

MOTHER TERESA RELIGIOUS WORKERS ACT

HEARING
BEFORE THE
SUBCOMMITTEE ON IMMIGRATION
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

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MOTHER TERESA RELIGIOUS WORKERS ACT

THURSDAY, APRIL 13, 2000

U.S. SENATE,
SUBCOMMITTEE ON IMMIGRATION,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:57 p.m., in room SD-226, Dirksen Senate Office Building, Hon. Spencer Abraham (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. SPENCER ABRAHAM, A U.S. SENATOR FROM THE STATE OF MICHIGAN

Senator ABRAHAM. Let me begin with an apology to all who are here. We really never can tell when votes are going to be brought before the Senate, and on a day like this which is close to the beginning of a recess, the desire to compile as many votes into as short a time frame as possible becomes overriding. So we had three instead one, and consequently I just voted the last one and raced out. The good news is that if your name is Abraham, you get to vote first, and so in that sense I am here quicker than maybe others would have been.

In light of the delay, I think I will dispense with making my opening statement at this time, except to say that obviously we are here today to consider a very important piece of legislation, the Mother Teresa Religious Workers Act, a bill that I have introduced and have great hopes we can pass in this Congress to make permanent our religious worker visa programs.

[The prepared statement of Senator Abraham follows:]

PREPARED STATEMENT OF SENATOR SPENCER ABRAHAM

We are here today to address the "Mother Teresa Religious Workers Act." This legislation will make permanent provisions of the Immigration and Nationality Act that set aside 10,000 visas per year for "special immigrants."

Up to 5,000 of these visas annually can be used for ministers of a religious denomination. In addition, a related provision of the law provides 5,000 visas per year to individuals working for religious organizations in "a religious vocation or occupation" or in a "professional capacity in a religious vocation or occupation." This has allowed nuns, brothers, cantors, lay preachers, religious instructors, religious counselors, missionaries, and other persons to work at their vocations or occupations for religious organizations of their affiliates.

The key component of the law will expire on September 30 of this year unless Congress acts, and that is the focus of this hearing.

Under the law, a sponsoring organization must be a bona fide religious organization or an affiliate of one, and must be certified or eligible to be certified under Section 501(c)(3) of the Internal Revenue Code. Religious workers must have two years work experience to qualify for an immigrant visa.

Prior to 1990, churches, synagogues, mosques, and their affiliated organizations experienced significant difficulties in trying to gain admission for a much needed

minister or other individual necessary to provide religious services to their communities. However, this improvement in the law in 1990 was not made permanent and, as such, has required reauthorization every two or three years, which has created uncertainty among religious organizations.

Bishop John Cummins of Oakland has written: "Religious workers provide a very important pastoral function to the American communities in which they work and live, performing activities in furtherance of a vocation or religious occupation often possessing characteristics unique from those found in the general labor market. Historically, religious workers have staffed hospitals, orphanages, senior care homes and other charitable institutions that provide benefits to society without public funding."

Bishop Cummins notes that "The steady decline in native-born Americans entering religious vocations and occupations, coupled with the dramatically increasing need for charitable services in impoverished communities makes the extension of this special immigrant provision a necessity for numerous religious denominations in the United States."

The sentiments expressed by Bishop Cummins are widely held. Indeed this program has won universal praise in religious communities across the nation. In the past, our office has received letters from religious orders and organizations throughout the nation.

As a nation founded by people who came to these shores so they and their children could worship freely, it is only appropriate that our country welcome those who wish to help our religious organizations provide pastoral and other relief to people around this nation.

That is why I have introduced "The Mother Teresa Religious Workers Act." The bill will eliminate the sunset provisions in current law and extend permanently the religious workers provisions of the Immigration and Nationality Act. It is clear that religious organizations' ability to sponsor individuals who provide service to their local communities should be a permanent fixture of our immigration law, just as it is for those petitioning for close family members and skilled workers. No longer should religious institutions have to worry about whether Congress will act in time to renew the religious workers provisions. I am pleased Senators Kennedy, DeWine, and Leahy are cosponsoring this legislation.

Finally, I would like to close by reading a passage from a letter sent to me in 1997. It's a letter that at the time helped convince me of the need to move toward permanent extension of the religious workers provisions of the Immigration and Nationality Act. The letter read as follows:

"DEAR SENATOR ABRAHAM: I am writing to ask you to help us in solving a very urgent problem. My Sisters in New York have told me that the law which allows the Sisters to apply for permanent residence in the United States expires on September 30, 1997. Please, will you do all that you can to have that law extended so that all Religious will continue to have the opportunity to be permanent residents and serve the people of your great country.

"It means so much to our poor people to have Sisters who understand them and their culture. It takes a long time for a Sister to understand the people and a culture, so now our Society wants to keep our Sisters in their mission countries on a more long term basis. Please help us and our poor by extending this law.

"I am praying for you and the people of Michigan. My Sisters serve the poor in Detroit where we have a soup kitchen and night shelter for women. Let us all thank God for this chance to serve His poor.

"Signed: MOTHER TERESA."

My office received this letter only a few weeks before her death. In honor of her great deeds for humanity I hope that this year we can finally extend the religious workers provisions of the INA permanently. I think this hearing is an important step in that process and I look forward to the testimony of the distinguished witnesses we have assembled here today.

Senator ABRAHAM. What I would like to do is move immediately to the witnesses and let them make their opening statements. I will have just a few questions for the panel, unless we are joined by other members. Given the delays, I suspect my colleagues, like myself, have found themselves behind in different commitments and so may not be able to be here.

We have a very special group of witnesses testifying here today. First, we will hear from His Eminence Adam Cardinal Maida, who

is our Archbishop of Detroit. His Eminence and I have worked together on this issue in the past, and I look forward to hearing his comments and continuing to work with him in the future.

We will next hear from Rabbi Steven Weil, who is the rabbi at Young Israel of Oak Park, in Oak Park, Michigan.

Finally, we will hear from Elder Ralph Hardy, Jr., who is a Member of the Quorum of the Seventy, with the Church of Jesus Christ of Latter-day Saints.

I welcome you all and, as I said, we will move right into the testimony, so we will turn first to you, Cardinal. Welcome, and thank you for being here today and for helping us on this legislation.

PANEL CONSISTING OF HIS EMINENCE ADAM CARDINAL MAIDA, ARCHBISHOP OF DETROIT, DETROIT, MI; RABBI STEVEN WEIL, YOUNG ISRAEL OF OAK PARK, OAK PARK, MI; AND ELDER RALPH W. HARDY, JR., MEMBER OF THE QUORUM OF THE SEVENTY, CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, WASHINGTON, DC

STATEMENT OF HIS EMINENCE ADAM CARDINAL MAIDA

Cardinal MAIDA. Good afternoon, Senator Abraham. It is good to be here.

Senator Kennedy and members of the subcommittee, I am Adam Cardinal Maida, Archbishop of Detroit. It is a pleasure to appear before the subcommittee again. The last time I was here was in September of 1997, and I was accompanied by Franciszek Cardinal Macharski, the Archbishop of Krakow, who succeeded our Holy Father there. Also present with me were Cardinal Castillo Lara, who was President of the Pontifical Commission for Vatican City State. Not only did I have the opportunity to address with you concerns of the church, but I had the opportunity to observe our congressional process at work. And so I thank you for that opportunity and for this opportunity today.

Before we get started, Mr. Chairman, I would like to take a moment to extend the thanks of the U.S. Catholic Bishops for your tireless work on behalf of immigrants. I know, Mr. Chairman, that your work on behalf of immigrants and refugees have come under attack in our home State of Michigan, and I would like at this time to express my admiration for your courageous leadership on behalf of immigrants and refugees here in Congress, and extend my appreciation for your efforts in educating those in our State and around the country about the positive contributions immigrants make to our communities.

I must also thank Senator Kennedy, who has previously served as chairman of the subcommittee and has long been a champion of these issues. Senator Kennedy, your efforts over the years, especially in the last decade, have brought much in the way of reason, balance, and temperance to the national debate on immigration.

