# A PROFILE OF HOUSTON'S DIVERSE IMMIGRANT POPULATION IN A RAPIDLY CHANGING POLICY LANDSCAPE



By Randy Capps and Ariel G. Ruiz Soto



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September 2018



## **Acknowledgments**

The authors gratefully acknowledge the Houston Immigration Legal Services Center (HILSC) for commissioning and providing financial support for this project. This study builds on an earlier Migration Policy Institute (MPI) report, A Profile of Immigrants in Houston, the Nation's Most Diverse Metropolitan Area, published in 2015.

The authors also thank their MPI colleagues, including Jessica Bolter, Julia Gelatt, and Laura Plata for their research assistance; Michael Fix and Sarah Pierce for their expert review and feedback; and Michelle Mittelstadt, Lauren Shaw, and Sara Staedicke for editorial and dissemination support.

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Suggested citation: Capps, Randy and Ariel G. Ruiz Soto. 2018. A Profile of Houston's Diverse Immigrant Population in a Rapidly Changing Policy Landscape. Washington, DC: Migration Policy Institute.



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## **Executive Summary**

The Houston metropolitan area has one of the most rapidly growing and diverse populations in the nation. As of 2017, it was home to 7 million residents, up from 6 million in 2010. At the same time, the area has continued to diversify, and by 2017 more Latinos than non-Hispanic Whites lived there. This demographic growth has been buttressed by the economic strength of the area. The Houston economy continues to boom, generating more new jobs in 2017–18 than any other metro area except New York and Dallas. In the aftermath of Hurricane Harvey, the Category 4 storm that damaged large swaths of the region in August 2017, construction workers—more than half of whom are immigrants—have been in particularly high demand.

Home to 1.6 million immigrants, ranging from high-skilled professionals to working-class families and international students, this incredibly diverse and dynamic area offers an interesting look at how national immigration policy changes under the Trump administration are being felt by immigrants and service providers at a local level. Starting in 2017, the administration has proposed and implemented policies to significantly ramp up immigration enforcement, restrict legal immigrant admissions, and curtail humanitarian protection programs for refugees, asylees, and other groups. Arrests of noncitizens by U.S. Immigration and Customs Enforcement (ICE) rose rapidly under the new administration, and in 2017 the Houston ICE office was responsible for the second-highest number of arrests after Dallas. The administration has also taken steps to end the Deferred Action for Childhood Arrivals (DACA) program and some Temporary Protected Status (TPS) designations for nationals of countries that have experienced natural disasters or civil unrest.

This incredibly diverse and dynamic area offers an interesting look at how national immigration policy changes under the Trump administration are being felt ... at a local level.

Analysis of the U.S. Census Bureau's American Community Survey (ACS) and other data sources offers important insights into the shifting composition of Houston's immigrant population and how policy changes may affect both immigrants in the area and the service providers that work with them. Leveraging the Migration Policy Institute's unique methodology for assigning immigration status to noncitizens, this study describes three groups: (1) legal permanent residents (LPRs, also known as green-card holders); (2) legal nonimmigrants (international students, H-1B holders, and other temporary workers); and (3) unauthorized immigrants.<sup>2</sup> The report also examines three groups of immigrants of particular interest, given recent policy changes: DACA beneficiaries, TPS holders, and asylum seekers.

Analysis of the ACS data draws a portrait of a dynamic and growing population. Among the key findings are:

■ Immigrants are concentrated in Harris County, but the most significant growth is in the Houston suburbs. As of 2017, three-quarters of immigrants in the Houston metropolitan area lived in Harris County (1.2 million). However, the immigrant population showed more rapid growth in most of the area's 11 suburban counties—especially Matagorda, Liberty, Fort Bend, and Montgomery.

<sup>1</sup> This report defines the Houston metropolitan area as 12 counties, based on the boundaries available in American Community Survey (ACS) data: Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Waller, and Wharton. This definition varies slightly from the official definition of the Houston metropolitan area employed by the U.S. Census Bureau.

