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## The economic downturn and its effects on laid-off sponsored workers and H1B visa holders

by ATTY. BELLA REYES, J.D., LL.M.

AS of the end of February 2009, almost every aspect of our communities has been affected by the global economic downturn. To address this problem, our new President, Barack Obama, recently signed the "American Recovery and Reinvestment Act of 2009," more fondly referred to as the "Stimulus bill." This bill provides a large number of tax credits and billions in US dollars to programs that support American businesses and families, including extending the Unemployment Insurance benefits for thousands of laid-off workers.



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### Unemployment benefits for laid-off sponsored workers and H1B visa holders

Many laid-off Sponsored workers are eligible to apply for unemployment benefits. What are "unemployment benefits?" Briefly, these are benefits paid from unemployment insurance programs governed by State laws following federal guidelines. Such insurance programs are paid for by each State's employers. For unemployment benefits to be provided, the programs require that employment be lost through no fault of the employee. This means that if the employee voluntarily resigns or is terminated for cause, he or she is ineligible for unemployment benefits.

However, some of these laid-off Sponsored workers do not apply for unemployment benefits, even if they are eligible to do so, for fear that such benefits

may cause problems due to the public charge removability provisions under Immigration laws. Under the current Immigration laws, persons may be removed (deported) if they become subject to "public charge" within five years of their entry to the United States.

It is important to understand that unemployment benefits are not public charges per se because first, they are from insurance programs paid for by the employers; second, there is no government fee for this service; and third, there is no requirement for the employee to pay it back to the State. In fact, unemployment benefits are considered "taxable income" by the IRS. Thus, eligible laid-off Sponsored workers should apply for these benefits while they are unemployed.

This article is not intended to provide the reader any legal or tax advice. For more information on applicable legal remedies or tax benefits for you, please call our office at (714) 530-0042 or visit our website at bellareyes.com.

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## American puts US destinations on sale for travel through mid-May

**F**ORT WORTH, Texas – If you've wanted to see more of the USA, but the economy has you moaning, "There's no way," then count on American Airlines to save the day. And right now, we have the great low fares to prove it.

American, a founding member of the global oneworld Alliance, has put nearly all of its destinations in the continental US on sale for travel this spring. East Coast, West Coast, Northeast, Southeast, Northwest, Southwest, Midwest ... they're on sale for travel through May 20.

American, together with its regional affiliate, American Eagle, is your airline for spring travel this year (and any time of year, for that matter). We can take you to all the great sites the country has to offer; to that relaxing vacation on the beach, in the mountains, or at the golf course; to that big family reunion or that quiet visit with a long-lost friend or college roommate.

Whatever your plans, you'll save money with American's great low fares this spring. But don't delay. Tickets for American's low spring sale fares must be purchased by March 16, 2009.

Here are the highlights of American's low fares for travel through mid-May:

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Travel through May 20, 2009.

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14-day advance purchase is required.

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Here are samples of American's great low fares. Fare amounts shown are each way based on off-peak round-trip Economy Class travel purchased on AA.com.

### Sample markets

- Between Fare Each Way Based on Round-Trip Purchase\*
  - Dallas/Fort Worth – Tulsa++ \$37
  - Los Angeles – Monterey, Calif.+ \$37
  - Chicago O'Hare – Minneapolis/St. Paul \$42
  - Miami – Philadelphia \$58
  - Chicago O'Hare – St. Louis \$62
  - Atlanta – Dallas/Fort Worth \$73
  - Los Angeles – Washington, D.C. Dulles \$97
  - Los Angeles – Orlando \$107

New York Kennedy – San Francisco \$115

\*Fares shown are each way based on off-peak round-trip Economy Class travel purchased on AA.com, and are in US dollars. Fares are valid for travel through May 20, 2009. Fares do not include all government-imposed taxes and fees.

+ Service operated by American Eagle.

++Travel may be on American Airlines or American Eagle.

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For an additional \$20 per ticket, travel arrangements can also be made by calling American's reservations number at 1-800-433-7300 (en Español 1-800-633-3711) within the United States. Outside the United States, call the local reservations number. For an additional \$30 per ticket, travel arrangements can be made at an American Airlines Travel Center or Airport Ticket Office. Tickets may also be purchased through a travel agent. Travel agents may impose a service charge for ticketing.

A "Fly Now, Pay Later" deferred payment option on American allows holders of the American Airlines Credit CardSM account to enjoy six months of no payments and no interest for tickets purchased on AA.com. For terms and conditions and more details, visit www.aa.com/paylater.

American Airlines VacationsSM has a number of exciting and affordable travel packages available to many popular destinations in the United States. For more information, visit www.aavacations.com.

