

## APPENDIX G

### Extern Priests from foreign countries

Often, foreign priests enter the United States with student visas to study at area schools. Sometimes, these priests are sent here without any financial support from their bishops, and they mistakenly expect to receive a salary from the parish in which they reside. This is contrary to United States law. The only thing a parish can legally offer a resident foreign student priest are room and board, since a person with only a student visa is prohibited by immigration laws to work for compensation.

Sometimes, out of a sense of compassion, pastors wish to offer some financial assistance to such foreign student priests. However, if a pastor violates federal law, he puts himself, the parish, the Archdiocese and the foreign student priest at serious legal risk. Violations of federal immigration laws not only reflect badly on the church, they may cause a pastor to be held personally responsible. This could include penalties and fines for non-payment of taxes, and any other penalties associated with the violation of immigration laws.

Answers to some particular questions which may arise:

*What about Mass stipends?*

Foreign student priests may keep Mass stipends from individual parishioners if they are offered. If stipends are given to the foreign student priest by the parish, they must not exceed a maximum of \$600 per year for a resident with only a student or tourist visa.

*What about compensation for meals?*

Foreign student priests may be compensated for meals they must eat outside the rectory if meals are not offered in the rectory on certain days. The priest must present receipts to the parish for these meal expenses. Apart from this compensation for meals, the parish may not give a foreign priest with a student visa more than \$600 per year in any form of compensation.

*May the parish buy a car for a foreign student priest?*

Any car that is purchased by the parish and insured through the Archdiocese is covered only for parish business. Commuting to and from school or any other personal use does not qualify as parish business. Even for purely parish business (e.g. hospital visitation) the pastor must make sure that the foreign student priest has a driver's license which is recognized in this country. This varies depending on the country of origin of the foreign student priest.

*May the parish pay the cost of transportation to the United States for a foreign student priest?*

Although this goes beyond the offer of room and board to a foreign student priest, this conceivably might be legal. However, such a payment should be made directly to the airline or travel agent and not to the foreign student priest. Pastors should give thought before making this type of offer if they are not familiar with the foreign student priest and do not know whether or not the living arrangement will work out.

*May the parish compensate the foreign student priest's home diocese or religious community with the expectation that the money will be passed on to the student priest?*

While beyond our policy, this may be legal. However, some ordinaries and religious superiors may be unwilling to enter into such an arrangement. Also, it may become an undesirable entanglement if the arrangement between the pastor and foreign student priest does not work out or if a new pastor is assigned who does not wish to continue the arrangement.