



## H.R. 5570 – RELIGIOUS WORKER VISA EXTENSION ACT OF 2008

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### FLOOR SITUATION

H.R. 5570 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Zoe Lofgren (D-CA) on March 10, 2008. The House Committee on the Judiciary agreed to the bill, as amended, by voice vote on April 2, 2008.

H.R. 5570 is expected to be considered on the floor of the House on April 15, 2008.

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### SUMMARY

H.R. 5570 reauthorizes the period that religious institutions may sponsor religious worker visas until 2015. This religious worker visa program was created under the Immigration Act of 1990 (P.L. 101-649), and is currently set to expire on October 1, 2008. The 7 year reauthorization is contingent upon the U.S. Citizenship and Immigration Service (USCIS) issuing regulations to eliminate or reduce fraud in the program by December 1, 2008. If the USCIS fails to issue these regulations on time, the program will expire December 31, 2009.

The bill requires the Government Accountability Office (GAO) or the Inspector General of the Department of Homeland Security to report to Congress on the effectiveness of the USCIS regulations by September 30, 2010. Current law providing for "religious worker" visas is set to expire October 1, 2008.

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### BACKGROUND

The Immigration Act of 1990 (P.L. 101-649), lists the requirements and criteria which an immigrant must satisfy in order to qualify for a religious worker visa. Requirements include the immigrant: 1) being a member of a religious denomination that has a non-profit religious organization in the U.S.; 2) and is seeking to serve the religious organization in a ministerial, professional, or other vocation-related occupational capacity.

In July of 2006, the USCIS Office of Fraud Detection and National Security (FDNS) randomly selected 220 religious worker visa petitions and found 33% of the cases to be fraudulent, and found that many additional cases had indicators of fraud. Examples of fraud found in these cases include the petitioning religious institution being not knowing the immigrant they were supposedly sponsoring, and misrepresentation of the immigrant's qualifications.

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### COST

The Congressional Budget Office, "estimates that implementing H.R. 5570 would have no significant cost to the federal government.."

[CBO cost estimate for H.R. 5570](#)

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### STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.