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## New Visa For "Lay Religious Workers" Excites US Hindus

Now Not Only Priests But a Wide Spectrum of Religious Talent is Being Welcomed

New York City lawyer Sidney Elfman called HINDUISM TODAY. "Have you heard about the new immigration bill?" he said, half expecting that any newspaper office as far west as California might be uninformed. He was right. We didn't know. "I'll fax you some information on it, look it over, I'll call you back, Bye," he said with high-powered Big Apple efficiency. We got his fax, seconds later. Read it. Amazing.

Last fall, the US Congress radically belt-loosened their "religious worker," qualifications, adding a new "lay religious worker" category. Previously the religious worker type of visa was more or less for priests or, with greater difficulty, for monks. Now, spectacularly, there's an almost endless spectrum of possibilities - religion teachers, instructors, counselors, librarians, temple craftsmen, pundits, missionaries, even temple musicians, oduvars, dancers and temple cooks and seamstresses - not excluding anyone seeking on-the-job training in any of these areas. The rudimentary qualifications are surprisingly easy: 1) be a Hindu 2) be invited by a US Hindu organization willing to be one's sponsor that can show evidence that the applicant will be financially provided for or, if the applicant's services are volunteer, that his/her income in the US will come from source(s) (family, relatives, etc.) other than from other work in the US. That's a skeleton summary of a much more detailed law, but not inaccurate.

The actual wording of the bill at first glance looks nearly unworkable for the Hindu. It says the applicant has to be a "member of a denomination that has a non-profit organization in the United States." How many Hindus in India belong to a denomination that has an affiliate branch in the US! The wording appears clearly advantageous for Christianity which is highly organized and hierarchical and problematic for Hinduism which traditionally resists rigid hierarchical structuring. But a US immigration official assured HINDUISM TODAY, "The subcommittee that

edited and ratified the final wording of the bill made a point of making it fair for all - Christian, Hindu, Jew, Muslim, Buddhist, etc."

To explore this, HINDUISM TODAY called the US immigration office in Washington D.C. and presented a hypothetical case - "A retired Hindu couple in India have for many years spent several hours a week at a temple, public venue or in a home telling religious stories to children, additionally leading bhajans for other devotees. Though they are what any Hindu would unhesitatingly call a "teacher" of the faith, their names are on no temple register, no denomination (sect) has a computer record of them, their temple has no US branch, they have no teaching credential and no official catechism or regular schedule. But a US Hindu temple group knows them and wants very much for them to come and teach their Hindu children in America. Would they be able to get a visa?" "Frankly, I see no problem," the US immigration senior official replied without hesitation. (The official requested his/her name he withheld as per a standard immigration policy not to allow in print the response of any department individual when sharing their in-house interpretative policies.) He further clarified that the word "denomination" in this case could be any of the Hindu sects or the religion itself and that the "US organization" could be any bona-fide Hindu organization. The affiliation between the "denomination" and "organization" could be philosophical rather than formal. This important interpretation dramatically releases the R-1 visa for broad use by Hindus. Any abuse however will jeopardize its use by others.

Also, surprisingly, although most who apply will be accomplished in an area of religion-related expertise - and are expected to be - the bill allows persons to come for additional training as well. "Yes, the R-1 may be given to someone not already an expert in their field of religious work but who plans to receive more on-the-job training. The idea here is that the training go hand-in-hand with productive work," US immigration senior examiner Carla Hengerer clarified for HINDUISM TODAY. Thus the applicant in Delhi or Madras for instance would not have to satisfy excessive demands of proof of proficiency. The US immigration office is emphasizing they want the Asian religious community to use this new visa. As Mr. Elfman explained, "Congress legislated this in the knowledge that the strength of religious organizations is the strength of our families and moral fibre of our country. They know' that the religious workers who come are the kind of people who will enrich our country."