As you know, I am here to speak with you about the need for a permanent extension of the special immigrant NonMinister Religious Worker Visa Program. I am here to present my views as the Cardinal Archbishop of Detroit, as well as the views of the Catholic Bishops of the United States.

The program is very important. It is an important one not only for the religious denominations and organizations who make use of it, but also for the individuals and the communities we serve because of it. It allows the Catholic Church to bring in as permanent residents foreign religious sisters, brothers, and laypersons, all of whom perform vital tasks to assist the church in her mission in the United States.

Should the program be permitted to expire at the end of this fiscal year, religious organizations and denominations will access to the much needed contributions of these religious workers, as will the many communities in which they serve.

Prior to enactment of the Immigration Act of 1990 which created new visa categories for religious workers, religious organizations in the United States seeking the assistance of foreign-born religious workers were frequently forced to use immigrant categories that were more appropriately designed for the needs of businesses and other employers. Utilization of complex immigration categories created confusion and imposed serious obstacles. In many cases, the immigrant visa categories were over-subscribed and backlogged.

Consequently, the Catholic Church, as well as other denominations, found that we could not bring in workers within a timeframe that corresponded to the actual need for their services. It would be a disservice to our parishes, our civic communities, and most importantly to those in need of the services that these workers provide if this category is not extended permanently.

We are particularly pleased, Mr. Chairman, that you, Senator Kennedy, Senator DeWine and Senator Leahy just yesterday introduced legislation which would permanently extend this program. We thank you for your sponsorship of this legislation. We believe that a permanent extension would provide the stability religious organizations require to plan for their personal needs and prevent the disruption and uncertainty that impending terminations of this program has caused in this and previous years.

Additionally, because of the current trend toward a lower number of vocations to religious life in this country, the program also provides security for religious organizations who still must respond to the increasing pastoral needs of the growing and diverse ethnic communities that they serve.

Because of these and other reasons, I ask that you pass a permanent extension of the nonminister special immigrant categories of the religious worker program. I also urge to reject the imposition of any new, unnecessarily harsh criteria for applicants for these visas. We are aware that in the past some have raised the question of whether a few individuals have fraudulently attempted to use the religious worker visa category.

I am not aware of any widespread attempts to use these visas fraudulently. Our communities and organizations comply with application requirements and produce extensive documentation to satisfy each element of the statute and regulations to ensure that applicants qualify for their visas in compliance with the law.

Mr. Chairman, it is critical in understanding our need for this program to recognize that the U.S. Catholic Church is uniquely an immigrant church. Our dioceses frequently need the assistance of noncitizen religious workers to minister to the immigrant people.

We estimate that more than half of the U.S. Roman Catholic dioceses benefit from the needed skills of foreign-born workers.

Noncitizen religious workers assist newcomers meet the challenges of making the transition to their newly chosen homeland, and possess the language, the cultural perspective and the understanding to assist not only the newcomer, but the diocese as a whole. Strong examples of this are our Asian and Hispanic communities, once emerging, but now significant and well-established communities.

According to a recent study commissioned by the Bishops' Committee on Hispanic Affairs, 30 to 38 percent of Catholics in the United States are Hispanic. Fully 71 percent of the Catholic population growth in our country since 1960 is attributable to Hispanics.

Let me describe briefly for your their work in real terms. Information from dioceses across the country indicate that workers under this program are engaged in ministry in parishes, in healthcare, in prisons, in teaching, in nursing care, and in counseling. Their contributions range from human services to the most needy, to work with young adolescents, to religious instruction.

Foreign-born nonminister religious workers are integral to the diverse work carried on by the church in our country. These are not individuals who work in high-visibility positions. Rather, they perform perhaps the most difficult and important task of mending the spirit of those in need in our communities.

As you know, Mr. Chairman, in our home State our religious communities are very active. You may be familiar with the Consolata Missionary Sisters in Belmont, the Dominican Sisters in Lansing, and the Pine Missionaries of Detroit. With the help of foreign-born religious workers, they provide a range of services to Catholics and others in Michigan.

Recently, we have assisted the Sisters of Mercy to bring in sisters to perform ministry, as well as another congregation to bring in eight Nigerian sisters to minister to the poor in the western part of our archdiocese. Our religious organizations in Michigan use this special category as well. The archdiocese works with other denominations in helping them obtain visas under this category. Most recently, several Methodist congregations needed assistance with an Hispanic ministry, a Unitarian congregation needed the skills of a foreign-born missionary, and a local mosque requested assistance to obtain a visa.

The last time I spoke with the committee, Mother Teresa of Calcutta had recently passed away, and we discussed her July 1997 letter to you, Mr. Chairman, regarding the need for these visas. As you know, the Missionaries of Charity make an important contribution in my archdiocese, and also perform important work through their houses located in other parts of the country. They operate homes for the homeless, those who suffer from AIDS, and expectant mothers in crisis across the Nation, primarily because of the work done by their sisters from other countries and their ability to be sensitive to the cultural needs of those they serve.

With your permission, Mr. Chairman, I would like to submit into the hearing record the letter sent to you from Mother Teresa in July of 1997 in support of this important program. I would also like

your permission to submit in the record a letter from Sister Dominga, the Regional Superior of the Missionary Sisters of Charity in New York, supporting a permanent extension of the special immigrant categories this year.

Mr. Chairman, the work which foreign-born religious workers perform in our country serves all American citizens. It provides assistance I need in my archdiocese and the contributions we need in our civic communities. This important work which often goes unnoticed should be embraced on behalf of the common good.

In closing, let me just reiterate that the permanent extension of the non-minister special immigrant program is greatly needed. Failure to extend this program would substantially undermine the services that the Catholic Church in the United States provides to our parishioners and communities throughout the Nation. The dramatically increasing need for charitable services in impoverished communities also makes the extension of this special immigrant visa provision timely and appropriate.

Thank you for your consideration of our views.

[The prepared statement of Cardinal Maida follows:]

PREPARED STATEMENT OF HIS EMINENCE ADAM CARDINAL MAIDA

Good morning Mr. Chairman, Senator Kennedy, and Members of the Subcommittee. I am Adam Cardinal Maida, Archbishop of Detroit.

It is a pleasure to appear before the Subcommittee again. That last time I was here was in September of 1997, and I was accompanied by Franciszek Cardinal Macharski, the Archbishop of Krakow, who succeeded Our Holy Father, and President of the Pontifical Commission for the Vatican City State. Not only did I have the opportunity to address with you concerns of the Church, but they had the opportunity to observe our Congressional process at work. So, I thank you for that opportunity and this one today.

Before we get started, Mr. Chairman, I would like to take a moment to extend the thanks of the U.S. Catholic Bishops for your tireless efforts on behalf of immigrants. Your courageous leadership during the 104th, 105th and in the current 106th Congress has been instrumental in upholding the rights and protection of legal immigrants, refugees, asylees and those striving to become citizens. Your efforts have resulted in preserving family unity, which is the underpinning of American society and the traditional cornerstone of U.S. immigration policy. You have supported extending meaningful protection to those fleeing persecution and have been instrumental in ensuring that the United States of America continues to be a leader in protecting those struggling for freedom. You have also supported fair access to naturalization for those who wish to embrace their adopted homeland through the privilege of U.S. citizenship. These efforts are greatly appreciated by the Catholic Church in the United States and we look forward to your continued efforts and leadership in this area. I must also thank Senator Kennedy, who has previously served as chairman of the Subcommittee and has long been a champion of these issues. Senator Kennedy, your efforts over the years, especially in this last decade, have brought much in the way of reason, balance and temperance to issues which have been used as lightning rods to feed fears and misconceptions about immigrants and refugees which have resulted in divisiveness in our communities.

As you know, I am here today to speak with you about the need for a permanent extension of the Special Immigrant "Nonminister" Religious Worker Visa Program. I am here to present my own views as the Cardinal Archbishop of Detroit as well as the views of the United States Catholic Conference representing the Catholic Bishops in the United States. Let me say at the outset that we thank you in advance for what we anticipate will be a permanent extension of the Program before it expires in September of this year.

