

USCIS Removed 60-Day Rule for Form I-693

On Friday, March 31, 2023, U.S. Citizenship and Immigration Services (USCIS) announced it will be issuing policy guidance **to remove the requirement** that the civil surgeon's signature on the Form I-693, Report of Immigration Medical Examination and Vaccination Record, be dated no more than 60 days before an applicant files the application for the underlying immigration benefit.

By way of background, noncitizens applying for certain immigration benefits while in the U.S. must use Form I-693 to show they are free from any conditions that would render them inadmissible under the health-related grounds. Currently, USCIS considers a completed Form I-693 to retain its evidentiary value for two years after the date the civil surgeon signed the form, as long as the date of the civil surgeon's signature is no more than 60 days before the applicant filed the application for the underlying immigration benefit. This is commonly referred to as the 60-day rule.

Due to the COVID-19 pandemic and ongoing related processing delays, USCIS has experienced delays in all aspects of operations. Applicants have also experienced difficulties beyond their control, including delays in completing the immigration medical examination. In response, USCIS has temporarily waived the requirement that the civil surgeon sign Form I-693 no more than 60 days before the applicant files the underlying application since December 9, 2021.

USCIS is now removing this requirement permanently. Applicants, civil surgeons, USCIS officers, federal partners, and other stakeholders have consistently expressed concern that this requirement is confusing and necessitates Requests for Evidence (RFEs) to be issued for otherwise valid Forms I-693. While the 60-day rule was intended to enhance operational efficiency and reduce the need to request updated Forms I-693 from applicants, in practice, these efficiencies have yet to be realized.

This guidance, contained in Volume 8 of the Policy Manual, is effective immediately and applies to all Forms I-693 associated with applications for underlying immigration benefits pending as of March 31, 2023, regardless of when the application was filed or when the civil surgeon signed Form I-693. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

Policy Highlights:

- Removes the requirement that the civil surgeon's signature on Form I-693 be dated no more than 60 days before the applicant files the underlying immigration benefit application.
- Clarifies that officers should review Form I-693 for compliance with the procedures and requirements outlined in the Technical Instructions for Civil Surgeons that were in effect as of the date of the civil surgeon's signature unless otherwise specified by the Centers for Disease Control and Prevention. Officers should not issue a Request for Evidence (RFE) for the applicant to meet the requirements that did not apply as of the date the civil surgeon signed the Form I-693.
- Clarifies the process for the civil surgeon and the applicant when responding to a Form I-693- related RFE.

USCIS may also make other minor stylistic, technical, and confirming changes consistent with this update.

Please reach out to a member of our Immigration Team if you have further questions.



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