

INTERIM MEMO FOR COMMENT

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Comment period ends: 01-31-2011

This memo is in effect until further notice.

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Washington, DC 20529-2000



U.S. Citizenship
and Immigration
Services

December 16, 2010

PM-602-0018

Policy Memorandum

SUBJECT: Extension of Validity of Medical Certifications on Form I-693; *Adjudicator's Field Manual* (AFM) Update AD11-13, Chapter 40.1(c) Validity of Form I-693

Purpose

This Policy Memorandum (PM) temporarily extends the validity of civil surgeon endorsements on Form I-693 for adjustment of status applicants.

Scope

Unless specifically exempted herein, this PM applies to and is binding on all U.S. Citizenship and Immigration Services (USCIS) employees.

Authority

Section 232 of the INA; 8 CFR 232

Background

The endorsement of a civil surgeon on Form I-693, Report of Medical Examination and Vaccination Record, is generally valid for one year. Form I-693 is a requirement and is filed in conjunction with Adjustment of Status (I-485) applications. Some I-485 applications remain pending for more than the one-year validity period of the Form I-693.

In a policy memorandum dated December 30, 2009, USCIS extended the validity of the civil surgeon endorsement on Form I-693 until the I-485 application could be adjudicated. This policy was issued in consultation with the Centers for Disease Control and Prevention (CDC) and was limited to those applications where no Class A or Class B medical condition, other than a Class B condition annotated in section 6, Part 2, was certified. This policy is in effect until January 1, 2011.

Policy

Due to continuing delays associated with some I-485 applications, the validity of the civil surgeon endorsement on Form I-693, when submitted in support of an I-485 application, is extended until the time of adjudication if no Class A or Class B medical condition is certified by the civil surgeon in section 2, 3 or 4 of Part 2 of the Form I-693. A Form I-693 remains valid

until the time of adjudication even if section 6 of Part 2 shows a Class B medical condition other than those addressed in section 2, 3 or 4. This policy will be in effect until January 1, 2012.

Implementation

All USCIS employees are directed to comply with the following guidelines. The AFM is amended as follows.

1. Paragraph (c) of Chapter 40.1 is revised to read:

40.1 Health Related Grounds of Inadmissibility and Medical Examination

(a) General.

* * *

(b) Medical Grounds of Inadmissibility Defined.

* * *

(c) Validity of Form I-693.

Form I-693 is normally valid for a period of one year from the date it was signed by the civil surgeon. In accordance with an agreement between USCIS and CDC, in any case that is adjudicated on or before January 1, 2012, the adjudicator will accept as valid a Form I-693 that was signed more than one year before the date of the adjudication of a pending adjustment of status application if the following conditions are met:

- **Form I-693** was included with the initial filing of the adjustment of status application; and
- There is no Class A or B medical condition noted in section 2, 3 or 4 of Part 2 of Form I-693. A Form I-693 remains valid until the date of adjudication even if section 6 of Part 2 of the Form I-693 shows a Class B medical condition.

As mentioned above, this agreement with CDC is in effect until January 1, 2012 and valid for any case that is adjudicated on or before January 1, 2012.

2. The *AFM Transmittal Memoranda* button is revised by adding, in numerical order, a new entry to read:

AD 11-13 [12/16/2010]	Chapter 40.1(c)	Adds guidance regarding the validity of Form I-693, Report of Medical Examination and Vaccination Record, submitted in conjunction with an application for adjustment of status.
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Use

This PM is intended solely for the guidance of USCIS personnel in performing their official duties. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any individual or other party in removal proceedings, in litigation with the United States, or in any other form or manner.

Contact Information

Questions about this PM should be addressed to the Kevin Higman, Office of Policy and Strategy, Residence and Naturalization Division.

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