



3600 Market St suite 400, Philadelphia, PA 19104
www.cgfns.org



March 26, 2020

The Honorable Robert Casey, Jr.
United States Senate
393 Russell Senate Office Building
Washington, DC 20510

The Honorable Patrick Toomey
United States Senate
248 Russell Senate Office Building
Washington, DC 20510

Dear Senators Casey and Toomey:

With the coronavirus crisis, the need for more qualified nurses is critical. We write to seek your support for our request for administrative visa relief from the Departments of State and Homeland Security, and to ask you to support legislation providing more visas for qualified foreign nurses.

We have requested that the Department of State make provisions to conduct interviews for FEN to obtain their visas in countries that supply the largest number of such nurses, and to expedite the processing of visas for FEN through the National Visa Center. Amidst border restrictions and closures, we have requested that Customs and Border Patrol (CBP) allow the entry of FEN into the United States as part of essential travel to deliver care to American patients. For your reference, I have attached our letters to the State Department and CBP.

Even with these changes, however, many more nurses will be needed in the fight against this pandemic. As such, we have proposed legislation for a one-time infusion of 10,000 additional visas for nurses (designated as a "Schedule A" occupation, as the labor shortage is pre-established). A draft provision is enclosed with this letter, for inclusion in appropriate forthcoming legislation.

In addition, other stakeholders in the health workforce sector have proposed 'recapturing' a fraction of the millions of visas that Congress has authorized but have never been issued. In 2005, a law was passed providing a one-time infusion of 50,000 visas for foreign-educated nurses to address critical needs at that time. CGFNS would support a similar action now, especially since visa retrogression currently in place means that nurses' who meet all standards—and have been through a thorough review by CGFNS to assess their comparability to a domestically-educated nurse—must wait several years to receive a visa at a time when their skills are needed in U.S. hospitals more than ever.

At CGFNS, we are considering every option to allow nurses to use their experience and education to serve patients in Pennsylvania and across the country. Internally, we are strengthening our educational programs and streamlining our credential evaluation services.



COMMISSION on GRADUATES of
FOREIGN NURSING SCHOOLS



INTERNATIONAL COMMISSION on
HEALTHCARE PROFESSIONS
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Yet we need the support of the U.S. government to establish a clear pathway for nurses to get where they are needed most. As such, we would appreciate if **you could follow up on our letters to the Department of State and CBP and include provisions for visas for foreign-educated nurses (FEN) in upcoming legislation to address the coronavirus pandemic.**

CGFNS International, Inc. (CGFNS), based in Philadelphia, is the world's largest credentials analysis and skills qualification organization for nurses and allied health professionals. CGFNS was established in 1977 by the American Nurses Association and National League of Nursing to ensure that foreign-educated nurses coming to the U.S. had the knowledge and skills to be licensed in the United States. Since the *Illegal Immigration Reform and Immigrant Responsibility Act of 1996* was passed, Section 343 requires specific healthcare professionals, including registered nurses, to complete a screening program before they can receive an employment-based immigrant visa. CGFNS is the organization designated by federal law to issue *VisaScreen*® certificates for nurses and allied health professions, and by many state licensing boards, to ensure only qualified and skilled foreign-educated nurses and other healthcare professionals are able to obtain licensure to practice their profession in the U.S. and immigrate to this country.

As a global organization based in Pennsylvania since its creation 43 years ago, I would be happy to discuss how we can marshal nurses to address our state's and our country's critical health workforce needs.

Sincerely,

A handwritten signature in blue ink that reads "Franklin".

Franklin A. Shaffer
President and Chief Executive Officer
CGFNS International, Inc.

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ADDITIONAL VISAS FOR APPROVED FOREIGN NURSES

Purpose: to provide additional immigrant visas during the COVID-19 pandemic for foreign-educated nurses with approved offers of employment from U.S. employers in the healthcare industry.

Language:

Viz:

Insert at the appropriate place the following:

“Notwithstanding the worldwide level of employment-based immigrants found at Section 201(d)(1)(A) of the Immigration & Nationality Act (8 U.S.C. § 1151(d)(1)(A)) and the percentage of visas allocated to employment-based immigrants found at Section 203(b)(3)(A), there shall be made available an additional 10,000 visas for foreign healthcare workers described in Schedule A, Group I of regulations of the Department of Labor found at section 656.5 of title 20, Code of Federal Regulations, to remain available until expended without fiscal year limitation and to be allocated notwithstanding the per-country limitations of Section 202(e) of the Immigration & Nationality Act (8 U.S.C. § 1152(e)).”.

Description:

- There is a demonstrated shortage of registered nurses in the United States.
- The U.S. Department has recognized this fact by exempting foreign-educated nurses from the U.S. recruitment requirement of the labor-certification program – a key step in obtaining an immigrant visa for a foreign-educated nurse.
- There are extensive screening requirements to ensure that foreign-educated nurses are qualified prior to entering the U.S., including at INA Section 212(a)(5)(C) and 8 C.F.R. 212.15 (Certificates for foreign health care workers).
- The U.S. nursing labor shortage will be exacerbated during the COVID-19 response if nurses in the current U.S. workforce become sick and cannot attend to the expected increased level of patients suffering from COVID-19 infection.
- It is therefore in the interests of public health to provide a finite number of additional immigrant visas to clear backlogs of current foreign-nursing visa applications.
- An additional 10,000 immigrant visas would expedite the admission of foreign-educated nurses who have been screened for their qualifications and who already have offers of employment at U.S. healthcare employers, at wages and working conditions that have been established pursuant to U.S. Department of Labor requirements.
- This amendment provides a one-time infusion of additional visas to accommodate the current enhanced need for additional nurses during the U.S. COVID-19 response.

