

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0512-2024-0005

Status: APPROVED
Date Approved: 10/09/2024

General Information

Agency or Establishment	Health Resources and Services Administration
Record/Scheduling Group	0512 - Records of the Health Resources and Services Administration
Records Schedule Applies To	Agency Subdivision
Major Subdivision	Bureau of Health Workforce
Schedule Subject	J-1 Visa Waiver Documents
Additional Schedule Information	<p>The J-1 Visa is the temporary, non-immigrant, training visa which enables foreign born / trained physicians to receive residency training in the United States. There is a provision of the visa which requires the physician to leave the country upon completion of training for two years (term of art: 'Foreign Residency Requirement) before they can petition to return to the United States. This provision may be waived (see Immigration and Nationality Act (INA) 8 USC 1184l) in return for the physician's agreement to serve for at least three years in a designated underserved area. Health and Human Services (HHS) J-1 Visa Waiver for Clinical Care acts as an interested government agency (IGA) to facilitate the waiver process, implementing the INA legislation through both Department of State (DOS) regulation (see 22 CFR 41.63) and HHS regulation (45 CFR Part 50). While the Office of Global Affairs (OGA) in the Office of the Secretary of HHS has the delegated authority to request waivers to the DOS, Health Resources and Services Administration (HRSA) staff process waiver application packages and forward extracted request packages to OGA for sign-off by the Executive Secretary of the Exchange Visitor Waiver Review Board and forwarding to the DOS.</p> <p>In brief – HHS receives an (unsolicited) application package (as per guidance found on the OGA website) from a potential employer of the physician. A waiver request package is sent to the DOS (which administers the Exchange Visitor Program which sponsors the J-1 Visa) with a request that DOS recommend to the Department of Homeland Security (which controls visas) to grant the waiver. The physician then changes visa status from J-1 to H-1B (the temporary, non-immigrant, working visa) so the physician can begin the three-year service obligation.</p>
Is There a Classified Version of This Schedule?	No

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0512-2024-0005

Status: APPROVED
Date Approved: 10/09/2024

Is consultation and coordination with
Tribal Governments required?

No - the records covered by this schedule do not implicate Tribal
interests

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0512-2024-0005

Status: APPROVED
Date Approved: 10/09/2024

Item Count

Total number of disposition items: 1

Number of Temporary disposition items: 1

Number of Permanent disposition items: 0

Number of Items with Disposition Not Approved: 0

Number of Inactive disposition items: 0

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0512-2024-0005

Status: APPROVED
Date Approved: 10/09/2024

Outline of Records Schedule Items for DAA-0512-2024-0005

Item #	Title	Disposition
0001	HHS J-1 Visa Waiver for Clinical Care Application Files	Temporary

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0512-2024-0005

Status: APPROVED
Date Approved: 10/09/2024

Records Schedule Items

DAA-0512-2024-0005-0001		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	HHS J-1 Visa Waiver for Clinical Care Application Files	
Item Description	<p>1) Supplemental material requested to a) Document the qualifications of the physician (credentials, letters of recommendation), b) Document the qualifications of the requesting facility (Letters of recommendation, proof of failure to recruit a US physician for the position, Letter of Acknowledgement from the Department of Health of the state in which the physician will be hired to practice).</p> <p>2) A copy of the application package in the form of a CD.</p> <p>These documents are solely for the purpose of enabling HHS to verify that both the physician and the facility (prospective employer) meet the legislative and regulatory requirements, and policy guidelines of the HHS J-1 Visa Waiver for Clinical Care.</p>	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Other: Cut off at the end of the calendar year in which a decision has been made by the Department of State.	
Retention Period	Destroy 6 year(s) after cutoff	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	
GAO Approval Required	No	

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0512-2024-0005

Status: APPROVED
Date Approved: 10/09/2024

Signatory Information

Action	User	Date
Approve	Colleen Shogan	10/09/2024