This analysis is primarily descriptive in nature and does not analyze the structural reasons behind the demographic differences between groups of immigrants.



- Mexico remains the top origin country for immigrants in Houston, but the number of Mexican immigrants in the area fell between 2016 and 2017. While the Mexican-born population in the Houston area grew 2 percent in the 2010–17 period, between 2016 and 2017 the number dropped by 4 percent to 612,000. Nationwide, the number of Mexican immigrants fell 2 percent between 2016 and 2017.
- Immigrant populations from most other top origin countries grew more quickly from 2010 through 2017. The largest percentage increases were seen among immigrants from Cuba and Venezuela (223 percent each), followed by Nigeria (139 percent). More broadly, there was rapid growth among the foreign-born population from Africa (82 percent) and substantial growth of those from Asia and Central America (29 percent and 34 percent, respectively).
- Almost half of children in the Houston area are children of immigrants. Immigrants comprised almost one-quarter of the total population of the Houston metropolitan area, and children with at least one foreign-born parent made up 44 percent of all children under age 18, as of 2016. An estimated 15 percent of minor children in Houston had at least one unauthorized immigrant parent, and 80 percent of these children of unauthorized immigrants were U.S. citizens.
- Unauthorized immigrants make up slightly less than one-third of immigrants in the Houston area. In 2016, an estimated 30 percent of immigrants in the Houston metropolitan area were unauthorized, compared to 33 percent who were naturalized citizens, 32 percent who were LPRs, and 5 percent who were legal nonimmigrants. Most unauthorized immigrants were from Mexico or Central America, but there were also significant populations from several Asian countries.
- *Immigrants are critical to Houston's workforce.* Thirty-two percent of the Houston area's workers were immigrants, and 10 percent were unauthorized in 2016. These shares were higher than the immigrant and unauthorized shares of the total Houston metro area population.
- Most immigrants in the Houston metropolitan area own their homes. Fifty-six percent of all immigrants in Houston owned their homes in 2016, as did 41 percent of unauthorized immigrants. Houston's overall homeownership rate is relatively high compared to other major metropolitan areas, due largely to its relatively low cost of housing.

Immigration policy changes enacted or under consideration by the Trump administration have the potential to affect large segments of the Houston immigrant population. Among these are:

Immigrants with some forms of temporary protection, such as DACA and TPS, face heightened uncertainty about the future. Approximately 36,000 unauthorized immigrants in the Houston area who entered the United States as children currently participate in the DACA program, which allows them to work legally in the United States and shields them from deportation. Although the courts have enjoined the administration's cancellation of the program, allowing prior recipients to reapply but not accepting new first-time applications, the matter is still pending in the U.S. Supreme Court. If the court allows the administration to cancel DACA, current beneficiaries will lose status once their two-year eligibility periods expire.

In addition, tens of thousands of immigrants in the Houston area who currently hold TPS will lose this status over the next two years. In Houston, the largest groups of TPS holders are from El Salvador (16,000 immigrants) and Honduras (5,000), both groups whose status the Trump administration has terminated. Unlike DACA participants, TPS holders will lose protection all at once: Salvadorans in September 2019 and Hondurans in January 2020. Many will face a difficult decision when their status expires: remain in the country as unauthorized immigrants, without the work authorization and protection from deportation TPS afforded them, or return to countries they have not lived in for years or even decades.



