

YOUR IMMIGRATION SOLUTION



ATTY. ROBERT REEVES & NANCY MILLER

Is there hope after lying to get a Green Card?

tion court. The government tries to take back the green card and deport the alien.

All is not lost. There is still hope. Immigration and Nationality Act Section 237(a)(1)(H) allows an alien who lied to obtain a green card to apply for a waiver. The waiver is available to aliens who are the spouse, parent, son or daughter of a citizen of the United States or of an alien lawfully admitted for permanent residence. In order to receive the waiver, the alien must show the positive factors in his case outweigh the negative ones.

In re Tijam, a Board of Immigration Appeals case, gives the judges a detailed guide of negative and positive factors to consider in deciding whether to exercise discretion and grant the waiver. Among the negative factors are the "nature and underlying circumstances of the fraud or misrepresentation involved; the nature and seriousness, and recency of any criminal record; and any additional evidence of the alien's bad character or undesirability as a lawful permanent resident of the United States". Positive factors to be considered may include "family ties in the United States; residence of a long duration in this country, particularly where it commenced when the alien was young; evidence of hardship to the alien or her family if deportation occurs; a stable employment history; the existence of property or business ties; evidence of value and service to the community; and

other evidence of the alien's good character".

Under INS v. Yang, the immigration judge may consider as negative factors all the lies told in order to get and keep a green card - including the initial lies told to gain entry into the United States. That means that the judge can consider as a separate fraud the remarriage after the alien obtained the green card and the petition based on the second marriage. The judge can also consider any lies told on naturalization application as distinct and separate frauds. Each of these lies will count as a separate negative factor.

Evidence of the positive factors must be carefully presented to the court through documentation and testimony. In addition, the negative factors must be thoroughly dealt with and explained. Because so much is at stake, aliens in this situation should seek the advice and assistance of an immigration attorney who is experienced in this type of case.

Atty. Reeves has represented clients in numerous landmark immigration cases that have set new policies regarding INS action and immigrants' rights. His offices are located in Pasadena, San Francisco, Las Vegas and Makati City.
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 The analysis and suggestions offered in this column do not create a lawyer-client relationship and are not a substitute for the personalized representation that is essential to every case.

(Advertising Supplement)

The Voice of FilAmerica

Political empowerment is still a treasure that eludes us as a community here in America. While we are the second largest Asian American community in the United States, we have yet to harvest the power that comes from our numbers. The Voice of FilAmerica features elected and appointed officials - regardless of political affiliation - in the different US states who are of Filipino ancestry. As your Filipino American community newspaper, the Asian Journal recognizes the fact that we all have a responsibility towards bringing political empowerment to fruition, especially for our future generations. It is our hope to have our voices heard all over America.

Lieutenant General Edward Soriano Highest Ranking Filipino-American in the US Army

by CYNTHIA DE CASTRO
 AJPress

IN the US Armed Forces, the generals are predominantly white males - although blacks have made some headway. But Asian Pacific Americans are at the bottom of the totem pole in the military ranks. In the US Navy, US Air Force and in the US Marines, there is no flag officer of Asian descent. However, in the US Army, a lieutenant general who is a Filipino-American, Army Lt. Gen. Edward Soriano, became the highest-ranking Filipino-American in the history of the American military.

Edward Soriano was born on November 12, 1946, in Alcala, Pangasinan, Philippines, to Federico Soriano, a military officer, and Encarnacion, a homemaker who raised Soriano and his sister Blez. Federico was a corporal in the 57th Infantry Regiment of the Philippines Scouts who was part of the infamous Death March and was forced to stay at an internment camp for three years. He inspired his son, Edward, to join the military as well.

In the 1960s, the Sorianos moved to Salinas, California. Soriano's father joined the United States Army as a corporal, and eventually retired as a major.

Edward Soriano graduated from Salinas High School, and from San Jose State University graduated with a degree in management. He went on to get a master's degree at the same school. Then, he joined the Army as Second Lieutenant.

Throughout his career, Soriano attended several military schools. In 1989 he graduated from the Army War College. After his initial training, in 1973 Soriano commanded Company C, 3d Battalion, 47th Infantry of the 3d Brigade of the US 9th Infantry Division. He held that position until 1975. Soriano was next given the position of assistant commander of the 1st Infantry Division of American peacekeeping forces in Bosnia. He also served in the Gulf War, becoming the chief of a liaison team to the 1st Marine Expeditionary Force sent to Saudi Arabia. In 1992 he was sent to be the Army Section chief of the Secretary of Defense Gulf War Report team for operations Desert Shield and Desert Storm.

