

“The E-3 Visa: A US Work Visa just for Australians” by Adam Edward Rothwell, Esq.

Most foreign citizens have extremely few, if any, options to come to the United States to work on valid US Visas. However, on account of the E-3 Visa category, citizens of Australians with at least bachelor degrees are relatively much better positioned to lawfully work in the US than most other foreign citizens.

The E-3 Visa category is just for Australians, and it is the only common US work visa category available to citizens of an individual nation. The E-3 Visa came out of the Australia-United States Free Trade Agreement, and it was signed into law in 2005 by then President George W. Bush.

The E-3 Visa is similar in keys ways to the H-1B Visa for professionals, but once again the E-3 Visa is only available to citizens of Australia. The E-3 Visa may be granted for two year increments, but it is renewable indefinitely. Also the E-3 Visa allows for spouses to apply for work authorization, which is highly valuable and preferable to the H-1B Visa (where spouses are not currently allowed to receive work authorization).

Each fiscal year up to 10,500 new E-3 Visas may be authorized by the US Government, although this high annual cap number has never been met. To put this in context, the number of potential E-3 Visas (10,500) for just Australians amounts to more than 10% of the total non-cap H-1B Visas authorized each fiscal year by the United States for professional workers world-wide. Or another way to put it would be, while the vast majority of foreign citizen’s with bachelor degrees and qualifying job offers in the US face difficulty and/or stress with trying to procure a work visa, Australians with bachelor’s degrees and qualifying US job offers are pretty much set.

Based on the above, regardless of free trade goals I think a substantial number of Americans would strongly oppose the E-3 Visa category at least in theory (if virtually any Americans knew of the E-3 Visa category’s existence in the first place).

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