Checklist for Applicants (Facilities or Institutions) Requesting a J-1 Visa Waiver for Research

Required Documents for All Facilities or Institutions (for the foreign residence requirement waiver)

- **HHS Form 426:** Application for waiver of the two-year foreign residence requirement
- **Submitter cover letter:** Identifying the submitting institution and contact
- **USCIS Form G-28 (if represented by counsel):** Notice of entry of appearance as attorney or accredited representative

Additional Required Documents for Research Waiver (45 CFR 50.4)

- **Evidence of high priority activity:** Detailed program description explaining how the program or activity is high priority and of national or international significance and in an area of interest to HHS (see 45 CFR 50.4(a)).
- **Evidence of essential/integral value:** Description of the probable future of the program if the waiver is not granted, including specific evidence showing how the loss of the exchange visitor's services would seriously restrain the initiation, continuation, completion, or success of the program or activity (see 45 CFR 50.4(b)).
- **Evidence of outstanding qualifications:** Documentation of the exchange visitor's qualifications (see 45 CFR 50.4 (c)), such as:
  - ✔ Curriculum Vitae (CV)
  - ✔ Bibliography
  - ✔ Copies of abstracts for the exchange visitor's most recent relevant publications
  - ✔ Special accomplishments
  - ✔ External letters of recommendation
  - ✖ Please do not include copies of any presentations.
- **Evidence of recruitment efforts:** Include evidence that indicates the applying institution made genuine efforts to recruit for the exchange visitor's position and was unable to find a suitable candidate (see **22 CFR 41.63**).
  - Clearly demonstrate a suitable replacement for the exchange visitor **cannot** be found through recruitment or any other means, and the position **cannot** be filled by any individual who is not subject to the foreign residence requirement.

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- The following information will be assessed to determine adequacy of evidence:
  - **Clearly defined staffing need** to explain continuity of research
  - **Adequate recruitment timeframe** given the specialty and location
  - **Breadth of advertising** to reach candidate audiences
  - **Active outreach activities** to engage candidates
  - **Compensation package** that is competitive and flexible
  - **Documented candidate tracking** showing consistency and outcomes
  - **Contract/continuity terms** supporting required services
  - **Legal/compliance safeguards** evident for recruitment

Administrative documentation: Provide copies of all Forms IAP-66 and/or DS-2019 and current visa status materials.

Application Requirements

- ✔ **Eligible Applicants** (institutions or health facilities) may apply.
- ✔ Submit all materials by email as **PDF files**.
- ✔ **Group attachments** as separate PDFs as noted in the instructions for submittal.
- ✔ All applications must include the **U.S. Department of State (Form DS-3035) case number and barcode** to be eligible for review.
- ✖ **Individuals may not submit** their own application.
- ✖ **Do not include social security numbers (SSNs)** or unnecessary sensitive data to minimize personally identifiable information (PII).

Submit Your Application

Email completed applications as PDF files to **J1EVResearchWaivers@hhs.gov**.