High-profile criminal prosecution against an organized crime figure in Israel, plus the fact that she has no criminal history and was not considered a threat to public safety or security of the United States.

(b)(6)

(b)(6)

[REDACTED] deferred action was granted on 10/10/2008, for a period of two years. The factors considered in the decision included the age of the alien, he was 89 years old. His health was also considered; he suffered from Parkinson's disease, Dementia, and Alzheimer's disease and Glaucoma, as well as bouts of hypertension and hypotension. His medical conditions prevented him from traveling back to Canada. He was financially supported by his son.

2. Information from cases after January 1, 2003 in which an individual made a request for deferred action:

[REDACTED]

3. Information from cases after January 1, 2003 in which an individual did not make a formal request, but was considered for deferred action:

I do not have any information on any cases that were considered for deferred action without the individual making a request.

4. Information from cases after January 1, 2003 in which an individual requested deferred action but was denied:

[REDACTED] deferred action was denied on 04/16/2007. The factors considered in the decision are not enumerated in the decision letter.

[REDACTED] deferred action was denied on 09/29/2008. The factors considered in the decision are not enumerated in the decision letter.

5. Information from cases after January 1, 2003 in which an individual qualified as part of a group for deferred action:

I do not have any information on any cases that were considered for deferred action as part of a group.

Maureen Killian-Larios, LOS

(b)(6)

July 26, 2010

The following information is provided for you on the Deferred Action request for information call-up. This is for D-24.

I was responsible for making a recommendation on these cases when they were assigned to me.

1) Deferred Action cases granted after January 01, 2003:

Three children of the [REDACTED] were granted deferred action status,

[REDACTED]

The [REDACTED] family was waiting for their visas to become available as their visas were not available yet. Date of grant unknown. The applicant's were originally from Colombia.

Another request for two individuals were made for a [REDACTED]
[REDACTED] These two individuals were approved on March 04, 2005.

2) Individuals who made the request for deferred action after January 01, 2003:

The parents for the [REDACTED] children made the request for deferred action.

3) Individuals who did not make a formal request, but was considered for deferred action after January 01, 2003:

There is no information about those individuals who did not make a formal request but deferred action was considered.

4) Individuals were denial deferred action after January 01, 2003:

Two individuals were denied deferred action status, [REDACTED]
and [REDACTED] They were from the People Republic of China.
They applied for asylum at the Los Angeles Asylum Office.

5) Individuals that qualified as part of group eligible for deferred action after January 01, 2003:

None

Ricardo M. Valadez, SISO, Chula Vista Field Office

July 26, 2010

(b)(6)

U.S. Department of Homeland Security
1351 Corporate Blvd
Reno, NV 89502



U.S. Citizenship
and Immigration
Services

May 22, 2009

Ref [REDACTED]

[REDACTED]

Attorney [REDACTED]

I have received your request for expedited deferred action in the case of [REDACTED] and after a thorough review, I am unable to render a positive decision on her behalf. Having been found to have made a false claim to United States citizenship in November 2000, a violation this Service views as an extremely serious violation of the law, a positive decision to your request would be inappropriate.

On November 14, 2000, [REDACTED] using the name [REDACTED] applied for admission to the United States at the Douglas, Arizona, Port of Entry. During her attempted entry into the United States, [REDACTED] presented an Arizona birth certificate in the name of [REDACTED] to an Immigration Officer claiming to be that individual: This impersonation of a United States citizen is a violation of Section 212(a)(6)(C)(ii) of the Immigration and Nationality Act, as amended, to wit, Falsely Claiming To Be a United States Citizen. False claims to United States citizenship renders a perpetual bar to any future considerations to any immigration benefits. Although [REDACTED] was allowed to withdraw her request for admission to the United States and return to Mexico, this violation was recorded by Immigration officials and is now a permanent part of [REDACTED] immigration record.

