
HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TO RELAX RESTRICTIONS ON THE ISSUANCE OF TEMPORARY NONIMMIGRANT E2 AND E3 VISAS TO ALLOW GRADUATE NURSES TO ENTER THE UNITED STATES FOR THE PURPOSE OF TAKING THE NATIONAL COUNCIL LICENSURE EXAMINATION FOR REGISTERED AND PRACTICAL NURSES, AND TO ALLOCATE MORE EMPLOYMENT VISAS TO INDIVIDUALS TO ENTER THE UNITED STATES TO WORK AS NURSES.

1 WHEREAS, Hawaii is continuing to experience a critical
2 shortage of properly trained registered and practical nurses;
3 and
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5 WHEREAS, the National Council Licensure Examination is
6 administered by the National Council of State Boards of Nursing
7 and is designed to test knowledge, skills, and abilities
8 essential to the safe and effective practice of nursing at the
9 entry level; and
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11 WHEREAS, the examination is only provided in a computerized
12 adaptive testing format in the United States, including the
13 District of Columbia and Puerto Rico, the Virgin Islands,
14 American Samoa, Guam, and the Northern Mariana Islands; and
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16 WHEREAS, candidates may also take the examination in
17 Australia, India, Hong Kong, Taiwan, South Korea, Canada,
18 Mexico, Germany, and the United Kingdom; and
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20 WHEREAS, nurses who have been trained overseas who wish to
21 work in the United States need to:
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23 (1) Apply for licensure in the state or territory in which
24 the nurse wishes to be licensed;
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26 (2) Meet all of the eligibility requirements set by the
27 relevant board of nursing to take the examination; and
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1 (3) Register for, and take and pass the examination;

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3 and

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5 WHEREAS, registrations remain open for one year, during
6 which the relevant board of nursing determines the candidate's
7 eligibility and if the relevant board of nursing fails to meet
8 the time limit, the candidate must wait and re-register for the
9 examination; and

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11 WHEREAS, for nurses who have been trained overseas who wish
12 to work in the United States and thus who need to obtain a
13 nonimmigrant visa to enter the United States to take the
14 required examination, obtaining the visa has become a great
15 hardship particularly because of the restrictive timing of the
16 examination's open registration; and

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18 WHEREAS, the Immigration and Nationality Act provides a
19 yearly minimum of 140,000 employment-based immigrant visas that
20 are divided into five preference categories and may require a
21 labor certification from the United States Department of Labor
22 and the filing of a petition with the Bureau of Citizenship and
23 Immigration Services in the Department of Homeland Security; and

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25 WHEREAS, of the 140,000 employment visas, 28.6 percent are
26 allocated for E2 (second preference) visas for professionals
27 holding advanced degrees or a baccalaureate degree and at least
28 five years progressive experience in the profession, or persons
29 of exceptional ability in the arts, sciences, or business; and

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31 WHEREAS, of the 140,000 employment visas, another 28.6
32 percent are allocated for E3 (third preference) visas for
33 skilled workers, professionals holding baccalaureate degrees,
34 and other workers; and

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36 WHEREAS, nurses who have been trained overseas wishing to
37 enter the United States to work as registered or practical
38 nurses ordinarily fall into these two employment visa
39 categories; and

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41 WHEREAS, Hawaii is continuing to experience a critical
42 shortage of properly trained registered and practical nurses and
43 that shortage can be alleviated in great part if:



1 (1) Restrictions on the issuance of nonimmigrant visas to
2 enter the United States to take the examination are
3 relaxed; and
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5 (2) More E2 and E3 employment visas are allocated for
6 nurses who wish to enter the United States and work in
7 Hawaii;
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9 now, therefore,
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11 BE IT RESOLVED by the House of Representatives of the
12 Twenty-third Legislature of the State of Hawaii, Regular Session
13 of 2006, the Senate concurring, that the United States
14 Citizenship and Immigration Services is urged to relax
15 restrictions on the issuance of temporary nonimmigrant E2 and E3
16 visas to:
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18 (1) Allow graduate nurses to enter the United States for
19 the purpose of taking the National Council Licensure
20 Examination for registered and practical nurses; and
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22 (2) Allocate more employment visas to individuals to enter
23 the United States to work as nurses;
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25 and
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27 BE IT FURTHER RESOLVED that certified copies of this
28 Concurrent Resolution be transmitted to the President of the
29 United States, the Secretary of the United States Department of
30 State, the Secretary of the United States Department of Homeland
31 Security, the Director of the United States Citizenship and
32 Immigration Services, and the members of Hawaii's Congressional
33 delegation.

