

INTERIM MEMO FOR COMMENT

Posted: 01-13-2012

Comment period ends: 01-30-2012

This memo is in effect until further notice.

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



U.S. Citizenship
and Immigration
Services

December 29, 2011

PM-602-0054

Policy Memorandum

SUBJECT: Extension of Validity of Medical Certifications on Form I-693; *Adjudicator's Field Manual* (AFM) Update AD 11-13, 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 Form I-485, Application to Register Permanent Residence or Adjust Status; and Form I-687, Application for Status as a Temporary Resident Under Section 245A of the INA. Some I-485 and I-687 applications remain pending for more than the one-year validity period of the Form I-693.

In a policy memorandum dated December 16, 2010, 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 it was limited to those applications where no Class 'A' or Class 'B' medical condition, other than a Class 'B' condition annotated in the Other Medical Conditions section, was certified. This policy is in effect until January 1, 2012.

Policy

Due to continuing delays associated with some I-485 and I-687 applications, the validity of the civil surgeon endorsement on Form I-693, when submitted in support of an I-485 or I-687

application, is extended until the time of adjudication if no Class 'A' or Class 'B' medical condition is certified by the civil surgeon on Form I-693, other than a Class B condition in the Other Medical Conditions section of Form I-693. This policy will be in effect until January 1, 2013.

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 USCIS policy, in any case that is adjudicated on or before January 1, 2013, 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 Form I-693, other than a Class B condition in the Other Medical Conditions section of Form I-693.

As mentioned above, this policy is in effect until January 1, 2013 and valid for any case that is adjudicated on or before January 1, 2013.

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

AD 11-13 [12/29/2011]	Chapter 40.1(c)	Adds guidance regarding the validity of Form I-693, Report of Medical Examination and Vaccination Record, submitted in conjunction
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		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 Office of Policy and Strategy, Residence and Naturalization Division.

Interim Memo