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## MEMORANDUM

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**To:** Sr. Carol Zinn, SSJ, Executive Director, LCWR  
Sr. Mary Bendyna, OP, Executive Director, CMSWR  
Rev. Frank Donio, SAC, Executive Director, CMSM

**From:** David Spicer, Director of Policy and Engagement, Migration, USCCB

**Re:** New Rule Impacting Foreign-Born Religious Workers

**Date:** January 14, 2026

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I am pleased to share the [issuance](#) of an Interim Final Rule (IFR) on January 14, 2026, entitled “Improving Continuity for Religious Organizations and their Employees” ([to be published](#) in the *Federal Register* on January 16, 2026). This IFR reflects administrative action long advocated for by the USCCB, and the Committee on Migration in particular, in close collaboration with you and other valued partners, as a response to ongoing challenges with the Religious Worker Visa Program.

### **Impact of the IFR**

Those on a temporary religious worker (R-1) visa who reach the maximum period of stay of five years are generally required to depart the United States if they haven’t acquired some other status allowing them to stay. Up to this point, federal regulations governing the R-1 visa have required that religious workers in this situation be outside of the United States for one full year before possibly returning on a new R-1 visa. The IFR changes the regulations so there is no minimum time required outside of the United States before someone can return on a subsequent R-1 visa.

This change also applies to religious workers who departed the United States before the IFR was published and were previously subject to the one-year timeframe.

The IFR does not directly address the employment-based, fourth preference (EB-4) visa category typically relied upon by religious workers for lawful permanent residency in the United States. There continues to be an over 30-year wait for someone who applies for an EB-4 visa today, based on the current backlog. More information on the USCCB’s desired legislative relief to address this is available in the [August Recess 2025 Religious Workforce Protection Act toolkit](#). However, the *Foreign Affairs Manual* continues to hold that those entering the United States on an R-1 visa can technically have “dual intent”, meaning a pending application for permanent residency in the United States should not be the sole basis for denial of R status.

Sponsors of foreign-born religious workers should also be mindful of those countries impacted by the [Administration’s travel ban](#), which applies to those from certain countries seeking to enter with R-1 visas, as well as those outside of the United States seeking to immigrate through the EB-4

category. It was also [reported recently](#) that the State Department will pause processing visas for people from 75 countries, though the details of this are not yet known.

Organizations sponsoring R-1 visas holders should consult with their immigration counsel to discuss the implications of the IFR for specific cases.

### **Public Response and Submitting Comments**

The USCCB's press release responding to this action is available on the [Conference's website](#).

We also encourage others to express appreciation for this action from the Administration, which as you know follows extensive engagement and dialogue over the past three years.

The IFR includes a comment period of 60 days, allowing feedback to be submitted by members of the public. In addition to the comments anticipated to be submitted by the Conference, we expect to disseminate a template in the coming days, produced jointly with the Catholic Legal Immigration Network, Inc. (CLINIC), to assist partners in submitting their own comments.

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Please do not hesitate to reach out to me ([dspicer@usccb.org](mailto:dspicer@usccb.org)) with any questions or requests related to the IFR or the Religious Worker Visa Program generally.