

Obtaining a visa for a foreign-born pastor can be challenging

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Pastors from Latin America continue to receive the call: Move to the United States to serve churches ministering to immigrant families.

But acquiring a visa that allows a pastor to live and work in the United States can be complicated, and it often takes pastors and churches significant effort to understand the process.

Even so, for many Hispanic Texas Baptist churches, finding and calling a minister who can reach immigrant families effectively can address an urgent need.

The desire to meet that need led First Baptist Church in Caldwell to begin the immigration process with Ruben Burguete. He is pastor of the mission congregation First Baptist started, now called Iglesia Bautista Emanuel, and also serves as the missions pastor at the sponsor church.

Complex process

The immigration process can present hurdles and at times “some churches get discouraged when they find the complexity of the process,” said Jesús Romero, director of the Immigration Service and Aid Center (ISAAC) Project, launched by the Texas Baptist Christian Life Commission.

Burguete first interacted with immigration when he began studies at Baptist University of the Américas in the early 2000s. Since then, he has learned about its ups and downs.

Like many students at the time, Burguete and other international students

encountered difficulties living in the United States as a student. Since the F-1 visa—the document for students pursuing an academic degree—only permits students to work on-campus for 20 hours or less while studying full-time, some struggle to pay bills, secure housing or even buy school supplies.

At BUA, Burguete found staff and friends who understood other immigration processes well, so he quickly heard about the Curriculum Practical Training authorization.

The CPT authorization allows international students to find work outside the university they attend. Thanks to CPT, Burguete and other students at BUA could find churches to serve and also receive more support as they pursued their studies.

Burguete later attended Baylor University's Truett Theological Seminary. He began assisting First Baptist in Caldwell and its Hispanic mission through another authorization—Optional Practical Training.

Usually, F-1 students receive the OPT to work full-time for a year after they conclude their academic degrees in the United States and practice what they studied. However, Burguete found some may obtain the OPT authorization while still studying and only work part-time for two years.

Difficulty crossing the border

Since earning a seminary degree took Burguete longer to complete than the allotted time allowed under his F-1 visa, he transitioned from a student visa to an R-1 Temporary Nonimmigrant Religious Workers visa. The R-1 non-immigrant visa allows religious workers to work at a religious occupation in the United States.

After taking a mission trip to Mexico, Burguete was detained temporarily

when he tried entering back into the U.S.

According to Customs and Border Protection officers, his status had changed from the F-1 to the R-1 while Burguete served in Mexico, he said. Since he was unaware of that, he tried using the F-1 visa he thought was still valid. Consequently, the officers detained him and charged him with trying to enter the country illegally.

“They told me my status had changed two days ago, and since I used the F-1 to cross, then I was crossing illegally,” Burguete said. “I told them they themselves had records of when I left the country, so they knew I was gone when my status changed, but I told him to do what he thought was necessary.

After Burguete was detained a few hours, the Customs and Border Protection officer who held him could not find anything else wrong. So, he eventually talked to his superior, who told him to drop the charges against Burguete and give him the permit to enter the United States.

First Baptist in Caldwell has provided all the support for Burguete’s visas since he first arrived at Truett, he noted. And all of it has been done with the help of the ISAAC Project, he said.

Need for legal counsel

Burguete found himself in a similar dilemma after he returned to the United States from a mission trip from Guatemala. In that instance, an officer who stamped his visa wrote the wrong date.

Burguete lost his status for almost a year because of the officer’s mistake, even though he said he tried to appeal through U.S. Citizenship and Immigration Services.

Now, because of his R-1 visa, Burguete can work in the United States, but

only at the church. His visa allows his wife Kareem, who is not a U.S. citizen, to live here, but she cannot work.

“Often pastors do not make that much, and if their spouses want to help with finances and find a job, they all could lose their status,” Burguete explained.

Because of the challenging and complex process of securing proper documentation, Romero advises churches seeking a pastor from another country to receive legal counsel first.

Romero knows churches that tried to initiate the process on their own, but because of mistakes along the way, they end up with applications denied and fees lost.

Throughout the process, he said, pastors need churches to walk along with them and hear firsthand what they experience.

“All of this is important, because ethnic minorities are growing, and churches have noticed the need to seek pastors who can address the needs of the communities,” Romero said.

Sponsor churches need to understand

Only churches with a 501(c) (3) status may start the process of petitioning for a foreign-born pastor, he noted. The minister must be affiliated with the same denomination as the petitioning congregation at least for the past two years, he added.

“The process is such that churches that have more financial resources are in a better position to bring a minister,” Romero said.

Churches must prove they can offer pastors a competitive salary, he said.

The R-1 non-immigrant visa is valid for 30 months. After that, churches and pastors may start the process to switch to an immigrant visa or renew the R-1 visa, Romero said. Switching to an immigrant visa would allow the pastor to receive permanent residence, he noted.



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Project

But just as important, once the pastor makes it into the United States, Romero explained, churches must commit to the minister for the long haul.

“What I’ve sadly seen is that some churches after they get the R-1 for the pastor, something happens in between the period before the renewal of the visa or before they begin to file for a green card, where they decide not to move forward and leave the pastor stuck there,” Romero said.

“It’s very heartbreaking to see that, and while we don’t really know what happened, we do see pastors who have been abandoned in the process.”

Other churches could help these pastors complete the process, but churches must do the necessary work before starting the process, because they could have that pastor for at least five years, Romero said.

The Burguetes hope to obtain a green card soon, which will allow both the pastor and his wife to work anywhere in the United States, Romero said.

Investment in the kingdom of God

“It has been amazing to see the support Ruben has from First Baptist Church Caldwell,” Romero said. “He is a dynamic and cherished pastor. So, it’s not hard to see why the church would fully support him and the ministry he has done along with his family.”

After churches learn about the process and seek legal counsel, they may realize how difficult and expensive it might be, Romero said. So, they may want some kind of assurance that their investment will bring something in return.

“If you support and love your pastor, and if you learn to work together, then I tell churches, ‘Your pastor would likely want to stay,’” Romero said.

Churches and pastors may change their minds, which is why ministry really takes a commitment from all parties involved, he added.

“Communication between us and the church has been essential,” Burguete said. “We have learned together about the immigration process, and in that, learned to trust in each other as well. We have learned this is all not black and white.”

But as churches place trust in pastors by calling them and pastors trust churches by responding to the call, they also open themselves to see God work, Romero said.

“This is certainly an investment. And it’s not only an investment for Caldwell, but also one for the kingdom of God,” Burguete said.

In the past six years, Burguete has received six permits to live and work in

the United States. So, for a long time, he felt he could not make plans for more than a year, because he did not know if he would be in the country beyond that time.

“The law is the law, but then you also have to count on the discretion of different agencies,” Romero said. “As long as you’re able to argue and not be afraid to be a good advocate for immigrants, then I’ve found immigration authorities can also be reasonable.”

The process is complex, but also feasible if churches and pastors commit to it thoughtfully and prayerfully, Romero said.