

## R-1 Temporary Nonimmigrant Religious Workers

An R-1 is a foreign national who is coming to the United States temporarily to be employed at least part time (average of at least 20 hours per week) by a non-profit religious organization in the United States (or an organization which is affiliated with the religious denomination in the United States) to work as a minister or in a religious vocation or occupation.

### Eligibility Criteria

To qualify, the foreign national must have been a member of a religious denomination having a bona fide non-profit religious organization in the United States for at least 2 years immediately before the filing of the petition.

A prospective or existing U.S. employer must file Form I-129, Petition for Nonimmigrant Worker, on behalf of an R-1 worker. An R-1 visa cannot be issued at a U.S. Embassy or Consulate abroad without prior USCIS approval of Form I-129. Visa exempt workers must present the original Form I-797, Notice of Action, at a port of entry as evidence of an approved I-129 R petition.

Submit Duplicate Copies Reminder:

Please remember to submit a duplicate copy of the petition and all supporting documents if the beneficiary will be applying for an R-1 visa. Failure to submit a duplicate copy to USCIS with the Form I-129 may result in a delay in the issuance of a nonimmigrant visa abroad from the U.S. Department of State.

Both the petitioning organization and the religious worker must satisfy certain requirements, which are listed in the chart below.

Supporting Documents Required for the Religious Organization	Supporting Documents Required for the Religious Worker
<p>Proof of tax-exempt status</p> <ul style="list-style-type: none"> <li>• If the religious organization has its own individual IRS 501(c) (3) letter, provide a currently valid determination letter from the IRS showing that the organization is tax-exempt</li> <li>• If the religious organization is recognized as tax-exempt under a group tax exemption, provide a group ruling</li> <li>• If the organization is affiliated with the religious denomination, provide:               <ol style="list-style-type: none"> <li>1. A currently valid determination letter from the IRS showing that the organization is tax exempt;</li> <li>2. Documentation that establishes the religious nature and purpose of the organization;</li> <li>3. Organizational literature; and</li> <li>4. A religious denomination certification, which is part of the R-1 Classification Supplement to Form I-129 (see the links to the right)</li> </ol> </li> </ul> <p>Proof of salaried or non-salaried compensation</p> <ul style="list-style-type: none"> <li>• Verifiable evidence showing how the organization will compensate the religious worker, including specific monetary</li> </ul>	<p>Proof of membership</p> <ul style="list-style-type: none"> <li>• Evidence that the religious worker is a member of a religious denomination having a bona fide non-profit religious organization in the United States for at least 2 years immediately before the filing of Form I-129</li> </ul> <p>If the religious worker will be working as a minister, provide:</p> <ul style="list-style-type: none"> <li>• A copy of the religious worker's certificate of ordination or similar documents</li> <li>• Documents showing acceptance of the religious worker's qualification as a minister in the religious denomination, as well as evidence that he or she completed any course of prescribed theological education at an accredited theological institution normally required or recognized by that religious denomination. Include transcripts, curriculum, and documentation that establishes that the theological institution is accredited by the denomination</li> <li>• If the denomination does not require a prescribed theological education, provide:               <ol style="list-style-type: none"> <li>1. The religious denomination's requirements for ordination to minister;</li> </ol> </li> </ul>

<b>Supporting Documents Required for the Religious Organization</b>	<b>Supporting Documents Required for the Religious Worker</b>
<p>or in-kind compensation. Evidence of compensation may include:</p> <ol style="list-style-type: none"> <li>1. Past evidence of compensation for similar positions;</li> <li>2. Budgets showing monies set aside for salaries, leases, etc.;</li> <li>3. Evidence that room and board will be provided to the religious worker;</li> <li>4. If IRS documents such as Form W-2 or certified tax returns are available, they must be provided; and</li> <li>5. If IRS documents are not available, you must explain why and provide comparable, verifiable documentation</li> </ol> <p>If the religious worker will be self-supporting</p> <ul style="list-style-type: none"> <li>• Documents that show the religious worker will hold a position that is part of an established program for temporary, uncompensated missionary work, which is part of a broader international program of missionary work sponsored by the denomination</li> <li>• Evidence showing that the organization has an established program for temporary, uncompensated missionary work in which: <ol style="list-style-type: none"> <li>1. Compensated or uncompensated foreign workers previously held R-1 status;</li> <li>2. Missionary workers are traditionally uncompensated;</li> <li>3. The organization provides formal training for missionaries; and</li> <li>4. Participation in such missionary work is an established element of religious development in that denomination.</li> </ol> </li> <li>• Evidence showing that the organization's religious denomination maintains missionary programs both in the United States and abroad</li> <li>• Evidence of the religious worker's acceptance into the missionary program</li> <li>• Evidence of the duties and responsibilities associated with this traditionally uncompensated missionary work</li> </ul> <p>Copies of the religious worker's bank records or budgets documenting the sources of self-support. This may include, but is not limited to, personal or family savings, room and board with host families in the United States, donations from the denomination's churches, or other verifiable evidence</p>	<ol style="list-style-type: none"> <li>2. A list of duties performed by virtue of ordination;</li> <li>3. The denomination's levels of ordination, if any; and</li> <li>4. Evidence of the religious worker's completion of the denomination's requirements for ordination</li> </ol> <p>Proof of previous R-1 employment (for extension of stay as an R-1)</p> <ul style="list-style-type: none"> <li>• If the religious worker received salaried compensation, provide IRS documents that show he or she received a salary. This may include, but is not limited to, Form W-2 or certified copies of filed income tax returns reflecting such work and compensation for the previous R-1 employment</li> <li>• If the religious worker received non-salaried compensation: <ol style="list-style-type: none"> <li>1. If IRS documents are available, provide IRS documentation of the non-salaried compensation; or</li> <li>2. If IRS documents are not available, explain why and provide comparable, verifiable evidence of all financial support (including stipends, room and board, or other support) with a description of the location where the religious worker lived, a lease to establish where he or she lived, or other evidence</li> </ol> </li> <li>• If the religious worker received no salary but supported him or herself and any dependents, provide verifiable documents to show how support was maintained. This may include, but is not limited to, audited financial statements, financial institution records, brokerage account statements, trust documents signed by an attorney, or other evidence</li> </ul>

### Period of Stay

USCIS may grant R-1 status for an initial period of admission for up to 30 months. Subsequent extensions may be granted for up to an additional 30 months. The religious worker's total period of stay in the United States in R-1 classification cannot exceed 5 years (60 months).

USCIS counts only time spent physically in the United States in valid R-1 status toward the maximum period of stay. See the related policy memo for details.

### Family of R-1 Visa Holders

An R-1 religious worker's spouse and unmarried children under the age of 21 may be eligible for R-2 classification. An R-2 dependent is not authorized to accept employment based on this visa classification.

### **Green Cards**

For information about petitioning for a permanent immigrant religious worker, see the "Permanent Workers" link to the left and select "Employment-Based Immigration: Fourth Preference EB-4."

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