

A green card, and a wife overseas

By Ken McLaughlin
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Life seems good for Silicon Valley engineers Aung Moe and Vivek Jayanand. They're young, hip and already own luxury condos with big flat-screen TVs facing black leather couches. They're on their way to becoming U.S. citizens within several years.

But something vital is missing - their wives.

Moe and Jayanand are among a group of about a million legal, permanent U.S. residents forced to live without their spouses - and in many cases their children.

These green-card holders often wait five to seven years - in a purgatory of the heart - for their immediate family members to come to the States. If they had not made a commitment to this country by getting on the citizenship track, it would be far easier for their families to join them. As it is, their wives are not even allowed to visit.

"It's incredibly frustrating," said Jayanand, 31, a hardware engineer at Marvell Semiconductor in Santa Clara. "As an immigration lawyer recently told me, 'U.S. immigration law is not for those who are young and in love.' "

Under current law, the spouses and minor children of U.S. citizens don't have to wait for green cards. But the nuclear-family members of non-citizen immigrants are given lower priority.

The protracted separations that result from the law can be an enormous, corrosive strain on otherwise healthy marriages, advocates for immigrants say.

"It's really cruel and immoral," said Randall Emery of American Families United, a 2-year-old group

fighting to make immigration law more friendly to nuclear families. "People die waiting overseas for visas. Some divorce."

During last year's contentious debate about immigration reform, Sen. Hillary Clinton, D-N.Y., introduced an amendment that would have given green-card holders the same ability as citizens to bring their spouses and children to the United States. But the amendment failed 44-53 after Republican senators argued that the country couldn't suddenly absorb hundreds of thousands of spouses and children.

For green-card holders like Moe and Jayanand, there are only two solutions to their dilemma - both of them painful. They can win their citizenship and the right to bring over

their families, a process that usually takes at least five years from the date they got their green cards. Or they can wait for visas for their spouses, which can take even longer.

Moe and Jayanand say the policy is particularly aggravating because holders of temporary visas are allowed to bring their spouses right away. They include wives of H-1B work visa holders and those here on student visas.

"It's very strange," said Moe, 33, a processing engineer at Applied Materials in Santa Clara. "I decided I wanted to become a U.S. citizen, and that's why I got punished."

'She was the one'

Jayanand came to the United States from India in 1999 to study electrical engineering at the University of Southern California. He was able to stay in Silicon Valley and get a green card in 2004 because his skills were considered valuable to the United States.

On a trip to India in July 2006, he was introduced to Neethu, a medical student. "Once I met her, I knew she was the one," the Santa Clara resident said.

They married in February 2007, but the couple won't be able to live together until 2010 - at the earliest. Jayanand needs to become a citizen and then wait another year for his 25-year-old wife to get her green card.

2011 move-in goal

Moe, a San Jose resident, came in 1995 as a 20-year-old student from Burma, also known as Myanmar. Because he was involved in protests against the repressive regime, he was granted political asylum in 1998. He got his green card six years later.

He met his wife, Mon Nweni, a chemical engineer in Singapore, during a December 2006 business trip. They were married in the island nation a year later.

As a resident of a developed country, the 30-year-old Mon Nweni could travel freely to the United States. But once she married Moe, that was no longer the case.

Now she must wait until her husband becomes a citizen next year - and then another year for the United States to process her visa application. Moe figures he won't live with his wife until 2011.

Jayanand and Moe - both relative newlyweds - are forced to live as single guys.

"All my friends are getting married, so they don't want to hang out with me anymore," Moe said with a rueful laugh. He and Jayanand spend many lonely hours watching sports and movies on their big screens - avoiding romantic comedies.

Both men try to talk to their spouses every night on the phone, and they also use Skype, which allows them to see their wives.

But the time zones can be downright menacing.

"When she's home, I'm sleeping," Moe said. "When I wake up, she's sleeping."

No solution near

Rep. Zoe Lofgren, D-San Jose, isn't hopeful Congress will resolve the situation any time soon.

"Whenever there is a discussion of making the laws more rational, the anti-immigration advocacy groups raise a hue and cry," said Lofgren, chairwoman of the House Judiciary immigration subcommittee.

But groups like the Federation for American Immigration Reform and Californians for Population Stabilization say increasing the number of legal immigrants - which already runs about a million a year - is not a good idea.

Rick Oltman of Californians for Population Stabilization said he is sympathetic to the immigrants' plight, but added: "They understood the rules when they got here."

But Emery, the immigrants' advocate, argues that families shouldn't be "held hostage and used as pawns in the bigger game" of immigration reform.

"Even in the Mafia," Emery said, "they have rules against going after the women and children."