The Special Immigrant "Nonminister" Religious Worker Visa program is very important—not only for the religious denominations and organizations who make use of it, but also for the individuals and communities we serve because of it. Should the program be permitted to expire at the end of this fiscal year, religious organizations and denominations will lose access to the much needed contributions of these religious workers, as would the many communities in which they work.

As members of the Subcommittee are aware, Congress recognized the special needs of religious denominations and their organizations in the United States when it created certain new visa categories under the Immigration Act of 1990. These new categories permit, not only religious workers, but "non-minister" religious workers, such as religious brothers, religious sisters, catechists, cantors, pastoral service workers, and others to enter the United States to work for a religious organization at their request. These classes of religious workers must have two years experience in their religious vocation or occupation before applying to carry on their vocation or to engage in a religious occupation as a professional or other special immigrant worker. Those religious workers who are given special immigrant status share the available visas for the category with other individuals also identified as special immigrants. There are only a total of 10,000 visas that are available for special immigrants. Moreover, of this number no more than 5,000 visas can be issued to the categories which are set to expire.

Prior to enactment of the Immigration Act of 1990, religious organizations in the United States seeking the assistance of foreign born religious workers were frequently forced to use immigrant categories that were more appropriately designed for the needs of businesses and other employers. Religious organizations who needed the temporary services of religious workers from abroad were forced to navigate the complexities of the nonimmigrant business, student, and missionary visa categories.

Utilization of complex immigration categories created confusion and imposed serious obstacles. In many cases, the immigrant visa categories were oversubscribed, such as the old sixth preference category that was used by many religious sisters. Consequently, the Catholic Church, as well as other denominations, found that we could not bring in workers within a time frame that corresponded to the actual need for their services. In some instances, we could not bring them at all. It would be truly unfortunate if we found ourselves returned to that situation. It would be a disservice to our parishes, our civic communities, and most importantly, to those in need of the services that these workers provide if this category is not extended permanently.

We are particularly pleased, Mr. Chairman, that the subcommittee is considering making permanent the categories about to expire. We believe that a permanent extension would provide the stability religious organizations require to plan for their personnel needs and prevent the disruptions and uncertainty that impending terminations of this program have caused in this and previous years. As an example, the three-year deadline creates a backlog in the program every three years just prior to the expiration date because religious organizations file a large number of applications fearing the program will expire and their personnel needs will not be met for that year.

Additionally, the need to reauthorize the program every three years raises the specter that the program will not be renewed at all. Some religious workers, especially religious sisters, effectively would be precluded from obtaining permanent residence because they would fall under the category of "other workers," which presently has a backlog dating to June 1994. The oversubscribed "other workers" category presents obstacles to the timely processing of applications, as I mentioned earlier.

Finally, because of the current trend toward a lower number of vocations to religious life in this country, the program also provides security for religious organizations who still must respond to the increasing pastoral needs of a growing and diverse community they serve.

As you consider legislations to extend this important program, I also urge Congress to reject the imposition of any new, unnecessarily harsh criteria for applicants for these visas. We are aware that in the past some have raised the question of whether a few individuals have fraudulently attempted to use the religious worker visas category. I am not aware of any widespread attempts to use these visas fraudulently. Our communities and organizations comply with application requirements and produce extensive documentation to support each element of the statute and regulations to ensure that applicants qualify for their visas in compliance with the law.

As mentioned earlier, there now exists a limit of 5,000 on the number of visas that can be issued in any one year. We believe that if there is some fraudulent use of the visa categories, the small number of such visas should make it possible for those who are charged with investigating visa applications do so with an eye toward ensuring that they are being properly issued. We welcome whatever scrutiny is brought to bear on each of our applications. But we oppose imposition of any new, unnecessarily harsh criteria for applicants for these visas. To do so would undoubtedly have the unintended effect of making it next to impossible for U.S.-based reli-

gious organizations and denominations here to fill critical positions for which American-born counterparts are unavailable or unqualified.

Earlier I spoke of the pastoral work performed by these individuals in our civic communities and their significance to the Catholic Church in the United States. It is critical in understanding our need for this program to recognize that the U.S. Catholic Church is uniquely an immigrant church. Our dioceses frequently need the assistance of noncitizen religious workers to minister to the immigrant population. Noncitizen workers assist newcomers meet the challenges of making the transition to their newly chosen homeland. These workers possess the language, the culture perspective and the understanding to assist not only the newcomer but the diocese as a whole. Strong examples of this are our Asian and Hispanic communities, once emerging communities which are now significant and well-established communities. According to a recent study commissioned by the Bishops Committee on Hispanic Affairs, 30%–38% of Catholics in the United States are Hispanic. Fully, 71% of the Catholic population growth in our country since 1960 is attributable to Hispanics.

The work of the Catholic Church in the United States would suffer dramatically without the assistance of non-minister religious workers. We estimate that more than half of the U.S. Roman Catholic dioceses benefit from the needed skills of foreign born workers. Information from dioceses across the country indicate they are engaged in ministry in parishes, in health care, in prisons, in teaching, in nursing care, and in counseling. Foreign born non-minister religious workers are integral to the diverse work carried on by the Church in our country.

Some of the work which is done in our dioceses, parishes and civic communities by noncitizen religious workers include the following:

- Pastoral ministry to members of the Catholic Church.
- Human services to the most needy, including shelter and food.
- Care for and ministering to the sick, aged, and dying in hospitals and special facilities.
- Work with adolescents and young adults to confront complicated social issues during a time when they desperately wish to be accepted by their peers.
- Assistance to religious leaders as they lead their congregations and communities in worship.
- Support to families, particularly in times of crisis, to preserve the family unit.
- Providing religious instruction to new members of the religious denomination.
- Assisting refugees and immigrants with their transition to their newly adopted homeland.

These are not individuals who would work in high visibility positions. However, they perform perhaps the most difficult and important task of mending the spirit of those in need in our communities.

Let me describe briefly for you their work in real terms. As you know, Mr. Chairman, in our home state our religious communities are very active. You may be familiar with the Consolata Missionary Sisters in Belmont, the Dominican Sisters in Adrian and the Benedictines in St. Joseph. An example which you might be more familiar with are the Antonine Sisters, a religious congregation which belong to the Eparchy of Our Lady of Lebanon of Los Angeles. The sisters have only one community in the United States located in Youngstown, Ohio. Let me share a few sentences with you from a letter from the Superior of the Community describing their work: "Our ministry in the United States is to take care on a daily basis of frail elderly and disabled adults at our Antonine Sisters' Adult Day Care. . . . Most of our elderly have poor income and some of them live by themselves without any family member close by to take care of them. Coming to our day care gives them a strong incentive to live in hope and joy. Services range from ambulatory assistance to body mechanics, transfers, wheelchair management, feeding devices, assisting incontinent participants, observing them for symptoms, and mostly also providing the above services with love, compassion, and in a Christ-like spirit."

The last time I spoke with the Committee, the late Mother Teresa of Calcutta had recently passed away and I relayed a letter from her to you, Mr. Chairman, regarding the need for these visas. As you know, the Missionaries of Charity make an important contribution in my Archdiocese and also perform important work through their houses located in other areas of the country.

In a recent communication, a Missionary Brother of Charity in Los Angeles, California, spoke of the benefit foreign born religious workers provide to the fulfillment of their mission. He spoke of the assistance they provide ministering in the streets to the Hispanic community, visiting the sick and terminally ill in their homes, and assisting the broader community. He also mentioned the benefit of one religious brother from Columbia who worked with them at their day center for homeless

youth and women, where he provided individuals a place to rest, fresh clothes to wear, a bathroom and showers to care for themselves, and a full meal. As the Superior described: "Our charism is to work with the poorest of the poor, people who are often neglected in society. Most of our work is simple, such as feeding the hungry, providing clothes, and taking the time to talk with someone. We continue the work and spirit of Mother Teresa."