While the Service understands the hardship which may be incurred by [REDACTED] and her United States citizen children upon her removal from the United States, she is not alone in situations of this type. However, severe violations of the immigration laws of the United States cannot be overlooked. In M [REDACTED]'s case, the impersonation of, and claiming to be, a United States citizen, is not only a severe violation of the law, it also creates an environment of "unfairness" to the thousands of new immigrants to our country who have followed the law and who have worked hard to become our country's newest citizens.

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My decision should not be seen as one to prejudice [REDACTED] in any future undertakings that she may want to pursue at American Embassies or Consulates abroad should she decide to do so.

Sincerely,

Monica E. Toro
Field Office Director

(b)(6)

U.S. DEPT. OF JUSTICE, CIVIL RIGHTS DIVISION, ASIAN AMERICAN CENTER

No. 0097

January 13, 2009

RE. Request for Deferred Action for [redacted]

Dear OIC Keller,

The [redacted] a community-based nonprofit, is providing pro bono assistance to [redacted] Eight-year-old [redacted] suffers from [redacted] as a center focusing on treatment of [redacted] received permission to travel to the United States in December 2002 so that [redacted] could be treated there. [redacted] mother, [redacted] was granted permission to join them in July 2003. They had been granted extensions of stay in order to permit [redacted] to continue to receive treatment and to search for a matching donor. However, the California Service Center was not able to grant the most recent request for an extension.

[redacted] patients' lives can be extended with treatment, but the only permanent cure is a [redacted] on two donor registries. The family is also involved with the [redacted] With the [redacted] assistance, [redacted] uncle [redacted] has also met with print and broadcast media to appeal for more Asian Americans to register as potential donors. In the meantime, [redacted] or a new [redacted] treatment, and continues to be under the care [redacted]

[redacted] was notified in December 2006 that his search for a matching donor has moved to the next stage. The registry has already identified possible donors, and now they are doing more detailed testing of these potential donors to verify if any of them are a close enough match for [redacted] to actually receive their bone marrow safely.

The family's passports are still valid, and the family is here on the recommendation of the Vietnamese Ministry of Health, so we anticipate no difficulty with their return to Vietnam once Vinh receives a transplant.

Thank you for your compassionate attention to this request. If I may be of assistance in any way, please let me know. Please note our new office address: [redacted]

Sincerely,

(b)(6)

(b)(6)

Office of the District Director

U.S. Department of Homeland Security
630 Sansome Street
San Francisco, CA 94111



U.S. Citizenship
and Immigration
Services

(b)(6)



January 29, 2009

File Number:



Dear



This is to advise you that your case has been placed in the **Deferred Action category**. At this time, although you do not have a legal status in the United States, no action will be taken to effect your removal. Your case will be reviewed annually to determine if it should remain in this category.

You should be aware that if you depart the United States while your case is in this category you may not be allowed to reenter.

The law requires that you notify this Service in writing of any change of address within ten (10) days of moving by filing a Form AR-11, Alien's Change of Address Card. Because you have a pending case with the Service, you must also file a Change of Address online or call our National Customer Service Center at (800) 375-5283. Please include your alien file number in any correspondence concerning your case.

As a person granted Deferred Action, you may apply for permission to work in the United States and obtain proof of current status (I-94). To schedule an appointment for issuance of an Employment Authorization Document, please make an INFOPASS appointment with the San Jose Field Office and bring with you this notice and a completed form I-765, Application for Work Authorization.

