

MARKETPLACE

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ATTY. MICHAEL GURFINKEL

USCIS Ombudsman recommends expedited processing of nurse petitions

efficient and consistent processing of nurses' applications for green cards.

In his 11-page recommendation, the Ombudsman noted that the United States will require at least 1.2 million new RNs by 2014 to meet the nursing demand. This would include 500,000 RNs to replace RNs leaving the field, and another 700,000 to meet the growing demand for nursing care. In fact, the shortage of RNs (and increased workload for current nurses) "is a threat to the quality of patient care." Because of the nursing shortage, facilities are unable to expand services or prepare for an emergency response. Sometimes, hospitals have been forced to close beds and wings at their hospitals due to the nursing shortage.

The Ombudsman noted that because of the nursing crisis, in 2005 President Bush signed into law the Emergency Supplemental Appropriations Package, which provided for 50,000 unused employment-based immigrant nurse visas. As a result of that law,

nurses (and their families) briefly had their own special "Schedule A" visa category, which was "current" (or visas were available). Nurses were able to receive their green cards quickly, even though the priority date for other occupations was backlogged. However, once those 50,000 visas were used up, nurses were again put back into the third preference category, where the waiting time for an immigrant visa is now about four-five years.

The Ombudsman pointed out that the US simply cannot deal with the nursing shortage, if it takes so many years for a nurse to get his or her green card, and urged USCIS to "expedite" the processing of nurses' green card application. In fact, the existing grounds for expediting cases would seem to apply to nurses. These grounds include, "extreme

emergent situation," "humanitarian situation," and "compelling interest of the Service."

The bottom line is that, for now, the Ombudsman's report is merely a proposal or recommendation. It is not yet USCIS policy. But let us hope that USCIS recognizes the nursing crisis, and the need to do something quickly to fill nursing positions with foreign nurses (especially Filipino nurses, who are among the best in the world). Indeed, because of the long wait for green cards, many excellent nurses are migrating to other countries, such as Canada, England, Australia, etc., where the waiting time (and hassle) are much less.

Let us also hope that not only will nurses be able to obtain green cards quickly, but also all other hard working people. All of them have been waiting patiently

in line, and only want to share in, and contribute towards, the "American Dream."

Michael J. Gurfinkel is licensed, and an active member of the State Bar of California and New York. All immigration services are provided by, or under the supervision of, an active member of the State Bar of California. Each case is different.

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Government eyes balanced budget in 2011

THE government will try to balance the budget in 2011 if it will not be able to accomplish that goal in 2010 given the difficult global economic tide, Socioeconomic Planning Secretary Ralph Recto said.

"If we can't do it in 2010, it has to be in 2011," he said. The National Economic and Development Authority (NEDA) chief said the market knows that the Philippines would not be able to balance the budget in 2010 given the need to spend and pump-prime the economy.

Recto expressed hopes that government spending in 2009 and in 2010 would have paid off and that the global financial turmoil would have already eased by then.

However, Recto stressed that the government has not abandoned its balanced budget goal and would still try to erase the deficit in 2010, according to the revised schedule.

Earlier, Finance Secretary Margarito Teves admitted that the Philippines is finding it difficult to achieve a balanced budget by 2010, with the budget deficit expected to swell to P102 billion next year or P62 billion more than the original program of P40 billion due to the difficult global economic tide

However, Recto said having a deficit in 2009 and in 2010 would help cushion the economy from the negative impact of the global financial turmoil. He said the deficits would allow the government to spend more on infrastructure and social services.

The P102 billion programmed deficit for 2009 took into account higher expenditures of P1.467.8 trillion as the government plans to boost spending next year to help pump-prime the economy. This is above the original program of P1.433 trillion.

On the other hand, the government expects total revenues in 2009 to decline to P1.365 trillion from the original program of P1.393 trillion. The latest budget deficit projection of P102 billion is above the revised deficit forecasts for 2009 of P75 to P80 billion.

For this year, the government is still hoping to contain the budget deficit within the program of P75 billion.

The government incurred a budget deficit of P4.3 billion in November, a marked turnaround from the P54.1 billion surplus recorded in the same period last year.

The November budget gap brought the country's fiscal position for the January to November period to a deficit of P66.7 billion, latest data from the Finance department showed. (Inquirer.net)

BUSINESS

Quote of the Week

"What I know is, is that if you do the work that you love, and the work fulfills you, the rest will come."

— Oprah Winfrey, celebrity talk show host and business woman

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