This is the work that I see around the nation, the assistance I need in my Archdiocese, and the contributions we need in our civic communities. This important work, which often goes unnoticed, should not be casually discarded or restricted but should be encouraged on behalf of the common good.

In closing let me just reiterate that the permanent extension of the nonminister special immigrant program is greatly needed. Failure to extend this program would substantially undermine the services that the Catholic Church in the United States provides to our parishioners and communities throughout the nation. Dramatically increasing need for charitable services in impoverished communities also makes the extension of this special immigrant visa provision timely and appropriate.

I thank you for your close attention to our views and your swift action in this matter.

BIOGRAPHY OF CARDINAL ADAM MAIDA

Adam Joseph Maida was born on March 18, 1930, in East Vandergrift, Pennsylvania. He was the first of three sons born to Adam Maida and Sophie Cieslak Maida.

Cardinal Maida's father, now deceased, came to the United States from a rural area near Warsaw, Poland. His mother was born in the United States and presently resides in Scott Township, Pennsylvania.

One brother, Thaddeus, is a priest of the Diocese of Pittsburgh and the pastor of St. Teresa of Avila Parish in Perrysville. His other brother, Daniel, lives in Scott Township and is married to the former Patricia Hurley. Daniel is in private business and he and Patricia have three sons, Timothy, Joseph and Robert.

Cardinal Maida attended East Vandergrift Public Schools; Vandergrift Public High School for one year, and Scott Township High School for one year. He then completed high school and graduated from St. Mary's High School, Orchard Lake, Michigan, in 1948.

Following graduation from St. Mary's, Cardinal Maida entered St. Mary's College, Orchard Lake. In 1950, he transferred to St. Vincent's College, Latrobe, Pennsylvania, where he graduated in 1952 with a Bachelor of Arts in Philosophy.

In 1956, Cardinal Maida graduated with a Licentiate in sacred Theology (S.T.L.) from St. Mary's University, Baltimore, Maryland.

In 1960, Cardinal Maida received a Licentiate in Canon Law (J.C.L.) from the Pontifical Lateran University in Rome. In 1964, he was awarded a Doctorate in Civil Law (J.D.) from Duquesne Law School in Pittsburgh.

Cardinal Maida was admitted to practice law before the Bar for the State of Pennsylvania, the Federal Bar in Western Pennsylvania, and the United States Supreme Court.

On May 26, 1956, Cardinal Maida was ordained a priest in St. Paul Cathedral, Pittsburgh, by then Bishop John Dearden (deceased Cardinal Archbishop of Detroit).

Following his ordination, Cardinal Maida served in the Diocese of Pittsburgh as an associate pastor, Vice Chancellor and General Counsel of the Diocese, in the Diocesan Tribunal, and as Assistant Professor of Theology at La Roche College, and Adjunct Professor of Law at Duquesne University Law School.

On January 25, 1984, he was ordained and installed as the ninth Bishop of the Diocese of Green Bay, Wisconsin.

On May 7, 1990, Pope John Paul II named Bishop Maida Archbishop of Detroit. He was installed as Archbishop of Detroit on June 12, 1990.

On October 30, 1994, Pope John Paul II named Archbishop Maida a Cardinal. He was elevated to the College of Cardinals at a Consistory held on November 26, 1994, at the Paul VI Auditorium in the Vatican.

In May of 1996, Pope John Paul II appointed Cardinal Maida as Papal Legate (the Pope's personal representative) to the 19th International Marian Congress, which was held in Czestochowa, Poland, from August 24 to 26, 1996.

CURRENT APPOINTMENTS

Roman Curia

Member, Congregation for Catholic Education; Member, Congregation for the Clergy; and Pontifical Council for the Pastoral Care of Migrants and Itinerant Peoples.

National Conference of Catholic Bishops (NCCB)

Chairman, Ad Hoc Committee for Aid to the Church in Central and Eastern Europe; Member, Committee on the Diaconate; Member, International Policy Committee; Member, Committee on Migration; Member, Committee on Pro-Life Activities; Member, Ad Hoc Committee—*Ex Corde Ecclesiac*; and Episcopal Liaison, Committee for the Polish Apostolate.

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Pope John Paul II Cultural Foundation United States

Episcopal Moderator and President.

PUBLICATIONS

The Tribunal Reporter—A Casebook and Commentary on the Grounds for Annulment in the Catholic Church, Vol. I (1970) Editor.

Ownership, Control and Sponsorship of Catholic Institutions (1975) Author.

Issues in the Labor-Management Dialogue: Church Perspectives (1982) Editor.

Church Property, Church Finances and Church-Related Corporations, A Canon Law Handbook (1983) Author.

LANGUAGES

Polish, Latin, Italian.

Senator ABRAHAM. Cardinal Maida, thank you, and we will enter both letters into the record of the proceedings here. We appreciate you being here.

[The letters referred to follow:]

MISSIONARIES OF CHARITY,
Bronx, NY, April 12, 2000.

DEAR CHAIRMAN ABRAHAM: I write to ask your assistance on an issue of importance to the Missionaries of Charity.

The Immigration Act of 1990, the Religious Worker Visa program, which allows U.S.-based religious organizations to bring in foreign workers to assist them in providing pastoral care to their membership, was enacted. The special immigrant visa category of the Religious Worker program, which permits properly sponsored non-minister religious workers from abroad to enter the United States and eventually qualify for permanent residency visas, is set to expire on October 1 of this year. I ask for your support for a permanent extension of the special immigrant religious worker visa category under the Religious Worker Visa program.

As you may know, Mother Teresa, our Foundress, opened over thirty (30) houses in America where we give wholehearted and free service to the poorest of the poor. We operate Homes for the Homeless, People with Aids, and Expectant Mothers. These homes are run by our sisters, most of whom are not American citizens. The Missionaries of Charity have utilized the special immigrant visa category to enable us to do this work, and over one hundred (100) of our sisters have received permanent residency.

As you know, the nonminister special immigrant category of the Religious Worker visa program has been reauthorized three times in three-year increments. As chairman of the Senate Subcommittee on Immigration, your support of a permanent extension of the nonminister special immigrant category of the Religious Worker visa program would be appreciated.

God bless you and thank you for your consideration in this matter.

Sincerely in Jesus,

SISTER M. DOMINGA, MC,
Regional Superior.

MISSIONARIES OF CHARITY,
Calcutta, India, July 20, 1997.

Hon. SPENCER ABRAHAM,
U.S. Senate,
Washington, DC.

DEAR SENATOR ABRAHAM: This brings you my prayers, greetings and gratitude for all that you have done to help my Sisters and all Religious serve the poor in the United States.

I am writing to ask you to help us in solving a very urgent problem. My Sisters in New York have told me that the law which allows the Sisters to apply for permanent residence in the United States expires on September 30, 1997. Please, will you do all that you can to have that law extended so that all Religious will continue to have the opportunity to be permanent residents and serve the people of your great country.

It means so much to our poor people to have Sisters who understand them and their culture. It takes a long time for a Sister to understand the people and a culture, so now our Society wants to keep our Sisters in their mission countries on a more long term basis. Please help us and our poor by extending this law.

I am praying for you and the people of Michigan. My Sisters serve the poor in Detroit where we have a soup kitchen and night shelter for women. Let us all thank God for this chance to serve His poor.

God bless you,

MOTHER TERESA, MC.

Senator ABRAHAM. Rabbi Weil, nice to see you. Thank you for coming down, and we will turn to you at this time.

STATEMENT OF RABBI STEVEN WEIL

Rabbi WEIL. Mr. Chairman, Honored Senators, thank you for the honor and privilege of appearing before the members of this subcommittee today.

Mr. Chairman, I have been a resident of the State of Michigan for the past 6 years. In that time, my sense of pride and gratitude for the strong leadership and keen vision you have provided our local communities has become increasingly profound.

Additionally, I would like to take the opportunity to commend you and the other members of this subcommittee for the strides you have taken to preserve this country's legal immigration system. Your hard work in the area of immigration, refugees, asylum, and naturalization is marked by courage, sensitivity, common sense, and most importantly with respect and dignity for all people who arrive at the shores of this country.

