



Immigration Issues

November 2024 · Volume III · G4 Visa & Green Card

*This document serves as a summary of the insights shared by our staff regarding G-4 policies and cannot be construed as legal advice. For a thorough assessment of your individual circumstances, we strongly advise seeking guidance from an attorney.



US Elections: Potential Impacts on Immigration Policy

The recent US elections have brought significant changes to the political landscape, with potential implications for immigration policy, which could lead to major shifts in policies affecting visa applications, asylum, and enforcement practices.

While there are no immediate concerns for IMF staff holding immigrant or nonimmigrant visas, it is crucial for those navigating the immigration system (such as applying for, considering a change of status or renewing their visas) to stay informed and proactive. This includes seeking legal guidance to understand any potential changes that may arise and how these changes could impact your specific situation.

This volume aims to provide insights on the evolving immigration landscape, raising awareness to existing resources and alerting staff to potential risks such as fraudulent attorneys who could exploit vulnerable cases.



Recommendations and Relevant Information for IMF Staff

- ❖ **If you have a pending or forthcoming immigration procedure:**
 - (a) **Consult with your immigration attorney** to discuss your case and receive personalized guidance;
 - (b) **Ensure your application is mailed to USCIS** as soon as possible, particularly if you have medical or other documents that may be affected by policy changes¹.
- ❖ **Birthright Citizenship:** In the U.S. this is a constitutional right under Amendment XIV, Section 1, Clause 1. Any changes to this would require a 2/3 vote in both houses of Congress and ratification by 3/4 of the states. In the upcoming legislature, no party holds a 2/3 majority in either house.

¹ As of now, medical applications (form I-693) properly completed and signed by a civil surgeon on or after November 2023, don't expire. This policy is expected to be repealed after Jan 20th, making medical applications valid for up to 60 days.



- ❖ **Family-based Green Card eligibility:** This is not a right sanctioned by the Constitution and rules in this area are potentially subject to change through changes in legislation².
- ❖ **If you do not have a Real ID,** consider applying for one if you are eligible, and always keep your documents with you to be able to prove your legal presence status if required to do so by a law-enforcement officer.
- ❖ **How to deal with ICE,** In the unlikely event that Immigration and Customs Enforcement (ICE) stops you, it is crucial to stay calm and know your rights. You are not required to answer questions about your immigration status, and you should not sign any documents without legal counsel. For more tips, please see [here](#). Additionally, be aware that G-4 visa holders are generally immune from prosecution for actions related to their official duties. However, this immunity does not extend to personal actions unrelated to their official functions.
- ❖ **Victim of attorney fraud:** Scams and unreliable advice are common in immigration. Watch for red flags like overpromising outcomes, excessive fees, withholding information, and exaggerated success rates. No attorney can guarantee your case's outcome. Always verify credentials and seek second opinions before signing a retainer. Complaints can be filed with the Executive Office of Immigration Review at the DOJ via [Form EOIR-44](#)
- ❖ **Victim of a crime:** If you were a victim of a crime listed [here](#), you might be eligible for a U visa. If you believe you may qualify for a U visa, please contact the SA for a referral list.
- ❖ **Inform the SAC:** To effectively advocate for staff rights and needs, SAC needs an accurate and updated picture of the situation. If you experience any immigration-related issues, please voluntarily and confidentially share this information with SAC.



SAC Brown Bag on Immigration Issues

December 2nd: 12 – 2PM

Location: Cedar Hall, HQ1-1-660

Join the SAC in an open forum, brownbag style.

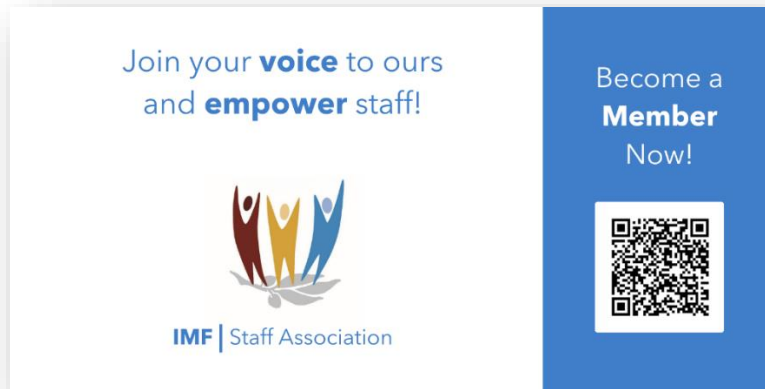
Ask Questions, Provide Feedback, Report Challenges and Connect with Colleagues

Coffee, cookies and soft drinks provided by SAC

- | | |
|--|---------------------|
| ➤ Employments Authorization Delays/Denials | ➤ Family Separation |
| ➤ G4 Visa Renewals Delays | ➤ Restricted Travel |

² The filibuster rule in the Senate requires a supermajority (60 votes) to change most immigration regulations, including family-based immigration (sponsorship).





Useful Resources

- [AILA - AILA Sends Letter to DHS and DOS Urging EB-4 Administrative Action](#) - American Immigration Lawyers Association Letter to Blinken and Mayorkas (proposes possible administrative remedies)
- [Immigration and Citizenship Data | USCIS](#) - Link to USCIS data on approved EB petitions awaiting Green Card availability (see table "Form I140, I360, and I526 Approved EB Petitions Awaiting Visa Final Priority Dates")
- [Employment-Based Immigration: Fourth Preference EB-4 | USCIS](#) - Link to USCIS website explaining EB-4
- [Immigration and Nationality Act | USCIS](#) - Link to [Immigration and Nationality Act](#) (establishes the legal basis for IMF staff eligibility for a Green Card, Green Card quotas, etc.)
- [SAC's Hybrid Townhall on Immigration Issues](#) - held on October 31st.
- [Presentation shared at the SAC's Hybrid Townhall on Immigration Issues](#) - held on October 31st.
- [FAQs from SAC's Hybrid Townhall on Immigration Issues](#)
- [Immigration Issues Bulletin, Volume I](#) - distributed to staff in advance of the above mentioned townhall.
- [HRD Information Session](#) – held on December 7th with [Fragomen presentation](#) and [video recording](#) now available
- [Immigration Issues Bulletin, Volume II](#) - distributed via email in January.
- [IMF Intranet Page on Green Card Backlog and Delay in G-4 Visas](#)

