

COMMUNITY

JOURNAL

YOUR IMMIGRATION SOLUTION



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What every non-citizen should know before traveling

who has filed an application for adjustment of status is deemed to have abandoned that adjustment of status application if she departs the US while her application is pending. The effect of an advance parole travel document is to permit travel, while preventing abandonment. An advance parole document is issued solely to authorize the person who travels to a US port of entry to seek parole into the United States to await the adjudication of the pending application.

A person's application for an advance parole document on the basis of a pending application for adjustment of status must be approved prior to departing the US. If granted, USCIS normally issues a 1-year, multiple-use advance parole document. If the resident departs prior to issuance of the advance parole document, her application for adjustment of status will be considered abandoned.

Re-Entry Permit

Often, lawful permanent residents may seek to travel abroad for over a year, but faithfully intend to reside permanently in the US. This can occur because the resident wants to finish school abroad, is employed abroad, desires to care for an ailing relative abroad, or any other of a number of reasons. In such instances, residents should consider availing of a re-entry permit, so as to minimize the chances of Green Card abandonment. Residents may use re-entry permits to seek to re-enter the United States if they have been absent for 1 year or more. This travel document must be applied for in the US before leaving the US, and is usually granted for a validity period of 2 years.

As are all non-citizens, re-entry permit holders are still subject to inspection at the port of entry and may be denied admission if they are inadmissible. While possession of a re-entry permit travel document evidences intent

to reside in the US, it does not guarantee admission into the US. The resident should also have a viable reason and supporting documentation for any departure from the US for over 6 months.

Even with a valid travel document, a resident who is in the US, but has accrued at least 180 days of unlawful presence, should carefully consider whether to leave the US, as doing so may subject her to a 3 or 10 year bar to re-entry.

Returning Resident Visa

While the advance parole and re-entry permit travel documents require forethought and planning prior to leaving the US, the reality of life is such that not all residents can predict their travel plans. As such, a resident sometimes leaves the US believing that she will return within 6 months or one year, but circumstances force her to alter her plans. In such instances, the resident may be eligible for a special immigrant returning resident (SB-1) visa, which is issued at US consular offices abroad.

Issuance of the returning resident visa is contingent on showing that the resident maintains the intent to reside in the US, and that the cause of the protracted stay out of the US was beyond the control of the resident. The resident must also show that she is eligible for the immigrant visa in all other respects.

Consular officers are reluctant to issue the returning resident visas, as residents have numerous chances to apply for travel documentation prior to departing the US. If a returning resident visa is refused on the grounds that a resident has given up her residence in the United States, she may have to apply for an immigrant visa on the same basis by which she immigrated originally, if circumstances permit.

While travel document options may be available for residents

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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.

Thelma Garcia Buchholdt

by CYNTHIA DE CASTRO
AJPress

The life of Thelma Garcia Buchholdt was one full of "firsts":

The first Asian American elected to the Alaska State Legislature (1974)

The first female Filipino American elected to a legislature in the United States (1974)

The founder of the Boys and Girls Clubs of Alaska (1966)

The first female to be elected President of the Filipino Community of Anchorage, Inc. (1973)

The first Asian American elected to serve as President of the National Order of Women Legislators (1980)

Founder of the Asian Alaskan Cultural Center, the first cross-cultural center of its kind in Alaska (1980)



In 1996 she was honored by Mount St. Mary's College as "Alumna of the Year, Community Service".

She also enrolled in graduate studies at a Las Vegas-based extension of the University of Nevada, which later became the University of Nevada, Las Vegas. There, Thelma met her husband of 50 years, Jon Buchholdt. They were

married June 14, 1957 and started a family.

Thelma taught elementary school until the family moved to Anchorage, Alaska in 1965. Thelma was active in the Anchorage community through the March of Dimes and the League of Women Voters, and she helped found the Boys and Girls Clubs of Alaska.

In the late 1960s, Thelma became involved in politics as a member of the Ad Hoc Committee of Young Democrats. In 1969, she was selected to attend a conference "On the Future of Alaska" held by the Brookings Institution in Washington, D.C. George McGovern named her Alaska coordinator for his 1972 presidential campaign. She was appointed to the Alaska State Advisory Committee to the US Commission on Civil Rights. In 1973, Thelma was elected the first woman president of the Filipino Community of Anchorage, serving two consecutive terms.

After her work on the McGovern campaign, in 1974 Thelma was elected to the Alaska House

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