### Fare Terms and Conditions

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Fares do not include (a) a federal excise tax of \$3.60 per US domestic flight segment, defined as one takeoff and landing, of a passenger's itinerary; (b) up to \$18 per round trip in local airport charges; and (c) September 11th Security Fee of \$2.50 per enplanement originating at a US airport.

Tickets must be purchased at least 14 days prior to departure or within one day of making reservations, whichever comes

first, but not later than 11:59 pm, March 16, 2009 (Central Time).

Fares are valid for travel through May 20, 2009. Fares are not valid for travel March 28 and April 4, 11, 2009.

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To purchase tickets on AA.com you must use a credit card with a billing address in the United States, Puerto Rico, US Virgin Islands, Canada, the United Kingdom, or select Latin American and Caribbean countries.

Customers may be charged \$15 each way for the first checked bag and \$25 each way for the second checked bag. See www.aa.com/baggagelallowance for more information.

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Elcer Hernandez and Jules Perlas, Filipino Internet Managers

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## Of scams, suckers and the wheels...

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significant areas of life — IF IT'S TOO GOOD TO BE TRUE, IT PROBABLY IS. Okay, repeat that as your mantra. A smidgen of cynicism will serve us all in good stead.

The scams that feed on greed are so sophisticated that scammers can send a seemingly authentic check, complete with watermarks, by mail from a real sounding bank with so many zeroes on it. If you bite at the first overture, they then ask for a processing fee and get all pertinent information from you so you can get the rest of the "winnings." This is called the Nigerian scam apparently because the first perpetrators allegedly were well educated but destitute Nigerians who found that their facility for the English language could be exploited to scam millions using the internet. The scam has spread and morphed with mind-boggling variations, from Russia to China to Japan, but with only one nefarious purpose. To be fair, the scam is no longer just Nigerian but has become international with many copycats. No one race or culture has the monopoly on these. These can originate anywhere in the world. If you have not consciously joined any lottery, why in heaven's name would you think you have a snowball's chance in hell of winning even one thin dime? Also, legitimate lotteries will NEVER, repeat NEVER, ask you for money in order for a winner to claim a prize.

Some scams feed on your fear. One of the most deceptive things is to receive an email from your bank instructing you to click on a link and verify your information since someone supposedly is accessing your account and if you don't verify your information,

particularly your pin number or password, this can result in a temporary hold on your funds. Yeah, right.

I received an authentic looking email from Bank of America with such a story line. The thing is I don't have an existing account and reading the fine print below and editing the grammatical errors are red flags that tell me these con artists have breached my spam guard. No legitimate financial entity will ask you for information of such nature. If you do have an account, cut these scammers off at the knees with the simple expediency of calling the fraud unit of your bank or credit card company yourself. Take the bull by the horns. Generate the call. Get the telephone number from your statement or your card and DO NOT CALL THE NUMBER that the caller or e-mailer provided you with. It's a trap. Report such emails as spam. Don't just delete it. Sure, they will morph into another form but be proactive and make it more difficult for them. These scams are like viruses or shape shifters and can mutate faster than the speed of light. PC users are more vulnerable to spammers/scammers and pesky pop-ups than Mac users. C'est la vie.

Is there karmic justice? Because con artists rarely ever see the faces of their victims or know the full extent of the damage that they wreak on real people with real lives, these crimes seem impersonal in nature and rarely, if ever, do con artists get their comeuppance, at least in the physical world, where they would have been, tarred and feathered, boiled in oil, sold as chattel or flogged beyond recognition in Medieval times.

A case in point: Bernie Madoff's life is not enough to compensate

the people he had wronged. If there is some truth to reincarnation and karmic justice to pay off your earthly transgressions in your lifetime, Madoff will have to go through the number of lifetimes equivalent to the number of people he had scammed and destroyed, perhaps, close to an eternity in absolute cold misery, just to even out the score. The same could apply to Enron's Ken Lay, who died at 64 before he could serve his sentence for massive fraud, adding insult to injury to the victims he cheated.

The wheels of justice grind ponderously, exceedingly slow and you sometimes wonder, if justice would ever catch up with this distinct phenomenon of our time. The divine aspect of our humanity calls for mercy, even for the worst transgressions. Still, the crimes and moral offenses that we are fast becoming inured to, are of a severity and unprecedented magnitude which now crosses international borders that there is probably a need to take a long hard look at current, fast becoming outdated legal systems based on jurisprudence on a global scale that has yet to take into serious consideration the cyber environment that now permeates modern life in every corner of the world.

For now, all we can do as ordinary users of the net is be on guard. A healthy dose of cynicism and a smidgen of common sense work as well as an ounce of prevention.

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