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# Regulatory Change Impacting Foreign-Born Religious Workers

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“This targeted change is a truly significant step that will help facilitate essential religious services for Catholics and other people of faith throughout the United States by minimizing disruptions to cherished ministries.”

—[\*Archbishop Paul S. Coakley and Bishop Brendan J. Cahill, USCCB Statement \(January 14, 2026\)\*](#)

On January 14, 2026, the U.S. Department of Homeland Security announced the issuance of an Interim Final Rule (IFR) addressing regulations related to religious worker visas. The IFR is entitled “Improving Continuity for Religious Organizations and Their Employees” and was [formally published in the \*Federal Register\*](#) on January 16, 2026.<sup>1</sup>

## What does the IFR do?

Those on a nonimmigrant (temporary) religious worker (R-1) visa who reach the maximum period of stay of five years for that visa are generally required to depart the United States if they haven’t acquired some other status allowing them to stay in the country beyond that point. Previously, federal regulations at 8 CFR § 214.2(r)(6) governing the R-1 visa have required that religious workers in this situation be outside of the United States for one full year before possible returning on a new R-1 visa. The IFR changes these regulations so there is no minimum time required outside of the United States before someone can return on a subsequent R-1 visa. This means a religious worker could now depart the United States at the end of the initial R-1 visa, interview for and be issued a new R-1 visa at an embassy or consulate, and return to the United States as soon as practicable, assuming he or she satisfies all other requirements.

## Who is impacted by the IFR?

The IFR most directly impacts religious workers (and their family members) who are seeking to return to the United States on a new R visa after having been in the United States on an R visa continuously for the previous five years. This also has a significant impact on the U.S.-based employers of these workers (e.g., Catholic dioceses, parishes, and other religious organizations), along with American communities throughout the country, that depend on these workers for the essential ministries they provide. In addition to carrying out core religious and spiritual functions, many foreign-born religious workers also assist in providing services that include teaching in schools, caring for the sick, aged, and dying, helping immigrants to integrate into their new communities, and supporting families and individuals in times of crisis.

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<sup>1</sup> Improving Continuity for Religious Organizations and Their Employees, 91 Fed. Reg. 2049 (Jan. 16, 2026).

## When does the IFR go into effect?

Immediately. Because this is an interim final rule, and pursuant to the text of the IFR itself, the change is effective as of January 16, 2026. However, it may take time for consular officers and other relevant U.S. government personnel to become fully informed of the change in order to implement it.

## Why was the policy change in the IFR necessary?

The U.S. Conference of Catholic Bishops and many other religious organizations across faith traditions have been advocating for this change for several years, given ongoing challenges related to the Religious Worker Visa Program.<sup>2</sup> These challenges were discussed in the IFR and specifically cited as a rationale for the change.<sup>3</sup> The IFR removes an unnecessary restriction on the ability of religious workers on an R-1 visa to depart the United States and return on a new R-1 visa with minimal disruption to their ministries. This is more in line with the statutory framework created by Congress, which never imposed a minimum time outside of the United States between subsequent R-1 visas.

## Is there a public comment period for this regulatory change?

Yes. The IFR includes a comment period of 60 days from the date it was published, so comments from the public providing feedback on the IFR may be submitted via the Federal eRulemaking Portal on or before March 17, 2026.

## How does this change intersect with recent restrictions on immigration put in place by the Trump Administration?

Some foreign-born religious workers from certain countries could be impacted by the Administration's [ongoing travel ban](#),<sup>4</sup> as well as the U.S. Department of State's recently announced [visa processing pause for people from 75 countries](#),<sup>5</sup> which goes into effect January 21, 2026. However, with respect to the State Department's visa processing pause, it's important to note that this is only intended to apply to those seeking immigrant (permanent) visas, not nonimmigrant (temporary) visas. R visas are classified as nonimmigrant visas. Individuals and employers should speak with immigration counsel regarding possible impacts on specific cases.

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<sup>2</sup> See, e.g., Interfaith Letter on Policy Change Impacting EB-4 Visas (May 25, 2023), <https://www.usccb.org/resources/Interfaith%20Letter%20on%20Policy%20Change%20Impacting%20EB-4%20Visas.pdf>.

<sup>3</sup> 91 Fed. Reg. 2049, 2050, 2052–53.

<sup>4</sup> For more information, see USCCB, THE TRUMP ADMINISTRATION'S TRAVEL BAN AND RESTRICTIONS FOR NATIONALS OF CERTAIN COUNTRIES, <https://www.usccb.org/resources/The%20Trump%20Administration%E2%80%99s%20Travel%20Ban%20and%20Restrictions%20for%20Nationals%20of%20Certain%20Countries.pdf> (last updated Jan. 6, 2026).

<sup>5</sup> For more information, see U.S. Department of State, *Immigrant Visa Processing Updates for Nationalities at High Risk of Public Benefits Usage*, <https://travel.state.gov/content/travel/en/News/visas-news/immigrant-visa-processing-updates-for-nationalities-at-high-risk-of-public-benefits-usage.html> (last updated Jan. 14, 2026).