Because of his good performance record, Soriano became the director for operations,



readiness, and mobilization at the Office of the Deputy Chief of Staff for Operations and Plans. In that position he made certain that Army units were prepared to be instantly deployed on missions around the world. He was specifically in charge of troops in Haiti, Bosnia, Somalia, and other areas of tension around the world.

After September 11, 2001, when the World Trade Center buildings were destroyed by terrorists, the US government set up a homeland security department under the Joint Forces Command. Soriano was given the office of the second director of homeland security in the military in November of 2001. He held the position for ten months before he was made, in 2002, a commanding general of I Corps and Fort Lewis in Washington, a position he held until his retirement in 2004.

When he retired, Soriano was a three-star lieutenant general. The day he attained that position he became the highest-ranking Filipino-American in the United States armed forces, and only the second general ever to have Filipino roots.

Soriano is married to Vivian Guillermo, and they have had two children, Melissa and Keith. He has been given many awards over the lifetime of his careers, including the Distinguished Service Medal, two awards of the Defense Superior Service Medal, four awards of the Legion of Merit, the Bronze Star, the Defense Meritorious Service Medal, three awards of the Meritorious Service Medal, and several Army Commendation and Achievement Medals. He has also received many badges over his career, including the expert infantryman's badge and has been ranger and airborne qualified. ■

The spotlight shines on global Pinoys in TFC'S 15th year station id

FILIPINOS around the world are at the heart of the 15th anniversary station I.D. of The Filipino Channel (TFC). Featuring vocal performances from Charice Pempengco and Billy Crawford, the new station I.D. *Dahil Tayo'y Filipino*, shares ABS-CBN Global's message of hope to millions of Pinoys worldwide.

As the singing phenomenon that captured the hearts of Oprah Winfrey, Ellen DeGeneres, and mainstream America, Charice Pempengco lends her voice to inspire other Filipinos with her story of triumphs and humble beginnings. Another international singing sensation, Billy Crawford, who made his mark across Europe, Asia and the US, mixes in a contemporary rendition in the song. Charice's ethereal ballad and Billy's hip-hop style blend to embolden in every Filipino overseas his determination, resiliency, and courage through difficult times.

ABS-CBN Global dedicates TFC's new station ID to the Global Pinoys as part of its mission to empower and rekindle national pride in them. It underscores its commitment of providing the most innovative products and services to bring Pinoys overseas closer to home, making every kababayan also a kapamilya. *Dahil Tayo'y Filipino* is a reminder that ABS-CBN Global remains in the service of Filipinos wherever they may be.

A talented team brought this vision to life in TFC's 15th anniversary station I.D. Joel Barquez, TFC's head of on-air



The young Filipino who wowed the world with her powerful voice, Charice Pempengco puts her whole heart into TFC's newest Station ID.

and broadcast design, was joined by Ariel Escasa and Fred Ferraz to capture in song ABS-CBN Global's message of hope and encouragement. Awarded and experienced director Cholo Laurel led the team to make *Dahil Tayo'y Filipino* a testament to the strength of the Global Pinoys. The creative team headed by Beth Siojo and production team headed by Aileen Paredes joined forces in producing this inspired effort.

Celebrate TFC's 15th anniversary as they bring you the biggest artists of Star Magic. TFC's anniversary not only plans to bring our Global Pinoys closer to home, they want your viewing experience to come to life. Star Magic, The World Concert tour will engage all your senses, boasting of more than 40 stars of ABS-CBN, there is something for everyone. Your favorite actors and actresses, the funniest comedians, the most talented singers and dancers and the list goes on. Tickets are on sale now and VIP seats are almost gone. The concert is on June 27, 2009 at 7pm at the Citizens Business Bank arena in Ontario. Come be part of the concert event of the year. This show is brought to you by TFC, Asian Journal,

Balikbayan Magazine and ALAS Cargo. For more info, please call us at 909-592-8951 or visit www.StarMagicWorldTour.com. Other sponsors are RCBC, Oliver Tolentino, Cherry's Salon, and Sheraton.

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