

COMMUNITY

JOURNAL

YOUR IMMIGRATION SOLUTION



ATTY. ROBERT REEVES & NANCY MILLER

Is there hope after lying to get a Green Card?

the alien finds himself in immigration 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.
Telephone: (800) 795-8009
E-mail: immigration@rreeves.com
Website: www.rreeves.com

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 you 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
AJ Press

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. ■



BEST TIME to Remodel



No Interest For 12 Months On All Kitchen Cabinets

Up to **40% Off** Kitchen & Bath Designer Brand Name



PRO Warehouse
Over 10 Styles To Choose From



Get 10% OFF
on All Granite Material, Installation & Fabrication
(promo expires 05/31/09)

Extra 15% OFF
Team Efforts
Signature & Design Series
(promo expires 05/31/09)

Everyday Low Price & Huge Inventory:

Products	Starting Price	Inventory In Stock
- Ceramic Tile	\$0.89 SF	Over 300,000 SF
- Laminated Flooring	\$0.79 SF	Over 300,000 SF
- Solid Hardwood Flooring	\$1.69 SF	Over 250,000 SF
- Granite & Marble Tile	\$1.69 SF	Over 150,000 SF
- Granite Countertop	\$7.49 Lin Ft	Over 50,000 Lin Ft
- Toilet		
- Kitchen Fixture		
- Kitchen Sink		
- Bath Fixture		
- Bath Sink		
- Glass Vessel		
- Kitchen Appliance		
- Bath Appliance		
- Molding & Trims		
- Windows		
- Glass Shower Door		
- Shower Panel & More...		

Oakland
258 - 276 11th Street
Oakland, CA 94607
Tel: (510) 832-2838
Fax: (510) 763-8137

San Francisco
4228 Geray Blvd.
San Francisco, CA 94118
Tel: (415) 221-8808
Fax: (415) 221-8817

Sunnyvale
458 E. El Camino Real
Sunnyvale, CA 94027
Tel: (408) 732-3388
Fax: (408) 732-3311

Oakland
115 Market Street Oakland, CA 94607
Tel: (510) 835-9988
Fax: (510) 834-9988

Modesto
340 Spenser Avenue Modesto, CA 95354
Tel: (209) 523-3798
Fax: (209) 523-3799

- Free Kitchen Design - Professional Granite Counter Top Installation Services - Delivery and Installation Services Available. See Store for Detail
- Free Granite Counter Top Design - 12 Month No Interest, No Payment. See Store for Detail - Huge Inventory On Kitchen Cabinet & Granite Counter Top

"Family Owned and Serving The Bay Area Since 1988"

www.SincereHardware.com
"Sincere Services With Sincere Prices"