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EDWARD J. MARKEY
7TH DISTRICT, MASSACHUSETTS

Congress of the United States
House of Representatives
Washington, DC 20515-2107

October 30, 2007

2108 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2107
(202) 225-2836

DISTRICT OFFICES:

5 HIGH STREET, SUITE 101
MEDFORD, MA 02155
(781) 396-2900

188 CONCORD STREET, SUITE 102
FRAMINGHAM, MA 01702
(508) 875-2900

<http://markey.house.gov>

Mr. Richard A. Sloan
Director, Regulatory Management Division
Citizenship and Immigration Services
U.S. Department of Homeland Security
111 Massachusetts Avenue, NW, 3rd Floor
Washington, DC 20529

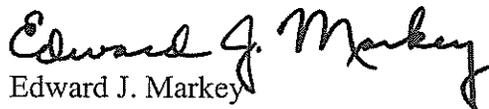
Dear Mr. Sloan,

I have recently been alerted to a proposed rule change governing the R-1, Religious Worker visa category (DHS Docket No. USCIS-2005-0030). I understand that reports of widespread abuse of this visa category have led to increased enforcement and a rulemaking to ensure that these immigration visas are granted in a manner consistent with the original intent of the category. While I agree with the need to deter fraud in the program and ensure that awarded visas are for legitimate purposes, I am concerned that the strict definitions for eligible occupations and denominations contained in the proposed rule may unintentionally exclude bona fide religious workers of non-Judeo-Christian faiths.

As USCIS proceeds with its rulemaking to clarify the criteria for the Religious Worker visa category, USCIS should bear in mind that religious workers of certain faiths do not receive seminary-type training and not all faiths are governed by a central body, and therefore the absence of these factors should not automatically disqualify an individual seeking an R-1 visa. For example, several of my Hindu-American constituents in Massachusetts rely heavily on religious workers from abroad. An overly restrictive final rule on R-1 visas could greatly impact their ability to fully practice their faith.

I strongly encourage you to carefully evaluate the comments received from a variety of religious organizations before issuing a final rule. Our country prides itself for its religious tolerance, and our immigration policies should reflect this core value. I urge USCIS to promulgate a final rule that provides a religious worker visa classification that appropriately balances the need to prevent fraud with the imperative to remain open to legitimate religious workers of all faiths. Thank you for your consideration.

Sincerely,


Edward J. Markey

cc. DHS Secretary Michael Chertoff
USCIS Congressional Affairs Director Sarah Taylor