My name is Steven Weil. I serve as a congregational and communal rabbi in metropolitan Detroit. I am a member of the Executive Committee of Detroit's Council of Orthodox Rabbis, and I am also a member of the Rabbinical Council of America and the Orthodox Union. The two latter groups are umbrella organizations that provide support and services for the professional and lay leadership of the American Jewish community.

More important than each of those positions, however, is my distinction as a first-generation American. I am the son of a German Jewish immigrant. Unlike most of my paternal relatives who were herded into cattle cars and sent to their tragic deaths in the concentration camps at Auschwitz and Belzec, my father and grandparents were fortunate enough to find refuge in the United States. They, along with many other refugees, were given the gift of life and the opportunity to rebuild their lives.

However, the Jewish community in America at that time was unable to provide for the staggering financial, social, psychological and educational needs of the refugees arriving from Europe at that time. Despite it all, and armed with nothing but their foresight, faith and work ethic, my grandparents managed to build a business and a new family. Every day, I stand in awe of their accomplishments and am humbled by the realization that they were an exception to the rule.

Most people arriving to this country will require some form of communal assistance throughout various points in their lives. With that in mind, religious organizations that care for the needs of their members wish to provide a religious infrastructure that can offer those people arriving everyday the assistance they so desperately need. Many of them arrive from countries that view religion differently from our own. We are fortunate to raise our families in an environment where religious freedom is not merely an ideal but a constitutional right. It is in such an environment that the greatest assistance can be provided.

Allow me to tell you about the men and women who are affected by the Mother Teresa Religious Workers Act. They are a group of talented, well-trained and dedicated individuals who leave their homelands and their families with the intent to develop our local communities. They are men and women, rabbis, teachers, social workers and youth leaders who are intimately involved with the needs of our various neighborhoods.

They spend their days in schools, in synagogues, hospitals and homes for the aged. They not only teach and inspire us to become better people, but they also guide those who are confused onto the proper path. They are by our side in times of need and sorrow, offering both practical and emotional support. They serve the community en masse, while at the same time never losing sight of individual members of society. It is through their efforts that our local communities are strengthened, enabling its citizens to contribute even more to the greater society in which we live.

In Southfield, MI, a suburb of Detroit, lives a group of young and dynamic Israeli couples. They have moved into the neighborhood and are employed in the community's religious schools. In the short time that they have resided in our community, the impact they have had is immeasurable. They serve as positive role models for our children by teaching them about the type of people we as a community want our children to become. They have also become integral members of the community, opening their homes and giving of themselves in every facet of communal life.

The Jewish communities in Chicago, Atlanta, Boca Raton, Florida, Los Angeles, and Kansas City, where this program has been duplicated, have also benefitted in similar manners. All of these

communities have received these benefits based on the current law. Should this law expire, the contributions of these dedicated members of our communities will no longer be accessible. Not only will all communities be poorer for the loss, but those who directly benefit from their services will ultimately fall through the cracks.

Unfortunately, the law does not yet permanently recognize the inherent value of religious workers. All of us here today are present to testify of the great need and value in allowing religious workers to come to our communities. Making this Act permanent will bring only selfless men and women to this country, men and women who will contribute to this Nation's well-being and further its greatness.

Mr. Chairman, members of this subcommittee, I ask you to continue in your role as advocates for this worthy cause. Please act quickly to make the Mother Teresa Religious Workers Act permanent so that we may return to our communities, assured of being able to provide for the general health and welfare of our constituents.

Thank you.

Senator ABRAHAM. Rabbi Weil, thank you very much. We appreciate you being here today and for your statement. It is very powerful.

[The prepared statement of Rabbi Weil follows:]

TESTIMONY OF RABBI STEVEN WEIL

Mr. Chairman, honored Senators, thank you for the honor and privilege of appearing before the members of this subcommittee today. Mr. Chairman, I have been a resident of the State of Michigan for the past six years. In that time, my sense of pride and gratitude for the strong leadership and keen vision you have provided our local communities has become increasingly profound. Additionally, I would like to take the opportunity to commend you and the other members of this subcommittee for the strides you have taken to preserve this country's legal immigration system. Your hard work in the area of immigration, refugees, asylum and naturalization is marked by courage, sensitivity, common sense, and, most importantly, with respect and dignity for all people who arrive at the shores of this country.

My name is Steven Weil. I serve as a congregational and communal Rabbi in metropolitan Detroit. I am a member of the executive committee of Detroit's Council of Orthodox Rabbis and I am also a member of the Rabbinical Council of America and the Orthodox Union. The two latter groups are umbrella organizations that provide support and services for the professional and lay leadership of the American Jewish community.

More important than each of those positions, however, is my distinction as a first generation American. I am the son of a German-Jewish immigrant. Unlike most of my paternal relatives who were herded into cattle cars and sent to their tragic deaths in the concentration camps at Auschwitz and Belzec, my father and grandparents were fortunate enough to find refuge in the United States. They, along with many other refugees, were given the gift of life and the opportunity to rebuild their lives. However, the Jewish community in America at that time was unable to provide for the staggering financial, social, psychological and educational needs of the refugees arriving from Europe at the time. Despite it all, and armed with nothing but their foresight, faith and work ethic, my grandparents managed to build a successful business and a new family. Ever day, I stand in awe of their accomplishments and am humbled by the realization that they were an exception to the rule. Most people arriving to this country will require some form of communal assistance throughout various points in their life. With that in mind, religious organizations that care for the needs of its members and wish to provide a religious infrastructure that can offer those people arriving every day the assistance they so desperately need. Many of them arrive from countries that view religion differently from our own. We are fortunate to raise our families in an environment where religious freedom is not merely an ideal, but a constitutional right. It is in such an environment that the greatest assistance can be provided.

Allow me to tell you about the leaders affected by the Mother Teresa Religious Workers Act. They are a group of talented, well-trained and dedicated individuals who leave their homelands and their families with the intent to develop our local communities. They are men and women, Rabbis, teachers, social workers and youth leaders who are intimately involved with the needs of our various neighborhoods. They spend their days in schools, synagogues, hospitals and homes for the aged. They not only teach and inspire us to become better people, but they also guide those who are confused on to the proper path. They are by our side in times of need and sorrow, offering both practical and emotional support. They serve the community en masse, while at the same time never losing sight of individual members of society. It is through their efforts that our local communities are strengthened, enabling its citizens to contribute even more to the greater society in which we live.

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Mr. Chairman, members of this subcommittee, I ask you to continue in your role as advocates for this worthy cause. Please act quickly to make the Mother Teresa Religious Workers Act permanent so that we may return to our communities, assured of being able to provide for the general health and welfare of our constituents.

Thank you.

Senator ABRAHAM. We will now turn to you, Elder Hardy. Thank you also for participating today. We welcome you.

STATEMENT OF ELDER RALPH W. HARDY, JR.

Elder HARDY. Thank you, Senator Abraham. I am Elder Ralph W. Hardy, Jr., a Member of the Seventy of the Church of Jesus Christ of Latter-day Saints, and Chairman of the Church's Public Affairs Advisory Committee here in Washington.

I represent the Church of Jesus Christ of Latter-day Saints, sometimes called the Mormon Church, and I have been invited to testify on the Mother Teresa Religious Workers Act. The church has about 10.7 million members. Over half of our membership resides outside of North America.

Our church is very much in favor of legislation that would make permanent the religious worker nonimmigrant visa program. As the law stands, the foreign religious worker program will expire in September of this year. The bill before you would remove the sunset provision. I speak in favor of this bill because the religious workers visa program is a vital part of the missionary effort of the Church of Jesus Christ of Latter-day Saints.

The driving force behind Christian missionary work is the spiritual duty to witness of Jesus Christ and his gospel. The Church of Jesus Christ of Latter-day Saints takes that charge very seriously. Today, there are over 60,000 full-time missionaries from our church in over 160 countries around the world. While the majority

of missionaries are from the United States, almost 15,000 missionaries are citizens of other countries who are assigned by the president of our church to serve in any one of those 160 countries, including the United States.

