

# TABLE OF CONTENTS

Preface.....	vii
About the Editors .....	ix
Table of Appendices .....	115
Index .....	193

## Articles

Nonimmigrant Religious Workers: The R Visa.....	1
<i>by Julia A. Thorne</i>	
Permanent Religious Workers Under the Immigration and Nationality Act .....	9
<i>by Rodney M. Barker and Rosanne T. Milano</i>	
When Is a Religious Organization a Religious Organization? How the New Regulations Affect Petitioning Organizations.....	13
<i>by Joel Pfeffer</i>	
Nontraditional Religious Occupations and Vocations .....	21
<i>by Carlos Ortiz Miranda, Elaine H. Witty and Esther Schachter Fridman</i>	
Preparing Special Immigrant Visa Petitions for Religious Workers: A Practical Guideline .....	33
<i>updated by Martina M. Keller, Elaine H. Witty, and Esther Schachter Fridman</i>	
Selected Issues in Religious Worker Immigration: Site Visits, INA §245(k), and Abandonment of Permanent Residence .....	53
<i>by Nancy L. Marwin, Nina R. McDermott, Miguel Alberto Naranjo, and Sairah G. Saeed</i>	
Concurrent I-360/I-485 Filing Under <i>Ruiz-Diaz v. U.S.</i> .....	65
<i>by Robert Pauw and Mari Matsumoto</i>	
New Factors in Consular Processing of Nonimmigrant Religious Workers.....	71
<i>by Jeffrey H. Gorsky</i>	
R-1 Admissions at the Canadian Border, Not So Different Anymore .....	77
<i>by James D. Eiss and Danielle M. Rizzo</i>	
Taxes and the Religious Worker .....	81
<i>by Rodney M. Barker and Aukse Usaite</i>	
R-1 Not a Perfect Fit? A Look at Visa Alternatives for the Nonimmigrant Religious Worker .....	85
<i>by Rosanne T. Milano and Scott D. Pollock</i>	
Behold! The Miracle of §319(b): Naturalization for Missionaries .....	93
<i>by Robert P. Webber and Penni A. Frank</i>	
Using the First Amendment to Support Religious Worker Applications.....	99
<i>by Stuart J. Lark and Cheryl B. Williams</i>	
The Religious Freedom Restoration Act and Its Impact on Immigration Decisions .....	109
<i>by Scott D. Pollock</i>	

## Appendices

Appendix A: <i>Federal Register</i> Notice for Admission of Nonimmigrant and Immigrant Religious Workers (8 CFR §§204.5(m) and 214.2(r)) (Nov. 26, 2008).....	117
Appendix B: USCIS Publishes Final Rule for Religious Worker Visa Classification (USCIS Memorandum, Nov. 21, 2008) .....	123
Appendix C: USCIS Announces Resumption of Premium Processing Service for R-1 Nonimmigrant Religious Worker Visa Classification, with Questions and Answers (USCIS, July 20, 2009).....	129
Appendix D: Documents Relating to Concurrent Filing of I-360 and I-485 including:	
—Clarifying Guidance on Implementation of the District Court’s Order in <i>Ruiz-Diaz</i> (USCIS Memorandum, Aug. 5, 2009)	
—Implementation of the District Court’s Order in <i>Ruiz-Diaz</i> (USCIS Memorandum, June 25, 2009)	
—Order Granting Plaintiffs’ Motion for Summary Judgment in <i>Ruiz-Diaz</i> (Mar. 23, 2009)	
—Order Directing Entry of Judgment in <i>Ruiz-Diaz</i> (June 11, 2009) .....	133
Appendix E: Interpretation of “Religious Organization” (USCIS Letter to Elizabeth J. Bedient (Mar. 9, 2004) .....	155
Appendix F: Interpretation of Definition of “Nun” as Religious Vocation (USCIS Letter to Sofia Zneimer (Aug. 20, 2009).....	157
Appendix G: Employer Attestation and Supplement to New Form I-360 (Nov. 26, 2008).....	159
Appendix H: Employer Attestation and Supplement to New Form I-129 (Nov. 26, 2008).....	165
Appendix I: Optional Checklist for Special Immigrant Religious Worker (Form M-737, Mar. 23, 2009) .....	171
Appendix J: Optional Checklist for Nonimmigrant Religious Worker (Form M-736, Mar. 23, 2009)....	173
Appendix K: Summary of Recent AAO Decisions.....	175
<i>by Rodney M. Barker and Aukse Usaite</i>	
Appendix L: Summary of Other AAO Decisions .....	183
<i>by Rodney M. Barker and Dhara Sharma</i>	
Appendix M: Briefs of <i>Tenacre, Perez, Kent, and Camphill Soltane</i> .....	185
<i>by Rodney M. Barker and Dhara Sharma</i>	
Appendix N: Case Summaries Regarding Nontraditional Religious Occupations .....	189
<i>by David K. McHaffey, Lia Suntoso, and Rodney M. Barker</i>	