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## HOUSE RESOLUTION

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URGING THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TO RELAX RESTRICTIONS ON THE ISSUANCE OF TEMPORARY NONIMMIGRANT B2 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.  
15 Candidates may also take the examination in Australia, India,  
16 Hong Kong, Taiwan, South Korea, Canada, Mexico, Germany, and the  
17 United Kingdom; and  
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19           WHEREAS, nurses who have been trained overseas who wish to  
20 work in the United States need to:

- 21           (1) Apply for licensure in the state or territory in which  
22 the nurse wishes to be licensed;  
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24           (2) Meet all of the eligibility requirements set by the  
25 relevant board of nursing to take the examination; and  
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27           (3) Register for and take, and pass the examination; and  
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1           WHEREAS, registrations remain open for one year, during  
2 which the relevant board of nursing determines the candidate's  
3 eligibility. If the relevant board of nursing fails to meet the  
4 time limit, the candidate must wait and re-register for the  
5 examination; and  
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7           WHEREAS, for nurses who have been trained overseas who wish  
8 to work in the United States and thus who need to obtain a  
9 nonimmigrant visa in order to enter the United States to take  
10 the required examination, obtaining the visa has become a great  
11 hardship particularly because of the restrictive timing of the  
12 examination's open registration; and  
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14           WHEREAS, the Immigration and Nationality Act provides a  
15 yearly minimum of one hundred forty thousand employment-based  
16 immigrant visas that are divided into five preference categories  
17 and may require a labor certification from the United States  
18 Department of Labor and the filing of a petition with the Bureau  
19 of Citizenship and Immigration Services in the Department of  
20 Homeland Security; and  
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22           WHEREAS, of the one hundred forty thousand employment  
23 visas, 28.6 per cent are allocated for E2 (second preference)  
24 visas for professionals holding advanced degrees or a  
25 baccalaureate degree and at least five years progressive  
26 experience in the profession, or persons of exceptional ability  
27 in the arts, sciences, or business; and  
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29           WHEREAS, of the one hundred forty thousand employment  
30 visas, another 28.6 per cent are allocated for E3 (third  
31 preference) visas for skilled workers, professionals holding  
32 baccalaureate degrees, and other workers; and  
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34           WHEREAS, nurses who have been trained overseas wishing to  
35 enter the United States to work as registered or practical  
36 nurses ordinarily fall into these two employment visa  
37 categories; and  
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39           WHEREAS, Hawaii is continuing to experience a critical  
40 shortage of properly trained registered and practical nurses and  
41 that shortage can be alleviated in great part if:  
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- 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; now, therefore,
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9 BE IT RESOLVED by the House of Representatives of the  
 10 Twenty-third Legislature of the State of Hawaii, Regular Session  
 11 of 2006, that the United States Citizenship and Immigration  
 12 Services is urged to relax restrictions on the issuance of  
 13 temporary nonimmigrant B2 visas to allow graduate nurses to  
 14 enter the United States for the purpose of taking the National  
 15 Council Licensure Examination for registered and practical  
 16 nurses, and to allocate more employment visas to individuals to  
 17 enter the United States to work as nurses; and

18  
 19 BE IT FURTHER RESOLVED that certified copies of this  
 20 Resolution be transmitted to the President of the United States,  
 21 the Secretary of the United States Department of State, the  
 22 Secretary of the United States Department of Homeland Security,  
 23 the Director of the United States Citizenship and Immigration  
 24 Services, and the members of Hawaii's congressional delegation.

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