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Thousands of foreign-born clergy working in U.S. at risk of being forced to leave

Proposed legislation looks to address the problem of foreign-born clergy forced to leave the US.

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USA TODAY

Updated May 20, 2025, 9:22 a.m. ET

At the Church of the Ascension in Orlando, Florida, the congregation was energized and invested in the direction set by its senior pastor of several years. Then, a reinterpretation of federal law changed everything.

The Episcopal church's minister, Ryan Cook, was Canadian — but a new understanding of immigration law meant he had to leave the U.S. and abandon his congregation.

"He was remarkably good at his job," said Rev. Canon Dan Smith of the [Episcopal Diocese](#) of Central Florida.

In early 2023, a change in how [green-card applications](#) for foreign-born religious workers are processed upended what had been a quick and predictable process for such workers to obtain permanent residency. The switch created a backlog that has put thousands of clergy at risk of being forced to leave the U.S. and disrupting the faith communities they serve.

"Simply put," the U.S. Conference of Catholic Bishops wrote in a letter addressed to Congress, "an increasing number of American families will be unable to practice the basic tenets of their faith if this situation is not addressed."

Many foreign-born clergy, like Cook, have already been forced to leave the country to avoid overstaying their visas. Smith said the Central Florida Episcopal diocese is facing similar situations with several other priests – two from Canada and one from the Caribbean.

“Everybody knows it’s looming,” he said. “We lost a really good priest. And we could lose two or three more.”

Bipartisan bill would exempt clergy

The situation affects priests, pastors, seminary instructors and others serving in various ministries and faiths nationwide. Along with places of worship, the backlog is affecting foreign-born clergy serving in military, prison or palliative care settings.

A bipartisan bill aims to address the issue with passage of the Religious Workforce Protection Act, which would extend the five-year limit on religious worker visas until their green-card applications have been adjudicated.

In [their letter](#) to Congress in support of the proposed legislation, Timothy P. Broglio, president of the Catholic Bishops’ conference and Archbishop for the Military Services, and Bishop Mark J. Seitz of El Paso, who chairs the group’s migration committee, noted that foreign-born clergy are crucial to Catholic parishes in rural and isolated areas as well as in dioceses with large immigrant populations.

“We would not be able to serve our diverse flocks, which reflect the rich tapestry of our society overall, without the faithful men and women who come to serve through the Religious Worker Visa Program,” they wrote.

According to the bishops’ conference, the bill also has the backing of groups including the National Association of Evangelicals, the U.S. Council of Muslim Organizations, the Rabbinical Council of America and Hindu American Foundation.

In Florida, Smith said, foreign-born clergy comprise a large portion of Episcopal clergy, including a significant number from Caribbean nations.

“I’ve got congregations that are almost entirely Caribbean, so to find someone who understands the culture is a real benefit,” he said.

Smith noted that Cook, the Episcopal pastor forced to leave the country, was fortunate to get a job offer from a church in England, where he was able to quickly obtain a work visa. But in the meantime, he and his former congregation, like many others across the U.S., have faced unexpected upheaval and uncertainty.

“We’re not just talking about an individual,” Smith said. “We’re talking about the individual’s family and the congregations they serve. That’s 400 to 500 people. Now they’re in the middle of looking at who their next senior pastor will be. That’s something they weren’t expecting to do for years.”

Federal change created a logjam

The roots of the crisis lie in a 2023 U.S. State Department [reinterpretation](#) of how green card applications should be handled for foreign-born religious workers.

Previously, foreign-born clergy could work in the U.S. for up to five years on an R-1 visa, applying for an EB-4 visa toward the end of that period that would give them permanent residency and put them on a path toward citizenship.

However, in early 2023, those EB-4 applications were combined with those made on behalf of neglected, abused or abandoned immigrant children – without raising the annual 10,000 limit on the category’s visa issuances. The resulting pileup extended what used to be a year-long wait to one that advocates say could take 10 to 15 years.

“Because of the backlog, a person applying through the EB-4 category today would be forced to wait well over a decade before receiving permanent residency in the United States,” the Catholic bishops’ conference [said](#).

As a result, foreign-born clergy have been forced to abandon their ministries to avoid overstaying their visas. Additionally, those who return to their native

countries have to wait at least a year before applying for another R-1 visa, sending them to the back of the line.

According to Evelyn Batista, an immigration attorney in Palm Beach, Florida, religious workers account for about 30% of the 150,000 people currently awaiting adjudication of their EB-4 applications.