- The narrowing of the grounds for asylum is likely to affect many Central American asylum seekers. A recent finding by the U.S. Attorney General and instructions from U.S. Citizenship and Immigration Services make it much more difficult for those fleeing gang or domestic violence to obtain asylum—the two grounds on which Central Americans most frequently file asylum claims. The Houston area is likely to feel the effects of these changes acutely, with the claims of an estimated 27,000 asylum seekers either pending with the Houston USCIS asylum office or in the Houston immigration courts.
- Expanded immigration enforcement priorities have led to an increase in how many detainers ICE issues for immigrants in Houston jails. While the Obama administration narrowed the categories of noncitizens considered priorities for arrest and deportation to those convicted of serious crimes, recent arrivals, and those with recent removal orders, the Trump administration has expanded this list to include any deportable immigrant convicted, arrested, or suspected of committing any crime. Following this expansion of priorities, ICE arrests increased 30 percent nationwide between FYs 2016 and 2017, and a more modest 5 percent in the Houston ICE region, though from an already-high level.³ During the first three months of the Trump administration, Harris County was second only to Maricopa County, Arizona, in terms of the number of people transferred into ICE custody using detainers.⁴ The number of ICE transfers increased rapidly even though Harris County ended its 287(g) agreement, under which ICE had trained and delegated some of its immigration enforcement authority to local officers. In August 2017, Texas enacted legislation (Senate Bill 4) requiring counties to fully cooperate with ICE in identifying removable immigrants in jails and transferring them into ICE custody.
- The public-charge rule the Trump administration is developing could affect large shares of the noncitizen population in Houston. The pending rule would make it more difficult for noncitizens to receive a green card (i.e., adjust their status) if they or a dependent family member have used cash welfare, food assistance, or other public benefits. Among the broader population of noncitizens who may feel the effects of this rule are some unauthorized immigrants who, while ineligible for most public benefits themselves, have dependent spouses and children who are U.S. citizens or legal immigrants eligible for such benefits. An estimated 98,000 unauthorized immigrants in the Houston area are married to a U.S. citizen or LPR; they may find their already limited options for acquiring legal status narrower still if their spouses or U.S.-born children have accessed public benefits.

In addition to policy changes, immigrants in the Houston area have also been among those most affected by Hurricane Harvey, and some may require legal assistance with housing- and employment-related issues. Immigrants who experienced housing damage were less likely than U.S.-born residents to have home or flood insurance, or to apply for disaster assistance. Almost half of respondents in a survey conducted in December 2017 expressed concerns that seeking assistance would draw attention to their or a family member's unauthorized status. Other studies since the hurricane have reported instances of landlords evicting or refusing to repair the homes of unauthorized immigrants, and wage theft among those working in rebuilding jobs.

These trends have a number of implications for Houston area service providers. The need for deportation defense—in local detention centers and centers across Texas—is growing as the number of immigrants arrested by ICE increases. Asylum cases are also becoming more complex as the administration narrows asylum criteria and shifts strategies for border enforcement, including prosecuting all unauthorized border crossers for criminal entry and, for a period, separating parents from children upon apprehension at the border. Many DACA recipients and TPS holders will also need assistance with their renewal applications as long as these protections remain in place, and guidance in understanding the other paths

<sup>3</sup> Data on U.S. Immigration and Customs Enforcement (ICE) arrests are for the 54 counties in the Houston ICE region in southeast Texas. ICE arrest data for the 12-county Houston metropolitan area, specifically, are unavailable.

Detainers are requests ICE makes to state or local law enforcement agencies to hold deportable immigrants in state or local custody for up to two additional days, giving ICE time to pick them up and place them in deportation proceedings. In the Houston area, ICE issued 95 percent of detainers in Harris County (an average of 381 a month) in early fiscal year (FY) 2018. About half of these detainers resulted in the immigrant being taken into ICE custody.



to protection or legal status they may qualify for, if and when DACA and TPS end. Finally, an estimated 298,000 immigrants in the Houston area are eligible to naturalize and may come forward, seeking assistance in navigating the process. All these groups include significant numbers of individuals who are low income and may only be able to access legal assistance if it is provided pro bono or subsidized. For those with limited English proficiency, the availability of assistance in other languages, as well as interpretation and translation services, will be important.

