

Throughout the year, many imams and scholars travel to the United States for religious events and activities. Generally, a foreign national who wishes to enter the U.S. must first obtain a visa. It is important to know what type of visa is appropriate for each visit to avoid complications and potential denial of entry into the U.S.

This advisory compares visitor visas and religious worker visas to help imams and scholars, as well as the masjid who invite them, to determine which visa is appropriate for their trip to the U.S. It is critical to plan ahead and apply early for a visa, especially if the imam or sheikh is coming for a time-specific event such as Ramadan or a conference.

**Visitor visas** are nonimmigrant visas for persons who want to enter the U.S. temporarily for **business (visa category B-1)**, for **tourism (visa category B-2)**, or for a combination of both purposes (B-1/B-2).

B-1 visas are generally issued for:

- Consulting with business associates;
- Attending a professional convention or conference;
- Settling an estate; or
- Negotiating a contract

B-2 visas are generally issued for:

- Tourism
- Vacation
- Visits with friends or relatives
- Medical treatment

*B-1/B-2 visas **cannot** be used for study, employment or paid/compensated work, even if temporary or for minimal compensation. Receiving a 'gift' in exchange for the providing religious services could be interpreted by U.S. immigration officials as receiving compensation. Therefore, an individual who will be doing religious work in the U.S. should not attempt to enter using a B-1/B-2 visa, unless the work will be voluntary and entirely unpaid.*

An **R-1 visa** is intended for a foreign national who is coming to the U.S. temporarily to be employed as an imam or sheikh at least part time (average of at least 20 hours per week) by:

- A non-profit religious organization in the U.S.;
- A religious organization that is authorized by a group tax exemption holder to use its group tax exemption; or
- A non-profit religious organization which is affiliated with a religious denomination in the U.S.

This visa program is intended for religious workers whose lives are dedicated to religious practices and functions. An R-1 visa is temporary and allows for temporary stay in the U.S. for the purpose of employment as an imam or sheikh at least part time. Religious scholars and imams wishing to immigrate permanently to the United States may also have options for obtaining a green card and should consult with an immigration attorney to evaluate the option which best fits their situation.

*R-1 visa holders **can be paid or compensated** for their work. Obtaining an R-visa can be a time-consuming process, and it can take as long as eight to ten months for the government to process an R-1 visa.*

For immigration matters, call the CAIR-SFBA office at 408.986.9874.