Missionaries serve for a maximum of 24 months, which means that each year about 35,000 missionaries leave or return from a mission. For example, my own two young sons recently returned from their missions. One went to Malaysia, Singapore and Sri Lanka, and the other spent 2 years among the Hispanic people in Orange County, CA. Between 1961 and 1962, I served a mission in Scotland. In my own congregation of the church in suburban Maryland, we have a young missionary serving from Singapore.

Latter-day Saint missionaries acknowledge two restraints on their mandate to be a missionary. The first restraint is the moral agency of all persons with whom they come in contact to choose their own beliefs for themselves. The second restraint is obedience to the law, whose observance is a fundamental tenet of our faith. As stated in our 12th Article of Faith, "We believe . . . in obeying, honoring, and sustaining the law."

My testimony today will discuss the importance of the religious worker non-immigrant visa program to the missionary effort of the Church of Jesus Christ of Latter-day Saints. I will summarize the use of the religious worker non-immigrant visa program by the church, the advantages to the individual missionaries and to the church of having the religious worker non-immigrant visas available, and the careful measures which the church takes to ensure strict compliance with the rules governing non-immigrants' behavior and departure. I will also comment on possible arguments that could be raised about abuse and misuse of the religious worker non-immigrant visa program. In sum, we seek your support for this legislation which would make the religious worker non-immigrant visa program permanent.

A significant minority of the church's 60,000 missionaries are citizens of other countries. These young missionaries from outside the United States can be assigned by the church's leadership to stay in their home country or to serve in any one of the other 160 countries where the church operates, including the United States. We have sent missionaries from Australia to serve in Taiwan, and missionaries from Japan to serve in Ukraine. Thus, any prospective missionary for the church can be sent almost anywhere in the world to serve for up to 24 months.

Since 1960, prior to the religious worker non-immigrant visa program, the Church of Jesus Christ of Latter-day Saints has had a program for foreign missionaries to serve in the United States, and we have had young missionaries from almost every country in the world perform their missionary service in this country.

Of course, we also send our missionaries from the United States to those countries. The governments of those countries have been very generous in accommodating and granting visas to our missionaries. Since its establishment 10 years ago, the religious worker non-immigrant visa program has helped our church and the Latter-day Saint people to reciprocate by inviting citizens of these foreign countries to perform their missionary service in the United States.

Thus, we encourage the Congress to be as accommodating to the citizens of other countries by passing this bill.

Being able to bring qualified members of the Church of Jesus Christ of Latter-day Saints to the United States to serve as missionaries for 18 to 24 months results in many advantages not only to the individual missionaries but to our worldwide church as an institution, as well as to our society.

Many of these young missionaries are from countries in which the Church of Jesus Christ of Latter-day Saints has been established for less than a generation. The missionaries are able to see how our church, with its volunteer lay leadership, operates in the United States, and they return to their home countries with this institutional knowledge, which in turn strengthens the church and its lay leadership infrastructure in those countries.

Young missionaries on religious worker non-immigrant visas generally have to learn English. Not only do they become conversationally fluent during their 2 years in the United States, but they often teach and hold leadership positions in their capacity as missionaries, which further improves their new language skills. Further, the missionaries have the opportunity to develop leadership skills by working with missionaries from all over the world. Often, this exposure to a new culture opens up educational opportunities that they otherwise would not have.

The Church of Jesus Christ of Latter-day Saints goes to great lengths to ensure strict compliance with the regimen imposed by the church, as well as the rules and regulations of the religious worker nonimmigrant visa program. For example, no missionaries sell anything, not even religious items, nor are they allowed to solicit or accept donations for themselves or for the church. Missionaries are not permitted to date, marry, or to work at any kind of employment. Rather, they are engaged in full-time, unpaid community service or religious teaching while serving on their missions. These rules apply to all of our missionaries worldwide, not just the missionaries serving in the United States under the religious worker non-immigrant visa program.

All of our young missionaries in the 333 missions of the church are supervised carefully by a distinguished lay leader of the Church of Jesus Christ of Latter-day Saints, known as a mission president. In addition, all missionaries are assigned a companion, and the two perform their religious and community service together. Again, it is the policy of the Church of Jesus Christ of Latter-day Saints that all of these young missionaries serving in the United States under the religious worker nonimmigrant visa program return to their home countries promptly after their 24-month service as a missionary.

When a missionary completes his or her 2-year mission, the church purchases for the missionary a one-way plane ticket home, and the mission president sees the missionary off at the airport. In this fashion, the Church of Jesus Christ of Latter-day Saints takes great care to ensure compliance with the terms of the visa and the religious worker nonimmigrant visa program.

We know that some may be concerned about possible abuses of the religious worker nonimmigrant visa program. For example, there may be questions as to whether religious worker non-

immigrant visas are abused by applicants, whether sponsoring organizations make false statements about the length of time that the applicant was a member of the religious organization and the nature of the work to be done, whether some religious worker non-immigrant visa applicants intend to do very little religious work or stay past the date of expiration.

Please understand that the Church of Jesus Christ of Latter-day Saints makes every effort to comply with both the spirit and the letter of the law. Latter-day Saint missionaries, as well as religious workers of many other denominations, do not abuse the religious worker non-immigrant visa program. Much good is done by religious workers in this country on non-immigrant visas.

Another possible concern is that religious workers will not be able to pay for medical care or living expenses, leaving any charges they may incur to be written off by the hospital or the landlord. Here again, the Church of Jesus Christ of Latter-day Saints pays directly for medical insurance for all missionaries in the United States on religious worker nonimmigrant visas. These missionaries are supported financially from worldwide contributions to the church's missionary program. As stated before, a mission president is assigned to each area and is specifically charged with supervising the missionaries. The mission president's staff makes sure that the rent is paid and that a living allowance which comes from member donations is distributed monthly.

As a strict matter of policy, A, our missionaries do not accept donations beyond an invitation to dinner. And, B, our missionaries on religious worker nonimmigrant visas fulfill their financial obligations without asking anyone outside of our own faith for assistance.

The United States of America is a nation of diverse religions that protects freedom of religion. The religious worker nonimmigrant visa program allows those of different nations to witness firsthand the operation of religious freedom in this country. We have welcomed those of different countries and benefitted by our association with them. The opportunities afforded to the Church of Jesus Christ of Latter-day Saints and to our missionaries by use of the religious worker nonimmigrant visa program has strengthened international relationships and provided education and experience in a setting not otherwise available.

When the religious worker nonimmigrant visa program was first introduced 10 years ago, the 3-year renewable period was added because this visa was experimental. The religious worker non-immigrant visa program has proved to be very successful. No other nonimmigrant visa has to be renewed every 3 years, wasting time and resources that could be spent elsewhere. The time has come to make the religious worker nonimmigrant visa program a permanent part of the law.

Thank you very much.

[The prepared statement of Elder Hardy follows:]

PREPARED STATEMENT OF ELDER RALPH W. HARDY, JR.

I am Elder Ralph W. Hardy, Jr., a Member of the Seventy of The Church of Jesus Christ of Later-day Saints and Chairman of the Church's Washington Public Affairs Advisory Committee. I represent The Church of Jesus Christ of Latter-day Saints, sometimes called the Mormon Church, and I have been invited to testify on the

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The driving force behind Christian missionary work is the spiritual duty to witness of Jesus Christ and his gospel. The Church of Jesus Christ of Latter-day Saints takes that charge very seriously. Today there are over 60,000 full-time missionaries from our Church in over 160 countries around the world. While the majority of missionaries are from the United States, almost 15,000 missionaries are citizens of other countries who are assigned by the President of our Church to serve in any of those 160 countries, including the United States. Missionaries serve for a maximum of 24 months, which means that each year about 35,000 missionaries either leave for or return from a mission. For example, my own two young sons recently returned from their missions: one went to Malaysia, Singapore and Sri Lanka; and the other spent two years among the Hispanic people in Orange County, California. Between 1961 and 1962 I served a mission in Scotland. In my own congregation of the Church in suburban Maryland, we have a young missionary serving from Singapore.

