

SUPPORTING STATEMENT

Report of Medical Examination and Vaccination Record

Form I-693

(OMB No. 1615-0033)

A. Justification.

1. Section 245 of the Immigration and Nationality Act (Act) requires that applicants for adjustment of status to that of a lawful permanent resident in the United States must establish that they are admissible to the United States, as if they were first arriving. The medical grounds of inadmissibility are found in section 212(a)(1)(A) of the Act. In addition, section 232(b) of the Act, requires that medical officers of the U.S. Public Health Service (PHS) certify any physical or mental defect or disease observed in arriving aliens. When PHS medical officers are not available, U.S. Citizenship and Immigration Services (USCIS) must designate private physicians to serve as civil surgeons. Because PHS medical officers have not been available for many years, USCIS has been designating private physicians to serve as civil surgeons, in accordance with section 232(b) of the Act.

Section 212(a)(1)(A) of the Act states that the medical grounds of inadmissibility are determined according to the regulations prescribed by the Secretary of Health and Human Services (HHS). The applicable HHS regulations are found at 42 CFR part 34. The corresponding USCIS regulations are found at 8 CFR part 232.

In addition, the civil surgeons are responsible for certifying to the USCIS the information necessary to determine whether applicants for adjustment of status are inadmissible on

medical grounds. Form I-693 is the form used by the civil surgeons to report the results of the medical examination to the USCIS.

2. The information on the application will be used by USCIS in considering the eligibility for adjustment of status under 8 CFR part 209, 8 CFR 210.5, 245.1, and 245a.3. USCIS is revising the Form I-693 (see table of changes).
3. The use of this form currently provides the most efficient means for collecting and processing the required data. In this case the USCIS does not employ the use of information technology in collecting and processing information. Currently, the USCIS does not have the automated capability in place to accept electronic submission of applications. However, this form does reside on USCIS' Web site and can be completed and saved electronically.
4. A review of the USCIS automated forms tracking system was accomplished and revealed no duplication. There is no similar data collected.
5. This collection of information does not have an impact on small businesses or other small entities.
6. If the required information is not collected, the USCIS will not be able to correctly determine the eligibility of an applicant for lawful permanent resident status, creating a potential public health risk or denying the applicant an immigration benefit to which he or she may be legally entitled.
7. There are no special circumstances associated with this information collection.
8. On April 24, 2009, USCIS published a 60-day notice in the Federal Register at 74 FR 18737. USCIS received one comment on this information collection. The following is the comment and USCIS response.

The commenter indicated that due to late laboratory results, and difficulties in getting timely doctor appointments, USCIS should consider a time frame of 6 to 9 weeks for submission of the Form I-693.

There is no timeframe for submitting the Form I-693. However, if an applicant submits a Form I-485 then they also are required to submit a completed Form I-693 at the same time. The failure to submit the Form I-693 at the same time as the Form I-485 may either result in a request for initial/additional evidence, or in a denial of the request for immigrant status. A request for additional evidence gives the applicant the opportunity to submit the Form I-693, within the time specified in the request for additional information. According to 8 CFR 103.2(b)(8), the time period for a request for initial or additional evidence cannot exceed 12 weeks.

9. The USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
11. Some of the information requested on this form is of a sensitive nature. This includes whether an applicant has been diagnosed with HIV/AIDS, syphilis, or other communicable diseases or suffers from a physical or mental disorder, drug abuse or addiction. This information must be included in the form to determine whether an applicant has a condition that may make him or her ineligible for adjustment of status on public health grounds.

12. Annual Reporting Burden:

a.	Number of Respondents	800,000
b.	Number of Responses per Respondent	1
c.	Total Annual Responses	800,000
d.	Hours per Response	2.5
e.	Total Annual Reporting Burden	2,000,000

Annual Reporting Burden

The annual reporting burden is 2,000,000. This figure was derived by multiplying the number of respondents (800,000) x frequency of response (1) x 2 ½ hours per response (2.5).

This estimation is based on prior USCIS experience with the program and is calculated as follows: learning about the form (30 minutes); making an appointment with a civil surgeon for a medical exam (15 minutes); taking the medical exam (1 hour); reading the results of the tuberculin skin test (TST), which requires a second appointment with the civil surgeon (30 minutes); reporting the results of the medical exam on the form (10 minutes); and submitting the medical exam report to USCIS (5 minutes).

- 13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this information collection are identified in Item 14. *(There is no fee associated with the collection of this information.)*

14. Annualized Cost Analysis:

a.	Printing Cost	\$	648,000
b.	Collection and Processing Cost	\$	48,000,000
c.	Total Cost to Program	\$	48,648,000
d.	Fee Charge	\$	0
e.	Total Cost to Government	\$	48,648,000

Government Cost

The estimated cost to the Government is \$48,648,000. This figure is calculated by using the estimated number of respondents 800,000 x 1.5 Hours per response (Time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer,

and supervisory time with benefits). In addition, this figure includes the estimated overhead cost for printing, stocking, and distributing the form, which is \$648,000.

Public Cost

The estimated annual public cost is \$20,000,000. This estimate is based on the number of respondents 800,000 x 2.5 hours per response x \$10 (Average hourly rate).

- 15. There has been no increase or decrease in the estimated burden hours previously reported for this information collection.
- 16. USCIS does not intend to employ the use of statistics, or the publication thereof for this information collection.
- 17. The USCIS will display the expiration date of this information collection.
- 18. The USCIS does not request an exception to the certification of this information collection. .

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Stephen Tarragon
Deputy Chief,
Regulatory Products Division.
U.S. Citizenship and Immigration Services.

Date