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Bordallo takes issue with delayed and denied H-visas

Robert Q. Tupaz | Guam Daily Post Mar 5, 2016



DENIALS: Guam Delegate Madeleine Bordallo says she learned of the increased rates of denials by the USCIS from local businesspeople. Post file photo

Guam Delegate Madeleine Bordallo expressed her concern this week about an increase in the number of denials by the U.S. Citizenship and Immigration Services of visas for foreign nationals who want to work in Guam.

Bordallo said she learned of the increased rates of denials by the USCIS from local businesspeople. They primarily pertain to the renewals of H-visa applications.

She noted that with the impending military buildup and growth in the healthcare field in Guam, the denials or delays are jeopardizing progress and economic growth in Guam.

In a letter to Leon Rodriguez, director of the USCIS of the U.S. Department of Homeland Security, Bordallo noted that workers who are admitted under the H-visa programs are critical to supporting the healthcare and construction industries in Guam.

Bordallo reminded the USCIS that the fields require specialized employees that the island's labor pool is not able to fully provide at this time.

"I am deeply concerned with these recent developments and the impact they may have on construction contracts to support and sustain the military build-up on Guam as well as the immediate impact they may have on health care services on Guam," Bordallo stated in her letter.

Bordallo cited as an example, the denials of H-visa applications for workers destined for the Guam Regional Medical City, the island's newest hospital.

Clear shortage

"There is a demonstrated and clear shortage of qualified nurses on Guam," Bordallo said. "In particular, the sharp increase on the rates of denial of H-1 and H-2 visa renewals poses a significant impact and challenge to GRMC's ability to provide patient care to the people of Guam."

Bordallo told Rodriguez that letters declining renewals of H-2B visas for certain individuals at GRMC provide no clear rationale for the denial. As well, Bordallo warned that the denials will also negatively affect the island's planned military construction in support of the military realignment in the Asia Pacific region.

"Further, I am concerned that the increased denial rate will ultimately impact construction companies that are working to support military construction projects relating to the realignment of Marines from Okinawa to Guam," Bordallo said.

"The Department of Defense anticipates that total military construction spending, exclusive of local construction, will exceed the island's organic capacity in the coming years," she said. "It is expected that Guam would need to leverage H-2B visa workers to help keep the construction pace on track to accomplish this strategic endeavor."

Bordallo asked that USCIS provide clarification on its denial process as well as fidelity on the rationale behind the increase in H-1 and H-2 visa renewal denials.

"I am concerned that local businesses are seeing an increase in denials for H-visa renewal applications without any clear indication about what has changed since last year," Bordallo said. "If nothing has changed, I hope you can provide a very clear rationale for these rejections and discuss options to rectify this matter so that we can avoid adverse impacts to our health care and construction sectors in Guam."

Bordallo reminded Rodriguez that the U.S. Congress recognized Guam's unique need for specialized labor and accommodated the island through legislation.

"I strongly support local workers having preferences for these jobs, but our current workforce is not able to meet the demand for certain services. The anticipated military construction workload will take our island past its historical levels of organic support and will require H-2B workers," Bordallo said.

"For these reasons, in 2008 Congress separated Guam and the CNMI's H-2B visa quota from the national quota, which was extended at the end of 2014."

Robert Tupaz

Working for you!