Later-day Saint missionaries acknowledge two restraints on their mandate to be a missionary. The first restraint is the moral agency of all people with whom they come in contact to choose their own beliefs for themselves. The second restraint is obedience to the law, whose observance is a fundamental tenet of our faith. As stated in our 12th Article of Faith, "We believe . . . in obeying, honoring, and sustaining the law."

My testimony today will discuss the importance of the religious worker non-immigrant visa program to the missionary effort of The Church of Jesus Christ of Latter-day Saints. I will summarize the use of the religious worker non-immigration visa program by the Church, the advantages to the individual missionaries and to the Church of having the religious worker non-immigrant visas available, and the careful measures the Church takes to ensure strict compliance with the rules governing non-immigrants' behavior and departure. I will also comment on possible arguments that could be raised about abuse and mis-use of the religious worker non-immigrant visa program. In sum, we seek your support for this legislation which would make the religious worker non-immigrant visa program permanent.

1. USE OF THE R-1 VISAS

A significant minority of the Church's 60,000 missionaries are citizens of other countries. These young missionaries from outside the United States can be assigned by the Church's leadership to stay in their home country, or to serve in any of the other 160 countries where the Church operates, including the United States. We have sent missionaries from Australia to serve in Taiwan, and missionaries from Japan to serve in Ukraine. Thus, any prospective missionary for the Church can be sent almost anywhere in the world to serve for up to 24 months. Since 1960—prior to the religious worker non-immigrant visa program—The Church of Jesus Christ of Latter-day Saints has had a program for foreign missionaries to serve in the United States and we have had young missionaries from almost every country in the world perform their missionary service in this country. Of course, we also send missionaries from the United States to those countries. The governments of those countries have been very generous and accommodating in granting visas to our missionaries. Since its establishment ten years ago, the religious worker non-immigrant visa program has helped our Church and the Latter-day Saint people to reciprocate by inviting citizens of these foreign countries to perform their missionary service in the United States. Thus, we encourage the Congress to be as accommodating to the citizens of other countries by passing this bill.

2. ADVANTAGES OF USING THE R-1 VISAS

Being able to bring qualified members of The Church of Jesus Christ of Latter-day Saints to the United States to serve as missionaries for 18 to 24 months results in many advantages—not only to the individual missionaries but to our worldwide Church as an institution. Many of these young missionaries are from countries in which the The Church of Jesus Christ of Latter-day Saints has been established for less than a generation. The missionaries are able to see how our Church, with its volunteer lay leadership, operates in the United States and they return to their

home countries with this institutional knowledge, which in turn strengthens the Church and its lay leadership infrastructure in these countries.

Young missionaries on religious worker non-immigrant visas generally have to learn English. Not only do they become conversationally fluent during their two years in the United States, but they often teach and hold leadership positions in their capacity as missionaries, which further improves their new language skills. Further, the missionaries have the opportunity to develop leadership skills by working with missionaries from all over the world. Often, this exposure to a new culture opens up educational opportunities that they otherwise would not have.

3. MEASURES TAKEN TO ENSURE STRICT COMPLIANCE WITH VISA REGULATIONS

The Church of Jesus Christ of Latter-day Saints goes to great length to ensure strict compliance with the regimen imposed by the Church as well as the rules and regulations of the religious worker non-immigrant visa program. For example, no missionaries sell anything, not even religious items, nor are they allowed to solicit or accept donations for themselves or for the Church. Missionaries are not permitted to date, marry or to work at any kind of employment; rather, they are engaged in full-time, unpaid community service or religious teaching while serving on their missions. These rules apply to all of our missionaries worldwide, not just to missionaries serving in the United States under the religious worker non-immigrant visa program.

All of our young missionaries in the 333 missions of the Church are supervised carefully by a distinguished lay leader of The Church of Jesus Christ of Latter-day Saints known as a Mission President. In addition, all missionaries are assigned a companion, and the two perform their religious and community service together. Again, it is the policy of The Church of Jesus Christ of Latter-day Saints that all of these young missionaries serving in the United States under the religious worker non-immigrant visa program return to their home countries promptly after their 24 month service as a missionary. When such a missionary completes his two-year mission, the Church purchases the missionary a one-way plane ticket home and the Mission President sees the missionary off at the airport. In this fashion, The Church of Jesus Christ of Latter-day Saints takes great care to ensure compliance with the terms of the visa and the religious worker non-immigrant visa program.

REPLY TO POSSIBLE CONCERNS

We know that some may be concerned about possible abuses of the religious worker non-immigrant visa program. For example, there may be questions as to whether religious worker non-immigrant visas are abused by applicants; whether sponsoring organizations make false statements about the length of time that the applicant was a member of the religious organization and the nature of the work to be done; whether some religious worker non-immigrant visa applicants intend to do very little religious work, or stay past the date of expiration.

Please understand that The Church of Jesus Christ of Latter-day Saints makes every effort to comply with both the spirit and the letter of the law. Latter-day Saint missionaries and religious workers of many other denominations do not abuse the religious worker non-immigrant visa program. Much good is done by religious workers in this country on non-immigrant visas.

Another possible concern is that religious workers will not be able to pay for medical care or living expenses, leaving any charges they may incur to be written off by the hospital or landlord. Here again, The Church of Jesus Christ of Latter-day Saints pays directly for medical insurance for all missionaries in the United States on religious worker non-immigrant visas. These missionaries are supported financially from worldwide contributions to the Church's missionary program. As stated before, a Mission President is assigned to each area and is specifically charged with supervising the missionaries. The Mission President's staff makes sure that rent is paid and a living allowance, which comes from member donations, is distributed monthly. As a strict matter of policy (a) our missionaries do not accept donations beyond an invitation to dinner, and (b) our missionaries on religious worker non-immigrant visas fulfill their financial obligations without asking anyone outside of our own faith for assistance.

CONCLUSION

The United States of America is a nation of diverse religions that protects freedom of religion. The religious worker non-immigrant visa program allows those of different nations to witness firsthand the operations of religious freedom in the United States of America. We have welcomed those of different countries and benefited by our association with them. The opportunities afforded to The Church of

Jesus Christ of Latter-day Saints and to our missionaries by use of the religious worker non-immigrant visa program have strengthened international relationships and provided education and experience in a setting not otherwise available.

When the religious worker non-immigrant visa program was first introduced ten years ago, the three year renewal period was added because this visa was experimental. The religious worker non-immigrant visa program has proved to be very successful. No other non-immigrant visa has to be renewed every three years, wasting time and resources that could be spent elsewhere. The time has come to make the religious worker non-immigrant visa program a permanent part of the law.

Senator ABRAHAM. I want to thank all of our panelists today for your testimony and for, I think, making a very compelling case. I just have a couple of questions, and given some of the sentiments expressed, some of these points have even been touched on.

I just wanted to perhaps make sure we had clear the number of visas that your organizations estimate are used per year, if you know that. And if you don't, if we could find that out and provide it later to the committee, it could be included in the record.

Cardinal Maida, if you have an estimate on that?

Cardinal MAIDA. It is about 1,000 to 1,200, according to our best count.

Senator ABRAHAM. Rabbi Weil, as I said, we will keep the record open.

The way the process works, just for those of you who are new as witnesses, we also will leave the record open for other members, if anyone wants to submit questions, for a couple of days. They will have that chance. So we will submit this in writing, as well, for your purposes.

Elder Hardy.

Elder HARDY. Right now, our church has slightly over 2,000 at this present time in the country.

Senator ABRAHAM. One of the other questions I think that we need to get on the record here is just an estimation or an analysis of the impact that would happen on your organization if we weren't to move forward to reauthorize and extend these visas into the future.

What would be the impact of that?