## I. Introduction

The Houston metropolitan area has a population that is both diverse and growing. This growth is driven by immigration and domestic migration to the area, as well as a growing population of U.S.-born children, a significant share of whom are children of immigrants. The Houston area's economy is strong, and efforts to rebuild in the aftermath of Hurricane Harvey, which hit the area in August 2017, have increased demand for workers in the immigrant-dense construction industry. Like other regions with large immigrant communities, Houston and its suburbs have also been affected by the significant immigration policy changes the Trump administration has implemented since taking office in January 2017, including ramped up interior enforcement, the termination of Temporary Protected Status (TPS) designations for nationals of six countries, and the legal tug-of-war over the future of the Deferred Action for Childhood Arrivals (DACA) program. Due to its proximity to the Rio Grande Valley in south Texas, the busiest stretch of the U.S.-Mexico border, Houston has also felt the effects of changes to asylum and border enforcement policies.

This growth is driven by immigration and domestic migration to the area, as well as a growing population of U.S.-born children, a significant share of whom are children of immigrants.

This report aims to inform public debates on immigration and immigrant integration policies in the Houston area, and to provide valuable information to the legal aid and other service providers who work with its immigrant populations. It begins with an overview of the region and recent events that have affected its residents, before providing an in-depth profile of the Houston foreign-born population, based on the most recent American Community Survey (ACS) data available. Using a unique methodology for assigning legal status to nonimmigrants developed by the Migration Policy Institute (MPI), this profile includes a particular focus on the characteristics of unauthorized immigrants and of three immigrant groups deeply affected by recent policy changes: DACA beneficiaries, TPS holders, and asylum seekers. The study also attempts to quantify local immigration enforcement changes using data on arrests and detainers issued by U.S. Immigration and Customs Enforcement (ICE). It concludes with an assessment of what these immigration trends and policy changes mean for service providers in the Houston area.

Except where noted otherwise, this study presents findings for the 12-county greater Houston metropolitan area, a geographic definition based on the boundaries available in the ACS microdata employed for this analysis; these counties are Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Waller, and Wharton. This definition varies slightly from the official definition of the Houston metropolitan area employed by the U.S. Census Bureau.

The Migration Policy Institute (MPI), like other research organizations, includes the Deferred Action for Childhood Arrivals (DACA), Temporary Protected Status (TPS), and asylum-seeker populations as subsets of the overall unauthorized population in its data analysis. Some asylum seekers file claims upon reaching a U.S. port of entry, others after entering the United States without authorization, and still others while holding a temporary legal status.



## II. A Diverse Metropolitan Area in an Era of Change

In 2017, the U.S. Census Bureau estimated the Houston area's population to be 6.9 million, up 16 percent from 2010.<sup>6</sup> Of the 972,000 new residents who came to the area during this period, 260,000 came via international migration and 273,000 from migration within the United States. Another 436,000 were the result of a "net increase" in the Houston population (births minus deaths).<sup>7</sup> Between 2016 and 2017, the Houston-Woodlands-Sugar Land metro area was the second fastest growing metropolitan area in the country, after Dallas-Fort Worth-Arlington.<sup>8</sup>

Beginning in 2010, the U.S. Census reported the absence of a racial/ethnic majority in Houston, a pattern that has continued through at least 2017. In that year, according to ACS data, the number of Latinos surpassed the number of non-Hispanic Whites living in the Houston area for the first time (2.6 million and 2.5 million, respectively). There were also about 1.2 million African Americans and 500,000 Asians in the area. Ongoing immigration, primarily from countries in Latin America and Asia, has contributed to the diversity of the area's population.

The Houston labor market has experienced strong job growth, despite an unemployment rate above the national average. In July 2018, the unemployment rate in Houston was 4.4 percent compared to 3.9 percent nationwide. Between July 2017 and June 2018, however, Houston added more jobs—95,000—than any other metropolitan area except New York and Dallas, with a strong employment growth rate of 3.1 percent. Percent Proposition 2018, however, Houston added more jobs—95,000—than any other metropolitan area except New York and Dallas, with a strong employment growth rate of 3.1 percent.

