

Recent Issues Impacting Applicants for Permanent Residency (“Green Cards”) in the U.S
Information Note Prepared by HRD and IMFRA
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Upon retiring from an international organization and meeting specific requirements, staff who have maintained G4 status for at least 15 years normally have the option of applying for U.S. permanent residency under the “special Immigrant” category. Beginning in December 2022, an unexpected freeze on new Green Card applications was announced by the United States Citizenship and Immigration Service (USCIS) and many retiring staff members seeking the [special immigrant provision Green Card option](#) are facing delays. Adjusting status is not currently available for new applicants in this category.

There are annual quotas on how many Green Cards may be issued under each visa preference category, including on the number of Special Immigrant Green Cards (also known as the “EB-4” – Employment-Based-4, preference category) that can be issued annually for natives of any individual country. These quotas were set by the U.S Department of State in 1990 and are congressionally mandated. Individuals seeking Green Cards under the Special Immigrant EB-4 Provision can be impacted by the quota system, if the demand for these Green Cards exceeds the annual supply. Currently, the USCIS has advised that the number of requests in the EB-4 category has significantly increased over the past two years. Retirees of international organizations are grouped in the same visa preference category as many other immigrant groups currently experiencing high levels of applications. As a result, there is a freeze on new Special Immigrant Green Card applications and it is not clear how the backlog will be addressed and if the freeze will be lifted at the start of the US government’s new fiscal year in October 2023.

The Fund, in collaboration with SAC, IMFRA, the World Bank, and other international organizations (IOs), is closely monitoring the situation in an effort to help retiring staff plan ahead and understand what options they may have for permanent residency in the U.S. HRD is working in close collaboration with the Fragomen immigration law firm to provide up-to-date information and guidance to staff, including prospective retirees. They also continue to reach out to contacts in the government to obtain any available information on the future of the backlog. As of now, the government has been unable to provide clarity on when the freeze will be lifted. Fragomen has also been reaching out proactively to staff nearing retirement and informing them about options for applying for permanent residency or long-term visas, through avenues other than the Special Immigrant route. Other options may include: (i) sponsorship by a US citizen adult child or spouse; (ii) sponsorship by a U.S permanent resident spouse; (iii) the extraordinary ability, or “EB-1A”, immigrant visa; or (iv) the exceptional ability national interest waiver.

A comprehensive immigration reform by the U.S Congress would be needed to separate the numbers to be allocated within the Special Immigrant category for IO retirees only. However, this is an extremely aspirational hope at present and would take enormous effort and consensus by lawmakers, which is not currently on the horizon. In the meantime, retirees encountering difficulties or significant delays with cases already pending with the government are reminded that they may reach out, in consultation with their immigration attorneys, to the members of Congress assigned to represent their jurisdiction (or that of their adult child sponsoring them for a Green Card, as applicable) and request assistance in addressing issues with government services. Occasionally, this produces helpful results. Additionally, simply alerting state representatives of the current difficulties and needs of the constituency can help raise awareness among the elected officials who could be proposing changes to legislation. In the meantime, IMFRA is asking recent retirees who may have had positive experiences with good immigration attorneys to refer them to imfra@imf.org. The information will be transmitted to HRD for the benefit of future Green Card applicants.