(b)(6)

Sincerely,

Larry F. Crider
Acting District Director

(b)(6)

www.dhs.gov

(b)(6)

San Francisco District Director

U.S. Department of Homeland Security
630 Sansome Street
San Francisco, CA 94111



U.S. Citizenship
and Immigration
Services

January 29, 2009

Alien File Number

Dear [REDACTED]

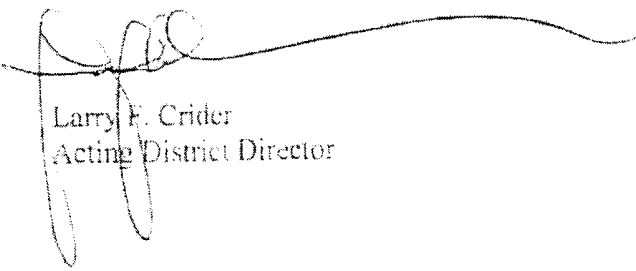
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Sincerely,


Larry E. Crider
Acting District Director

(b)(6)

www.dhs.gov

San Francisco District Director

U.S. Department of Homeland Security
630 Sansome Street
San Francisco, CA 94111



U.S. Citizenship
and Immigration
Services

(b)(6)

January 29, 2009

Alien File Number

Dear [REDACTED]

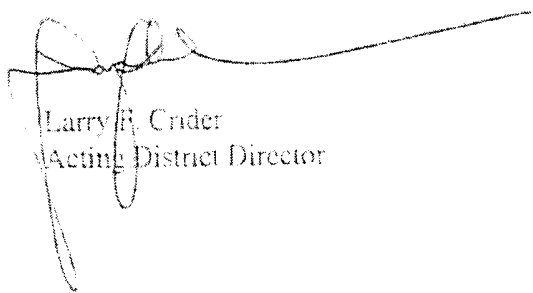
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Sincerely,


Larry R. Corder
Acting District Director

www.dhs.gov

Erfan, Anita

From: Erfan, Anita
Sent: Wednesday, March 25, 2009 9:03 AM
To: Ramirez, Martha
Subject: RE: Response Letter

Yes, this case was actually in the jurisdiction of SFR so the application was forwarded to SFR. I replied to Marilyn.

Thanks

Anita Erfan
Section Chief
San Jose CIS
(408) 918-3808
Anita.Erfan@dhs.gov

From: Ramirez, Martha
Sent: Tuesday, March 24, 2009 5:18 PM
To: Erfan, Anita
Subject: FW: Response Letter

Anita,
Looks like I received this when I was out sick for two days.

Per NFTS Afile in Buffalo and Tfile with D. Goodwin at District, did you respond to email?

Martha

From: McLeod, Marilyn D
Sent: Wednesday, March 11, 2009 10:39 AM
To: Erfan, Anita; Ramirez, Martha
Subject: Response Letter

Good morning ladies: I got this notice when I sent the message below.....can one or both of you tell me the status?
Has this attorneys office been dealt with?
I am out of the office from March 9th, returning to the office Monday March 23rd. For questions please contact
Acting FOD Anita Erfan or SISO Martha Ramirez. Thanks!

From: McLeod, Marilyn D
Sent: Wednesday, March 11, 2009 10:09 AM
To: Keller, Carol L
Subject: Response Letter

Carol,
Lynn Kentfield told me that you were taking care of the response letter to the attached Attorneys office. Has that been done? This is the second request for the deferred action. Carolyn Muzyka has not signed nor forwarded any response to the first request received in January. Please advise status.

7/27/2010

Erfan, Anita

From: Capuno, Bernardo
Sent: Friday, March 06, 2009 3:26 PM
To: Keller, Carol L; Siao, Susan W; Erfan, Anita
Cc: Crider, Larry; Crider, Angela A
Subject: RE: Deferred Action file

(b)(6)

Carol,

The SUBJECT and his family reside in [REDACTED] The attorney did not have a good reason as to why she filed the request with San Jose. Sue and Anita agreed to forward the T File and the request for deferred action to SFR.

Best regards,
Bernardo Capuno

From: Keller, Carol L
Sent: Friday, March 06, 2009 7:37 AM
To: Capuno, Bernardo; Siao, Susan W; Erfan, Anita
Cc: Crider, Larry; Crider, Angela A
Subject: Deferred Action file

Bernardo, I will be giving Sue a Tfile for a deferred action. Larry may be called on this by WRO so I'm copying him, and he will be the one signing, although WRO must review approvals and may want to be advised of the denial (Lynn Kentfield). I'm attaching a prior approval that Jio did. Below is a link to a denial I found on the internet.