## A. Hurricane Harvey and Its Aftermath

When Hurricane Harvey swept through Houston and the surrounding region in August 2017, it caused widespread flooding and damage to homes, businesses, and infrastructure. In a December 2017 survey of residents in 24 southeastern Texas counties, immigrants were more likely than U.S.-born respondents to report income or job loss due to the hurricane (64 percent versus 39 percent). Although immigrants were less likely to report home damage, those who did describe experiencing such damage were

- 6 U.S. Census Bureau, "American FactFinder—PEPANNRES: Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2017. 2017 Population Estimates. Houston-The Woodlands-Sugar Land, TX Metro Area," updated May 2018, <a href="https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP\_2017\_PEPANNRES&prodType=table.">https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP\_2017\_PEPANNRES&prodType=table.</a>
- 7 U.S. Census Bureau, "American FactFinder—PEPTCOMP: Estimates of the Components of Resident Population Change: April 1, 2010 to July 1, 2017. 2017 Population Estimates. Houston-The Woodlands-Sugar Land, TX Metro Area," updated March 2018, https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=PEP\_2017\_PEPTCOMP&prodType=table.
- 8 U.S. Census Bureau, "New Census Bureau Population Estimates Show Dallas-Fort Worth-Arlington Has Largest Growth in the United States" (news release CB18-50, March 22, 2018), <a href="https://www.census.gov/newsroom/press-releases/2018/popest-metro-county.html">www.census.gov/newsroom/press-releases/2018/popest-metro-county.html</a>.
- 9 Michael O. Emerson et al., Houston Region Grows More Racially/Ethnically Diverse, With Small Declines in Segregation (Houston: Rice University, Kinder Institute for Urban Research and Hobby Center for the Study of Texas, 2012), <a href="https://kinder.rice.edu/sites/g/files/bxs1676/f/documents/Houston%20Region%20Grows%20More%20Ethnically%20">https://kinder.rice.edu/sites/g/files/bxs1676/f/documents/Houston%20Region%20Grows%20More%20Ethnically%20</a> Diverse%204-9.pdf.
- U.S. Census Bureau, "American FactFinder—B03002: Hispanic or Latino Origin by Race. 2017 American Community Survey
  1-Year Estimates. Houston-The Woodlands-Sugar Land, TX Metro Area," accessed September 14, 2018, <a href="https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\_17\_1YR\_B03002&prodType=table.">https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\_17\_1YR\_B03002&prodType=table.</a>
   U.S. Bureau of Labor Statistics, "Local Area Unemployment Statistics—Unemployment Rates for Large Metropolitan Areas,
- 11 U.S. Bureau of Labor Statistics, "Local Area Unemployment Statistics—Unemployment Rates for Large Metropolitan Areas, Not Seasonally Adjusted—July 2018,"updated August 29, 2018, <a href="www.bls.gov/web/metro/laulrgma.htm">www.bls.gov/web/metro/laulrgma.htm</a>; U.S. Bureau of Labor Statistics, "Labor Force Statistics from the Current Population Survey," accessed August 30, 2018, <a href="https://data.bls.gov/timeseries/LNS14000000">https://data.bls.gov/timeseries/LNS14000000</a>.
- 12 U.S. Bureau of Labor Statistics, "Metropolitan Area Employment and Unemployment—June 2018" (news release USDL-18-1239, August 1, 2018), www.bls.gov/news.release/pdf/metro.pdf.
- 13 Bryan Wu, et al., *Hurricane Harvey: The Experiences of Immigrants Living in the Texas Gulf Coast* (Menlo Park, CA and Houston: Kaiser Family Foundation and Episcopal Health Foundation, 2018), <a href="https://files.kff.org/attachment/Report-Hurricane-Harvey-The-Experiences-of-Immigrants-Living-in-the-Texas-Gulf-Coast">https://files.kff.org/attachment/Report-Hurricane-Harvey-The-Experiences-of-Immigrants-Living-in-the-Texas-Gulf-Coast</a>.



less likely than the U.S. born to say they had applied for disaster assistance (49 percent versus 64 percent) or that they had any type of home or flood insurance (41 percent versus 55 percent). Among immigrants with damaged homes, 46 percent worried that seeking assistance would draw attention to their unauthorized status or the status of a family member. Other studies since the hurricane have reported abuse of unauthorized immigrants by landlords (e.g., in the form of failure to repair hurricane damage or forced eviction), and that most did not access assistance from the Federal Emergency Management Agency (FEMA) as recipients must first prove their citizenship or legal residence. <sup>14</sup>

# While unauthorized immigrants ... were among the Houston residents hardest hit by the storm, they are also playing key roles in reconstruction and clean-up efforts.

