

118TH CONGRESS
1ST SESSION

S. 2719

To amend the Immigration and Nationality Act to provide for the reallocation of unused waivers of the foreign residency requirement for certain J visa holders.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2023

Ms. ERNST (for herself and Ms. KLOBUCHAR) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide for the reallocation of unused waivers of the foreign residency requirement for certain J visa holders.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Directing Our Coun-
5 try’s Transfer Of Residency Slots” or the “DOCTORS
6 Act”.

1 **SEC. 2. REALLOCATION OF UNUSED WAIVERS OF THE FOR-**
2 **EIGN RESIDENCY REQUIREMENT FOR CER-**
3 **TAIN J VISA HOLDERS.**

4 Section 214(*l*) of the Immigration and Nationality
5 Act (8 U.S.C. 1184(*l*)) is amended by adding at the end
6 the following:

7 “(4)(A) Beginning on September 30, 2025, and
8 every September 30 thereafter, each State agency
9 that received a waiver under section 212(e) during
10 the fiscal year that ends on that date shall report to
11 the Secretary of State the total number of such
12 waivers that the State agency did not use during
13 such fiscal year.

14 “(B)(i) For fiscal year 2025, and each fiscal
15 year thereafter, the Secretary of State shall—

16 “(I) calculate the total number of unused
17 waivers reported by all State agencies under
18 subparagraph (A); and

19 “(II) subject to clauses (ii) and (iii), reallo-
20 cate such waivers for equal distribution among
21 eligible State agencies for use during the subse-
22 quent fiscal year as waivers subject to para-
23 graph (1)(D)(ii) (referred to in this paragraph
24 as ‘supplemental waivers’).

25 “(ii) The total number of supplemental waivers
26 that may be reallocated for use during a subsequent

1 fiscal year shall be the number that is one-third of
2 the difference between—

3 “(I) the total number of waivers under sec-
4 tion 212(e) available for the fiscal year; and

5 “(II) the total number of waivers under
6 section 212(e) distributed during such fiscal
7 year.

8 “(C) In reallocating waivers under subpara-
9 graph (B), on January 1, 2025, and every January
10 1 thereafter, the Secretary of State shall inform
11 each eligible State agency of—

12 “(i) the number of supplemental waivers
13 available to the State agency for the subsequent
14 fiscal year; and

15 “(ii) the manner in which the supplemental
16 waivers will be distributed.

17 “(D) Ten percent of supplemental waivers dis-
18 tributed in a fiscal year shall be used to support po-
19 sitions in 1 or more facilities that serve patients who
20 reside in medically underserved communities (as de-
21 fined in section 799B of the Public Health Service
22 Act (42 U.S.C. 295p)).

23 “(E) In this paragraph, the term ‘eligible State
24 agency’ means a State agency that, in the preceding

1 fiscal year, used not fewer than 30 waivers under
2 section 212(e).”

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