The reaction in the Hindu community is emphatic delight. Thanks to the aggressive efforts of Mr. Elfman of law firm Brown, Elfman and Torres - strengthened by his appreciable understanding of the Hindu tradition and structure - over 50 US and

Canadian Hindu temple societies have been contacted regarding the visa's new possibilities. Over a dozen groups have already responded seeking Elfman's Hindu-tailored legal expertise, including the grandfather of US temples, the Hindu Temple of Flushing, New York, as well as the Hindu Temple of Greater Chicago and the Hindu Temple of San Antonio, Texas.

"There is no question that these new procedures will make the whole task [of sponsoring priests and other lay religious workers] much more easy and flexible," Mr. Mohan, president of the Flushing Hindu Temple, told HINDUISM TODAY. "There are now a lot of other categories of services which are required in these temples for which in the past we could not sponsor persons to perform them. Now they say we can even have cooks, tailors and musicians - it's magnificent! We are immensely pleased with the US Congressmen who passed this new legislation. All Hindu temples should be very grateful to them."

### Thank the Catholics

Actually, the real party to thank is the US Catholic Conference, a powerful congressional lobby and political arm of the Catholic Church. A reliable immigration source told HINDUISM TODAY that they expressly instigated the bill (with support from evangelical Protestant lobbies) to recruit individuals overseas to replace their dwindling staff in US Catholic private hospitals, health care centers and schools. HINDUISM TODAY also learned that the wording of the first draft of the bill was so highly Christian in language that other faiths would have been handicapped. A final constitutional review panel detected the favoritism and intervened to make the final version demonstrably fair for every faith. But standard Christian terms like "catechists, cantors, choir directors, liturgists, ordained ministers" still stuck although the US immigration office promises that any Christian term may be interpreted within the unique structure of any faith. For Hindus then a "cantor" becomes an oduvar or singer in the religious Carnatic or Hindustan tradition, and so forth. Even dancers are clearly eligible, as all the orthodox Hindu dance forms are expressly ritual temple arts and dance is still performed as a devotional ceremony.

### Good Bye Bureaucratic Headaches

The new bill additionally buries the bureaucratic nightmare previously a part of securing a priest for US temples. For years, US temples had to convince reticent US immigration officials in India that their need was real, that their dhoti-clad applicant was as close to "ordained minister" as Hinduism provides, justify why he didn't have college degree or doctorate of theology and explain that they don't do marriage counseling or organize Sunday church picnics. Clash of religious structures. Fortunately, the new bill brought a new attitude: "Don't make a stone wall out of the technicalities."

"This new bill allows us to hire priests from India more easily," unequivocally testified Mr. Dorairajan, president of the elegant Malibu, California temple to Hinduism Today. "Under previous rules only a permanent visa was available. Now in normal instances, it should take only three months." Some honest cross-cultural re-education has gone on inside the US immigration department. With the influx of over a million Buddhists in the last decade (many from Vietnam), an Indian population growing toward the one million mark - and Muslims approaching the 10 million mark - America has had to face the fact of its religious plurality and make visa rules work for everybody. Words like pundit, acharya, silpi or bikkhu (Buddhist monk), don't scare immigration officials anymore. And they in turn don't want the Asian public scared by the rules' occasional Western wording either. Clearly, to the extent that this new visa is employed to manifest the fullest expression of Hindu religious culture will depend on the industry, ingenuity and imagination of each US temple group. The US immigration department is no longer the excuse.

## R-1 SUMMARY

Now a Hindu outside the US can be sponsored by a US Hindu religious organization to serve for up to five years in a variety of religious capacities besides temple priest. Examples: swami, teacher, pundit lecturer, Hindu bard, counselor, missionary, temple craftsman, musician, singer, even cook and seamstress.

## MAIN QUALIFICATIONS:

1) that the lay religious worker being sponsored has for the last two years been a member of the Hindu religion.

2) that the US Hindu sponsor organization provide sufficient compensation to prevent the person from taking a US job.

NOTE: The new law also provides a very special 3-year Pilot Program for full-time "religious workers" (in the priest or lay category) with two year's experience immediately prior to applying to obtain green cards.

For free information to determine if this new visa can serve you, contact immigration lawyer Mr. Elfman of Brown, Elfman and Torres, 15 Park Row, Suite 810, N.Y., N.Y. 10038. Tel: 212-766-5300.

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