Unauthorized immigrant workers from Mexico and Central America have been engaged in Houston's clean-up efforts after Harvey. In a survey of 361 construction day laborers, conducted in the weeks after the hurricane, 72 percent were unauthorized immigrants, with nearly half of the unauthorized from Mexico and most of the rest from Guatemala, Honduras, or El Salvador. Most were longtime Houston residents, with 37 percent having lived in the area for more than ten years and another 29 percent for five to ten years. Day laborers' average hourly wages ranged from \$12 to \$14 per hour, depending on their precise occupation, but 26 percent reported wage theft in the four weeks following Harvey and many described not having received proper information about job hazards or protective gear. In short, while unauthorized immigrants—and in particular, those from Mexico and Central America—were among the Houston residents hardest hit by the storm, they are also playing key roles in reconstruction and clean-up efforts.

## B. Changing Immigration Policy Climate

Another major force of change in the Houston area has been the sweeping set of immigration policy changes introduced by the Trump administration since taking office in January 2017. Chief among these have been efforts to curtail legal immigration from certain countries, reduce refugee admissions, restrict grants of asylum, ramp up immigration arrests and deportations from inside the United States, end the DACA program, terminate TPS designations for nationals of certain countries, and prosecute more migrants apprehended for illegally crossing the U.S.-Mexico border.<sup>16</sup>

These policy changes have had a profound effect on the large immigrant population of the Houston metropolitan area, and on the providers of legal and other services to immigrants based there. The administration's January 2017 executive order that banned the admission of travelers from certain countries in the Middle East and Africa<sup>17</sup> caused considerable confusion at large international airports, including George Bush Intercontinental in Houston, when it went into effect and travelers from the listed countries were turned back or held in immigration detention. Most elements of the executive

Lomi Kriel and Roque Planas, "Hurricane Harvey Drove Houston's Undocumented Population Further Underground," Huffington Post, October 27, 2017, <a href="https://www.huffingtonpost.com/entry/hurricane-harvey-houston-undocumented\_us\_59f22b98e4b03cd20b804b2c">https://www.huffingtonpost.com/entry/hurricane-harvey-houston-undocumented\_us\_59f22b98e4b03cd20b804b2c</a>.

<sup>15</sup> Nik Theodore, *Houston's Day Labor Markets in the Aftermath of Hurricane Harvey* (Chicago: University of Illinois at Chicago, Great Cities Institute, 2017), <a href="https://greatcities.uic.edu/wp-content/uploads/2017/11/After-the-Storm\_Theodore\_2017.pdf">https://greatcities.uic.edu/wp-content/uploads/2017/11/After-the-Storm\_Theodore\_2017.pdf</a>.

<sup>16</sup> Sarah Pierce, Jessica Bolter, and Andrew Selee, *Trump's First Year on Immigration Policy: Rhetoric vs. Reality* (Washington, DC: MPI, 2018), <a href="https://www.migrationpolicy.org/research/trump-first-year-immigration-policy-rhetoric-vs-reality">www.migrationpolicy.org/research/trump-first-year-immigration-policy-rhetoric-vs-reality</a>.

