
HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES GOVERNMENT TO EASE RESTRICTIONS ON THE
ISSUANCE TEMPORARY VISAS AND EXTEND THE STAY LIMIT TO ALLOW
FOREIGN MEDIATORS AND PARTIES IN NEED OF MEDIATION SERVICES
TO ENTER THE STATE OF HAWAII FOR THE PURPOSE OF
FACILITATING COMMUNICATION AND NEGOTIATION BETWEEN PARTIES
TO RESOLVE DISPUTES.

1 WHEREAS, Hawaii is one of the most racially diverse places
2 in the world and it continues to attract people from throughout
3 Asia including China, Korea, the Philippines, and Vietnam; and
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5 WHEREAS, many of those people who have immigrated to Hawaii
6 from a foreign country are not fluent in the English language
7 and face obstacles especially when it comes to finding
8 resolution to disputes; and
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10 WHEREAS, many times a dispute may escalate to court action
11 where those people with limited English language abilities are
12 met with intimidating and confusing processes as they try to
13 find a solution to their problem; and
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15 WHEREAS, in times when it may take as long as a year to get
16 a judicial resolution in our overburdened judicial system, and
17 multiple years if a case is appealed, the mediation alternative
18 often provides a more timely way of resolving disputes; and
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20 WHEREAS, mediation is a technique used throughout the world
21 to resolve disputes between parties that have gotten too big or
22 have become too personal to deal with independently with open,
23 unclouded judgment; and
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25 WHEREAS, parties involved in a dispute are generally more
26 satisfied with solutions that have been mutually agreed upon, as
27 opposed to solutions that are imposed by a court of law; and



1 WHEREAS, with Hawaii's diverse ethnic population, our state
2 is seriously short of people skilled not only in the discipline
3 of mediation but also who speak a foreign language fluently to
4 accommodate the number of people who need their services; and
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6 WHEREAS, mediation demands trust and excellent
7 communication skills and many people and companies from foreign
8 countries have a distinct fear of people from outside of their
9 culture especially when the person the they are dealing with
10 must act as an authority figure in the dispute resolution
11 process; and
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13 WHEREAS, a method of alleviating Hawaii's need for foreign
14 mediators would be a relaxation of United States visa
15 restrictions and visa extensions for foreign mediators so they
16 may travel to the United States, including Hawaii, and have
17 sufficient time to serve people of the same culture, ethnicity,
18 and language; and
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20 WHEREAS, allowing mediators to travel with greater ease and
21 visa extensions would provide Hawaii's people and companies from
22 foreign countries greater opportunities to not only resolve
23 disputes, but to actively participate in society with greater
24 confidence with the knowledge that assistance is available to
25 them in the event of a disagreement; and
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27 WHEREAS, Hawaii is optimally situated in the middle of the
28 Pacific to become a hub for diplomacy and dispute resolution,
29 and a place for our Asia-Pacific neighbors to come to when
30 further assistance is necessary; and
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32 WHEREAS, easing the visa requirements and not only for
33 foreign mediators but also for those people and companies from
34 foreign countries in need of mediation services will provide a
35 helping hand to our neighboring Asian-Pacific countries and
36 strengthen international ties; now, therefore,
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38 BE IT RESOLVED by the House of Representatives of the
39 Twenty-fourth Legislature of the State of Hawaii, Regular
40 Session of 2007, the Senate concurring, that the United States
41 Government is urged to ease restrictions on the issuance of
42 temporary visas and an extension of the stay limit by a minimum
43 of 30 days to allow foreign mediators and parties in need of
44 mediation services to enter the United States, including the



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1 State of Hawaii, for the purposes of facilitating communication
2 and negotiation between parties to assist them in reaching a
3 voluntary agreement regarding their dispute; and
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5 BE IT FURTHER RESOLVED that certified copies of this
6 Concurrent Resolution be transmitted to the President of the
7 United States, United States Secretary of State, United States
8 Secretary of Homeland Security, Director of the United States
9 Citizenship and Immigration Services, and Hawaii's Congressional
10 delegation.
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