Elder HARDY. Well, I think if it was not extended, I think the effect on our organization is really that our church, as established overseas and where, as I indicated, it has been established for less than a generation, would suffer because of the training that the young men and women who come here on these visas are able to receive in this country, and to observe and to work with the lay leadership here and in building up the church there. As our church everywhere is governed by its local people, they would suffer from not having this opportunity of learning and leadership here.

Senator ABRAHAM. Rabbi Weil.

Rabbi WEIL. The ramifications would be catastrophic specifically in the area of youth work and in primary and secondary education. Close to a third of the educators come via this Act, via the Religious Workers Act, and we just have a shortage in the United States of proper educators who have the pedagogic skills and who are dynamic, and that is why we have this opportunity to work with the kids both in school formally and after school. Just to be repetitive, terribly catastrophic.

Senator ABRAHAM. Cardinal Maida.

Cardinal MAIDA. In our church, we are involved in serving our immigrants as they come into a new culture and a new country, and we believe that their faith needs to be strengthened and within the culture here they need to be sustained. I think it would be a terrible, terrible mistake if this were not extended or made permanent because it is the poor people that would suffer, the people most in need, most looking for direction.

If we are not there to help them and we don't have the resources to help these poor people, I just think it is shame on America. I just think it would be very self-serving and I just think that the spirit of America is not that kind of a spirit. I think we need to have open hearts and open arms and welcome the people, and then provide whatever resources we can to sustain them and help them. It has worked in the past. We are an immigrant country, we are an immigrant church, and we need to be there for our people.

Senator ABRAHAM. I agree. You know, I have to say it is interesting. I was trying as we have gone through this hearing today and listened to each of you to sort of turn back the clock in my own mind to our last reauthorization or extension of this program, remembering at the time as part of the hearing, but then later as part of the negotiations to try to get an extension to occur as opposed to our unsuccessful efforts to make the program permanent, hearing the array of concerns and criticisms, some of which Elder Hardy in particular addressed here.

I have to make the statement that I am struck by the fact that here we are several years later and I have neither seen nor have I heard any evidence of the kinds of claims that had been made as the basis for not making the program permanent back then. So here we are again, I hope, for the last time, much as we appreciate each of you being participants.

The one thing that does sort of unfortunately come into play in this debate of making any of these categories either permanent or broader, and so on, is a kind of broader issue that we have been hearing lately in the immigration debates that we have had before this committee and in Washington, of course, and that is the argument or contention that somehow immigrants, whether they are temporarily here or permanently here, are weakening either our culture or our economy, somehow taking away jobs, et cetera, and in some way or another a net negative to America.

I just was wondering if each of you might just from the perspective of your own institutions comment on this topic, specifically whether immigrants and their families are hurting or helping the spiritual, the moral, the cultural, or the economic life of your churches, your communities, or America.

Rabbi Weil, maybe we will start with you.

Rabbi WEIL. I would disagree with that one hundred percent. If you look at the immigrants in the Jewish community, what they have done is they have given flavor and life to the community. They have carried their weight, they have been contributing members to society, and it has not been by taking other people's jobs away in no way, shape or form. I just have to disagree with those attacks.

Senator ABRAHAM. Elder Hardy.

Elder HARDY. Well, as has been mentioned by my brethren, we are a nation of immigrants and the opportunity to have these non-immigrant religious workers in this country increases the diversity, the richness of our society, and the fabric of our society. Within our own church, to have these young people here from other countries certainly contributes to the richness of our own worship.

And, in addition, with regard to the issues of employment, as I indicated in my statement, the young workers that come here are not employed, are not taking any jobs from anyone in any way, shape, or form, and are not in any employed by anybody and are supported otherwise by the church.

Senator ABRAHAM. Cardinal Maida.

Cardinal MAIDA. I would like to perhaps focus on my own personal situation. My father came from Poland, an immigrant, at 16 years old. Three sons were born of the marriage. I am a Cardinal in the Roman Catholic Church and serve the church locally in Detroit and nationally in the United States helping the Holy Father. So I think I have opportunities here to make a great contribution not only to our local community but to society and to our culture.

My brother is a priest, and he serves well in Pittsburgh and has a large congregation and has a great spiritual influence upon the people and the community. And my third brother is educated and a big businessman in Pittsburgh and doing wonderful work and has a marvelous family.

I just think that every immigrant has those opportunities in the United States. That makes our land so special because we have recognized, according to our Constitution, that we have been all endowed with our human dignity by God with inalienable rights, and that every human being needs to be respected and given the opportunity. And we need to respect the immigrants and welcome them into our society, into our fabric, and when we do that we all become richer for it.

Senator ABRAHAM. Well said.

As I said at the outset, I don't want to keep people here longer than had been promised, and so I was going to refrain from the lengthy opening statement that I would have otherwise given. But I do want to conclude actually by drawing from the letter which the Cardinal entered into the record that I received just a couple of years ago from Mother Teresa.

She wrote me at that time and said, "Dear Senator Abraham, I am writing to ask you to help us in solving a very urgent problem. My Sisters in New York have told me that the law which allows the Sisters to apply for permanent residence in the United States expires on September 30, 1997. Please, will you do what you can to have that law extended so that all religious workers will continue to have the opportunity to be permanent residents and serve the people of your great country. It means so much to our people to have Sisters who are understand them and their culture. It takes a long time for a Sister to understand the people and a culture. So now our Society wants to keep our Sisters in their mission countries on a more long-term basis. Please help us and our poor by extending this law. I am praying for you and the people of Michigan. My Sisters serve the poor in Detroit, where we have a

soup kitchen and night shelter for women. Let us all thank God for this chance to serve His poor." Signed, "Mother Teresa."

I received this letter, as Cardinal Maida indicated, only a few weeks ago before Mother Teresa died, and in honor of her great deeds for humanity, I hope that this year we can finally extend the religious workers provision of the Immigration and Naturalization Act permanently. I think this hearing is an important step in that process.

So I really look forward to working with my colleagues here on the subcommittee and the full Judiciary Committee, as well as the full Senate and ultimately the rest of Congress, to try to get this job done once and for all. We have a lot of, I think, issues with respect to immigration, challenges that we confront. We have problems that we have to deal with. This subcommittee unfortunately often hears from witnesses who talk about immigration problems, whether it is illegal immigration or difficulties that have transpired with respect to naturalizing citizens.

This is an area where we don't have problems. It is an area which enriches the United States. It is a set of visas that make a difference to the spiritual life and the cultural life of our communities and that renews our religions who take advantage of it. And inasmuch as there are no problems here, other than the simple problem that the calendar runs out every so often to make this program non-existent requiring us to have to renew it, it just seems to me that for once we ought to take the sort of action that is both decisive and appropriate, and in this case it is to make the program permanent so that the problem of having to renew this program is no longer a problem.

We can do that. I look forward to working to achieve it, and I want to commit to our witnesses today and those of you who have taken the time to be with us that we are going to do our very best to not only extend the program but to make it permanent. I want to thank everybody for being here, and at this point we will adjourn the hearing.

Thank you all.

[Whereupon, at 3:43 p.m., the subcommittee was adjourned.]

APPENDIX

PROPOSED LEGISLATION

II

Calendar No. 587

106TH CONGRESS
2D SESSION

S. 2406

To amend the Immigration and Nationality Act to provide permanent authority for entry into the United States of certain religious workers.

IN THE SENATE OF THE UNITED STATES

APRIL 12, 2000

Mr. ABRAHAM (for himself, Mr. KENNEDY, Mr. DEWINE, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

JUNE 8, 2000

Reported by Mr. HATCH, without amendment

A BILL

To amend the Immigration and Nationality Act to provide permanent authority for entry into the United States of certain religious workers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Mother Teresa Reli-
5 gious Workers Act".

1 **SEC. 2. PERMANENT AUTHORITY FOR ENTRY INTO UNITED**
2 **STATES OF CERTAIN RELIGIOUS WORKERS.**

3 Section 101(a)(27)(C)(ii) of the Immigration and
4 Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended
5 by striking “before October 1, 2000,” each place it ap-
6 pears.