The applicant is requesting deferred action (I assume on proceedings). I finally got a hold of the attorney in Buffalo (where he was picked up) that has the file and she says they will be issuing an NTA today or Monday which would render the request moot. Regardless, this case does not appear to be qualified for any deferred action as he has no potential status such as an approved petition.

I am guessing they are claiming it is our jurisdiction because he had just moved to NY when he was picked up, and he is a student. He is likely claiming SNJ is his permanent address

Please contact Carol Bridge to get the information on Monday or Tuesday regarding the NTA. Her number is 716 551 4741, extension 3286

We should probably try and issue this next week

Thanks!
Carol

www.chathampeace.org/mahmooddecision.doc

7/27/2010

Erfan, Anita

From: McLeod, Marilyn D
Sent: Wednesday, March 11, 2009 10:39 AM
To: Erfan, Anita; Ramirez, Martha
Subject: Response Letter
Attachments: scan0001.pdf

Good morning ladies; I got this notice when I sent the message below.....can one or both of you tell me the status?
Has this attorneys office been dealt with?
I am out of the office from March 9th, returning to the office Monday March 23rd. For questions please contact
Acting FOD Anita Erfan or SISO Martha Ramirez. Thanks!

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Subject: Response Letter

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Marilyn D. McLeod
Staff Assistant
Office of the Director
Western Region



7/27/2010

(b)(6)

March 4, 2009

VIA FACSIMILE AND MAIL

Carolyn Muzyka
Western Regional Director
United States Citizen and Immigration Service
U.S. Department of Homeland Security
24000 Avila Road, 6th Floor
Laguna Niguel, CA 92667-3400

MAR - 9 2009

OFFICE OF THE REGIONAL
DIRECTOR, DHS-CIS, WRO
LAGUNA NIGUEL, CA

Re: *Request for Deferred Action for* [REDACTED]
[REDACTED]

Dear Mr. [REDACTED]

I am writing to follow up on a letter that was sent to your office on January 30, 2009, requesting that the United States Citizen and Immigration Service grant a deferred action for [REDACTED] an extraordinary young man facing potential deportation.

I wanted to ensure that the regional office received the original request. I have yet to receive any correspondence or confirmation that your office did in fact receive this request, and thus, wanted to verify that it had been received. If the regional office has received the request, I wanted to inquire as to whether the office had any sense as to the time frame for adjudication.

Should you have any questions relating to the original request, please do not hesitate to contact me. I may be reached at [REDACTED] Thank you for your attention to this request. I look forward to hearing from you.

Sincerely,

cc: [REDACTED]

(b)(6)

Central Region Deferred Action FOIA Survey						
District	Resp. To Q. 1	Resp. To Q. 2	Resp. To Q. 3	Resp. To Q. 4	Resp. To Q. 5	Comment
12	5	no data	no data	no data	no data	
13	5	no data	no data	no data	no data	
14	1	no data	no data	no data	no data	
15	15	no data	no data	no data	no data	
16	0	no data	no data	no data	no data	
17	3	no data	no data	no data	no data	
18	7	no data	no data	no data	no data	
19	3	no data	no data	no data	no data	
Region Total	39	no data	no data	no data	no data	

For references purposes the questions are listed below:

- 1 Information from cases after January 1, 2003 in which deferred action was granted
- 2 Information from cases after January 1, 2003 in which an individual made a request for deferred action
- 3 Information from cases after January 1, 2003 in which an individual did not make a formal request, but was considered
- 4 Information from cases after January 1, 2003 in which an individual requested deferred action but was denied
- 5 Information from cases after January 1, 2003 in which an individual qualified as part of a group eligible for deferred acti