

Religious Workforce Protection Act ([H.R. 2672](#) / [S.1298](#))

Original House Cosponsors: Rep. Mike Carey (R-OH-15); Rep. Richard Neal (D-MA-1);
Rep. Maria Salazar (R-FL-27); Rep. Pete Stauber (R-MN-8)

Original Senate Cosponsors: Sen. Susan Collins (R-ME); Sen. Tim Kaine (D-VA);
Sen. James Risch (R-ID)

Purpose

The Religious Workforce Protection Act (RWPA) would support the free exercise of religion in communities across America by providing limited flexibilities to religious workers who are legally present in the country and waiting to receive their green card.

Key Points

- Without this bill, foreign-born religious workers subject to a years-long backlog will increasingly be forced to abandon their ministries in the United States, depriving Americans of the essential services provided by their priests, pastors, rabbis, and others.
- This bill does not increase the number of people who can immigrate to the United States each year. Rather, it allows religious workers who are already in the country to continue serving their communities, uninterrupted, until they can receive permanent status.
- Only Congress is empowered to address this situation, given the statutory limitations involved, and this bill provides a very targeted, narrow source of relief based on existing law.

Overview

Religious workers on R-1 visas are limited to five years in the United States. In the past, this was not an issue because their employers could petition for them to receive permanent status within that timeframe. However, an expanded backlog in the EB-4 visa category has made that impossible: a religious worker applying today will be forced to wait well over a decade for permanent status in the United States. Further hardship is imposed on these workers, their employers, and the communities they serve by the fact that a religious worker must be outside of the United States for at least one full year between R-1 visas.

The RWPA addresses this situation in Section 2 of the bill by allowing the Secretary of Homeland Security to extend the R-1 status of religious workers until they can receive a green card, so long as (1) their employer has formally petitioned for their permanent status and (2) they are otherwise eligible to become lawful permanent residents. Section 3 of the bill also allows religious workers to change positions without having to restart the permanent residency process from the beginning if they continue working in the same field. Finally, Section 4 makes those already forced to depart the country prior to the RWPA's enactment eligible for relief under Section 2.