

Congress of the United States
House of Representatives
Washington, DC 20515-1803

July 16, 2019

Mr. Kenneth T. Cuccinelli
Acting Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, 4th Floor
Washington, DC 20529

Dear Director Cuccinelli:

I am writing today to bring to your attention a severe paramedic shortage affecting not only my district, but many others across the United States. Acadian Ambulance, based in my district, serves several states and is struggling to provide the level of care needed.

As you may know, Louisiana, Mississippi, Tennessee, and Texas have had major paramedic shortages over the last 18 months. In Louisiana alone, Acadian Ambulance has 56 full-time openings. In Calcasieu and Cameron parishes within my district, they have lost 16 paramedics to the energy boom in Southwest Louisiana and have only been able to hire 4 full-time paramedics to cover that loss. Acadian is either staffing their ambulances at a basic life support level or are having to ask their workforce to work excessive amounts of overtime. Neither of these options are optimal for delivering the best patient care to the citizens of Louisiana.

While Acadian is working with local high schools throughout Louisiana and their coverage area to introduce the EMT curriculum in high school. This is working successfully. The EMT program is technically a 3 month program to obtain a basic certification. However, a paramedic certification requires an additional 18-24 months of training.

In the interim, Acadian needs help in filling these paramedic positions. There is currently a surplus of trained paramedics in Australia who are looking for jobs. One of Acadian's vice presidents is from Australia and has been exploring the use of the E3 visa with Acadian being a sponsoring entity. Acadian's training academy, in conjunction with Southwest Louisiana Community College, would ensure that the paramedics coming from Australia meet the National Registry of EMTs requirements, as well as the State of Louisiana certification requirements prior to an issuance of the E3 visa. This is a temporary solution until these workforce shortages are eliminated.

The requirements of the E3 visa include "necessary academic or other qualifying credentials." **I am requesting USCIS please provide an official response to the question of whether an Australian resident who has a bachelor's degree in business from an Australian University with a National Registry of EMT paramedic license if this will qualify as meeting the E3 visa requirement?**

Due to the current paramedic shortage and needs in my district and state, as well as other states, I respectfully request a response as soon as possible. Acadian Ambulance is researching a number of options to quickly and temporarily fill the full-time paramedic openings. Your response will provide them much needed information on how they might proceed.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact my Chief of Staff, Kathee Facchiano, at (202) 225-2031.

Sincerely,

A handwritten signature in cursive script that reads "Clay Higgins".

Clay Higgins
Member of Congress



**U.S. Citizenship
and Immigration
Services**

August 7, 2019

The Honorable Clay Higgins
U.S. House of Representatives
Washington, DC 20515

Dear Representative Higgins:

Thank you for your July 16, 2019 letter concerning issuance of an E-3 visa to an Australian resident. In your letter, you ask whether an Australian resident, with a bachelor's degree in business from an Australian University and a National Registry of Emergency Medical Technicians (EMTs) paramedic license, would qualify for an E-3 visa in order to help relieve a shortage of qualified EMTs in this country.

As you are aware, per section 214(i)(1) of the Immigration and Nationality Act, as amended, the term "specialty occupation" in the E-3 visa context means an occupation that requires:

1. Theoretical and practical application of a body of highly specialized knowledge, and
2. Attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation.

Please note that the U.S. Department of State, not U.S. Citizenship and Immigration Services (USCIS), has responsibility to adjudicate requests for visas, including E-3 visas, to persons who are outside the United States. USCIS' jurisdiction is limited to adjudicating requests for E-3 classification made by persons who are currently in the United States. We therefore refer you to the Department of State's webpage at <http://www.ustraveldocs.com/au/au-niv-typee3.asp> for further information regarding E-3 visa eligibility for persons who are not in this country.

As for persons who are in the United States who might wish to apply for E-3 status, we refer you generally to the USCIS website: <https://www.uscis.gov/working-united-states/temporary-workers/e-3-certain-specialty-occupation-professionals-australia>. Please note that as a matter of longstanding policy, we cannot comment on individual cases that may come before the agency. We would note, however, that in all instances, USCIS adjudicates all requests for nonimmigrant classification on a case-by-case basis, taking into consideration all of the facts presented at the time of the application. Further, in all cases, the burden is on the requestor to establish eligibility by a preponderance of the evidence in the record.

The Honorable Clay Higgins
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Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative and Intergovernmental Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ken Cuccinelli II". The signature is stylized with a large "K" and "C" and a small "II" at the end.

Ken Cuccinelli II
Acting Director