



R-1 Visa Religious Worker

The temporary religious worker classification is divided into three categories of religious workers:

1. Ministers of religion.
2. Professional workers in a religious vocation or occupation
3. Other workers in a religious occupation or non-professional vocation

Eligibility

Any bona fide nonprofit religious organization in the US may file for a religious worker or an alien may request admission to the United States (US) as a temporary (nonimmigrant) religious worker. To qualify as a petitioner, a religious organization must be a nonprofit religious organization granted (or eligible for) tax exempt status. To qualify as an R-1 beneficiary, an alien must have been a member of a religious denomination having a bona fide nonprofit religious organization in the US for at least the two years immediately preceding the application.

Requirements of the Religious Worker Petition

- 1 . The individual must have been a member of the same religious denomination as the U.S. religious organization for the 2 years immediately preceding the filing of the R-1 petition.
2. The petitioning religious entity in the U.S. must have 501(c)(3) status or prove that it qualifies for this status.
3. The U.S. petitioner must be able to prove the ability to pay the wage of the religious worker and family (if applicable).
4. The wage must be sufficient to meet 125% of the Federal Poverty Guidelines as set by HHS.
- 5 . The Beneficiary must be coming to perform work in a religious occupation, vocation or profession.

Standards

A nonimmigrant religious worker may be admitted temporarily to the US for one of the following reasons:

1. Solely to carry on the vocation of a minister of the religious denomination;

2. To work for the religious organization at the request of the organization in a professional capacity; or
3. To work for the organization, or a bona fide organization which is affiliated with the religious denomination, at the request of the organization in a religious vocation or occupation.

Procedural Requirements

Application for designation as an R-1 temporary religious worker, based on an offer of qualifying religious employment in the US , may be made in one of two ways:

- If the individual is in the U.S. in a valid nonimmigrant status seeking a change of status to R or an extension of status, a Form I-129 must be filed by the prospective R employer, with the \$190 fee, at the Service Center with jurisdiction over the place of religious employment, or
- If the individual is outside the U.S., then the application can be made directly by the individual at the U.S. consulate nearest his/her place of residence that accepts this nonimmigrant visa application by filing the Nonimmigrant Visa Application (DS-156), or directly to the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services officer at a U.S. port-of-entry in the case of visa exempt aliens from Canada.

Note: To expedite a Form I-129 for an R-1, form I-907, Request for Premium Processing can be filed with a CIS fee of \$1,000.

Period of Admission And Extension Of Stay

An initial period of stay for an approved R-1 alien and dependents will be approved for the requested period, not to exceed three years. An extension of stay, which must be requested on Form I-129 from an Service Center and include documentation from the religious organization confirming the R-1 alien's continuing eligibility, may be granted for an additional two years, not to exceed a total maximum stay of five years.

Dependents Of R-1 Religious Workers

An R-1 worker's spouse and unmarried children under 21 are entitled to R-2 classification and the same duration of stay as the R-1 principal from whom they derive status. R-2 nonimmigrants may not accept employment in the US under that classification. Evidence Required

1. Proof that alien beneficiary is in the U.S. and is in valid nonimmigrant status on day petition is filed.
2. Proof that the alien has been a member of the same denomination as the petitioner for at least two years before petition is filed.

3. Proof that the petitioner is tax exempt according to the Internal Revenue Service (IRS) tax code.
4. If alien's religious membership was outside the U.S. , petitioner must send a letter stating that the foreign and U.S. religious organizations are under the same denomination.
5. A statement explaining the amount of salary, and any other applicable benefits such as housing, food, etc. that the alien will receive.

Please Note

- If the alien is a minister, they must provide proof that they are authorized to conduct religious worship under the designated denomination, as well as other duties that are applicable. A detailed description of all duties must be included.
- If the alien is a religious professional, they must provide proof that they have at least an U.S. bachelor's degree or a foreign equivalent. The degree must be required for entry into the religious profession.
- If the alien is to work in another religious vocation or occupation, they must provide proof that they are qualified. This may include evidence establishing individual is a nun, monk or religious brother, or that they are qualified to work in a religious occupation, that is to perform work that is related to a traditional religious function.

Temporary religious worker Document Checklist

U.S. Petitioner

- Evidence of 501(c)(3) status from IRS
- Documentation submitted to obtain 501(c)(3) status
- Incorporation papers
- Bank letters or recent audits showing assets
- IRS tax information
- Membership
- Other employees (if applicable)
- Directory
- Bulletin, brochures and other similar materials
- Photographs of the building where religious services are held
- Letter in support of the petition
- Beneficiary

- Letter from religious entity, verifying 2 years of experience

- Proof of the existence of the religious entity where the Minister has been working
- Ordination (or the equivalent to show authorization to perform the duties of Minister)
- Diplomas (as applicable)
- Passport valid for at least 6 months after the issuance of an immigrant visa
- Birth certificate of Minister
- Birth certificates of spouse and children
- Marriage license