A [2022 survey](#) conducted by The Catholic Project of 10,000 priests across 191 dioceses found that 24% of Catholic priests were foreign-born.

David Spicer, the Catholic bishops' conference's assistant director for policy, migration and refugee services, said the church's global nature and diversity creates a need for the linguistic, cultural and liturgical competencies that foreign-born clergy can offer.

A 2024 U.S. Conference of Catholic Bishops survey, he said, found 90% of the 134 Catholic dioceses responding relied to some extent on foreign-born religious workers, with the average diocese reporting more than 10 workers and several archdioceses reporting more than 50. The workers included priests, religious sisters and brothers and other laypersons.

About 30% of dioceses, Spicer said, reported having at least one religious worker forced to leave the country because of the processing backlog, while more than half anticipated losing a worker within the coming year; 15% of dioceses expected to lose between 5 and 10 workers.

For instance, in the Archdiocese of Milwaukee, vicar for clergy Fr. Nathan Reesman said two priests are leaving within the month because their visas have run out.

"We are working several other priests through the renewal and application process, but we have no guarantee that the same problem is not going to happen to them when their permitted temporary visa time expires," Reesman said.

But perhaps more telling, Spicer said, is the number of congregants affected by these departures. The Diocese of Boise, for instance, expected more than 8,000 families, or about 36,000 Idahoans, to be impacted.

“That means much more limited access to Mass and the other sacraments, which are central to the practice of the Catholic faith,” he said.

Maintaining continuity is important for church health, said Smith, of Central Florida’s Episcopal diocese, allowing for long-term vision and strategic planning. Rapid changeover in leadership, he said, stifles growth, whether it be spiritually or in terms of effectiveness or actual membership numbers.

“In the church, it’s all about relationships,” he said. “They take time and don’t form overnight. You can do more with a pastor you’ve had for three years than one you’ve had for six months.”

'This is simply not sustainable'

For the Catholic church, the situation compounds a shortage of priests in the U.S., Spicer said; some priests, he said, serve multiple parishes many miles apart. In addition to conducting weekly services and offering sacraments, priests are called on to preside at weddings and funerals and to accompany families at hospitals.

Forcing foreign-born priests to abandon their congregations not only deprives parishioners of pastoral care, he said; it raises the possibility of burnout among the clergy that remain.

“The best-case scenario may be having a completely new worker come to fill that void who will then have to acclimate and build those same relationships from scratch,” he said, and that’s assuming that another worker is available, that there are no glitches in the immigration process and that the diocese has the financial resources to support the move.

“This is simply not sustainable for the workers, their religious organizations or the communities that rely upon them,” Spicer said.

Batista said the situation also exacerbates shortages of military and prison chaplains, hampering efforts to provide servicemembers and inmates ample opportunity to practice their religion, as federally required.

In September, the Catholic Diocese of Paterson, New Jersey, sued the U.S. government, claiming the State Department’s procedural change [violated federal law](#) by keeping the diocese from providing its religious services.

Last month, Sens. Tim Kaine, D-Virginia and Rep. Susan Collins, R-Maine, were among a group of bipartisan lawmakers who proposed the [Religious Workforce Protection Act](#), which would allow foreign-born clergy working in the U.S. on R-1 visas to remain as nonimmigrants for renewable three-year periods until their green card applications are processed.

Kaine became aware of the issue when he started hearing concerns from Catholic churches in Virginia – including his own parish, where two of the last three priests have been immigrants, he said. He and Collins are now focused on shoring up bipartisan support for the bill, which is before the Senate Judiciary Committee.

A version of the bill is also before the House Judiciary Committee.

“Immigration bills are tough in the current political climate, but this is a narrow fix for a pretty specific group of individuals,” Kaine said.

Batista said the bill would allow workers to remain with the congregations without having to restart the entire process again.

“This is an instance where you have bipartisan collaboration,” she said. “It’s rare to see that, so it just shows how important this is to both parties.”

Meanwhile, Smith said the issue has prompted him to hire an immigration attorney to stay educated about the process and its legal considerations, enabling him to

offer advice and to get the word out to Episcopal church leaders about the issue so it doesn't come as a surprise.

But it's also altered the diocese's hiring process.

"We have stopped looking at people from other countries," Smith said. "We're potentially losing some excellent candidates but we have stopped until we have a better understanding. It's not healthy for a congregation to have a senior pastor who they know might leave in four or five years."