MATTER OF JIMENEZ

Application for Extension of Stay

A-13975848

Decided by District Director September 1, 1965

Application for extension of stay and permission to transfer is denied an exchange visitor who was admitted to the United States in 1960 for residency training in pediatrics since the 5 years she has been here in such status should have provided ample opportunity to complete her original objective had she followed a progressive, integrated program; the last 3 years she has occupied a staffing position (instructor) in the capacity of trainer rather than trainee, as intended by the program; her present application likewise relates to the position of teacher or lecturer; and, further, the Department of State, after consultation, has recommended adversely in the matter.

Discussion: The applicant, a citizen and resident of the Philippines, entered the United States as an exchange visitor at Honolulu, Hawaii, on July 22, 1960, for the purpose of accepting a residency in pediatrics at the Philadelphia General Hospital, Philadelphia, Pennsylvania, until June 30, 1961. She then transferred as a fellow in pediatric endocrinology to The Johns Hopkins Hospital, Baltimore, Maryland, to June 30, 1962, after which she became an instructor in the Department of Pediatrics, Howard Medical School, Washington, D. C., until June 30, 1964. After that, she was an instructor in maternal and child health, School of Hygiene and Public Health, The Johns Hopkins University, Baltimore, Maryland, to June 30, 1965. She has now requested an extension of stay and permission to transfer to Columbia University for the purpose of being an assistant in the Department of Pediatrics to June 30, 1966.

Applicant's original training objective is not clear, but it appears it was either for residency training in pediatrics or a residency program in preventive medicine with emphasis on public health. In either case, had she followed a progressive, integrated program, the five years she had been in the United States should have provided ample opportunity to complete her original objective. Further, a

resume prepared by applicant shows she has been an instructor for the last three of her five years in the United States. This is clearly a staffing position in which she is the trainer rather than the trainee, the latter role being the one it was intended she should occupy as a participant in the program. The appointment to which this application relates likewise appears to be as a teacher or lecturer.

The Department of State has been consulted in this case and, for the reasons discussed above, concludes applicant has completed her training objective and that the purpose of the Mutual Educational and Cultural Exchange Act will not be served until she returns to her homeland to share her American training and experience for the benefit of her people and the promotion of their understanding of the United States. That Department recommended against both the transfer and extension of stay.

ORDER: It is ordered that the application be and is hereby denied.