

Bill Analysis: Religious Workforce Protection Act

The [Religious Workforce Protection Act](#), introduced in both the Senate ([S. 1298](#)) and the House of Representatives ([H.R. 2672](#)), is a bipartisan bill designed to address challenges faced by religious workers in the United States due to significant immigration processing backlogs. Most notably, the bill aims to extend the lawful nonimmigrant status of religious workers with [R-1](#) visas beyond the current five-year limit until their [EB-4](#) permanent residence applications are processed.

In the Senate, the bill was [introduced](#) by Senator Tim Kaine (D-Virginia) and [cosponsored](#) by Senators Susan Collins (R-Maine), Lindsay Graham (R-South Carolina), James Risch (R-Idaho), and Christopher Coons (D-Delaware). In the House, the bill was [introduced](#) by Representative Mike Carey (R-Ohio), and [cosponsored](#) by three Republicans and two Democrats.

Key Provisions:

- ❖ **Extension of Nonimmigrant Status:** Grants the Secretary of Homeland Security the authority to extend R-1 visa status beyond the five-year cap until a decision is made on the religious worker's application for an EB-4 green card.
- ❖ **Limited Job Flexibility:** Allows religious workers to change employers within their religious vocation without restarting the application process, providing necessary job mobility during lengthy processing times.
- ❖ **Exemption to Foreign Residence Requirement:** Exempts religious workers who leave the U.S. due to R-1 visa expiration from the one-year foreign residence requirement, facilitating their ability to return and resume their service.

How the Bill Benefits Immigrant Religious Workers:

- ❖ **Continued Service:** Ensures that religious workers can remain in the U.S. to continue serving their communities without the risk of forced departure due to visa expirations caused by processing delays. This would [mitigate](#) disruptions caused by visa backlogs, especially in rural and immigrant-rich areas. In FY2023, 5,330 R-1 religious worker visas were [issued](#), underscoring the reliance of religious organizations on these workers.
- ❖ **Reduced Disruptions:** Prevents interruptions in religious services and community support that could arise due to visa overstays or complex immigration procedures.
- ❖ **Enhanced Flexibility:** Allows religious workers greater freedom to transition between positions or locations within their religious organization, aiding their ability to effectively meet community needs.
- ❖ **Pathway to Green Card Sustainability:** Supports the sustainability of religious workers' pathway to permanent residency, allowing them to contribute their services comfortably while awaiting the processing of their green card applications.
- ❖ **Improves EB-4 Visa Processing:** By streamlining the process for religious workers already in the U.S., this bill could potentially alleviate some pressure on the EB-4 visa category, which, in FY2023, saw [14,600 recipients](#), including religious workers and other special immigrants.

Brief Explanation of R-1 Visas and EB-4 Green Cards:

- ❖ **R-1 Visa:** The R-1 visa is a nonimmigrant visa that allows religious workers, including ministers and religious professionals, to enter the U.S. to perform religious duties temporarily. While it addresses immediate staffing needs, its time limitations can lead to uncertainty.

- ❖ [EB-4 Green Cards](#): The EB-4 visa is an immigrant visa category designed for religious workers, among other special immigrant groups, to obtain lawful permanent residence. However, backlogs often result in lengthy waits, exceeding the duration of temporary visas, leading to potential workforce disruptions.

Conclusion:

The Religious Workforce Protection Act aims to provide stability and continuity for religious communities by addressing the legal uncertainties faced by religious workers navigating the U.S. immigration system. By allowing for extensions of stay and increased job flexibility, the bill seeks to ensure that these individuals can continue to serve their communities without unnecessary interruptions, enhancing the vitality and stability of faith-based organizations across the country.