<sup>17</sup> Donald J. Trump, "Executive Order 13769 of January 27, 2017, Protecting the Nation from Foreign Terrorist Entry into the United States," *Federal Register* 82, no. 20 (February 1, 2017): 8977-82, <a href="https://www.gpo.gov/fdsys/pkg/FR-2017-02-01/pdf/2017-02281.pdf">www.gpo.gov/fdsys/pkg/FR-2017-02-01/pdf/2017-02281.pdf</a>.



order were initially blocked in court, but after considerable litigation and two revisions of the travel ban, the Supreme Court allowed it to take effect for virtually all entries from Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen. The Houston area, as a major recipient of refugees resettled into the United States, has also been affected by the administration's decision to decrease the ceiling for refugee admissions in fiscal years (FYs) 2017 and 2018. This has led to funding cuts for resettlement agencies and other refugee service providers that operate in the area. The travel

## These changes have resulted in an increase in ICE arrests both nationwide and in jurisdictions such as Houston.

In January 2017, President Trump also signed an executive order expanding the categories of noncitizens to be considered priorities for arrest and deportation from the interior of the United States. In 2014, the Obama administration had narrowed these arrest priorities to felons, those with substantial or misdemeanor convictions, recent arrivals, and migrants with recent removal orders. Trump's executive order has restored an older set of priorities that included deportable immigrants convicted, arrested, or suspected of committing any crime, or who are otherwise considered a public safety threat by immigration officers. The order also enhanced mechanisms to promote cooperation between ICE and state and local law enforcement agencies. These changes have resulted in an increase in ICE arrests both nationwide and in jurisdictions such as Houston (see Section VII). For example, ICE took into custody 60 percent more immigrants from the Harris County jail during the first three months of the Trump administration than it had a year earlier, and the number transferred to ICE from Harris County was second only to those transferred from Arizona's Maricopa County (Phoenix).

The Houston area, and Texas more broadly, has also been the stage for some of the Trump administration's policies that aim to tighten security along the U.S.-Mexico border and deter unauthorized immigrants from crossing into the country. A third executive order issued in January 2017 called for a wall to be built along the border with Mexico and instructed the Border Patrol to end "catch and release" of families, children, and other asylum seekers into the United States after their apprehension pending their asylum cases or immigration court hearings.<sup>25</sup> In April 2018, in response to an increase in the number of border apprehensions, U.S. Attorney General Jeff Sessions announced a "zero-tolerance" policy of

<sup>18</sup> Trump, President of the U.S. et al. v. International Refugee Assistance, et al.; President of the U.S., et al. v. Hawaii, et al. 583 U.S. \_\_\_ (2017), www.supremecourt.gov/orders/courtorders/120417zr 4gd5.pdf.

<sup>19</sup> Pierce, Bolter, and Selee, *Trump's First Year on Immigration Policy*.

<sup>20</sup> Elizabeth Trovall, "As Fewer Refugees Settle in Houston, Nonprofits Struggle to Maintain Operations," Houston Public Media, May 25, 2018, <a href="https://www.houstonpublicmedia.org/articles/news/2018/05/25/287510/as-fewer-refugees-settle-in-houston-nonprofits-struggle-to-maintain-operations/">https://www.houstonpublicmedia.org/articles/news/2018/05/25/287510/as-fewer-refugees-settle-in-houston-nonprofits-struggle-to-maintain-operations/</a>.

Donald J. Trump, "Executive Order 13768 of January 25, 2017, Enhancing Public Safety in the Interior of the United States," *Federal Register* 82, no. 18 (January 30, 2017): 8799–803, <a href="https://www.gpo.gov/fdsys/pkg/FR-2017-01-30/html/2017-02102.htm">www.gpo.gov/fdsys/pkg/FR-2017-01-30/html/2017-02102.htm</a>.

<sup>22</sup> Randy Capps et al., *Revving Up the Deportation Machinery: Enforcement under Trump and the Pushback* (Washington, DC: MPI, 2018), <u>www.migrationpolicy.org/research/revving-deportation-machinery-under-trump-and-pushback</u>.

<sup>23</sup> The number of U.S. Immigration and Customs Enforcement (ICE) arrests between February and September 2017 represented a 42-percent increase over the same period a year earlier; similarly, deportations from inside the United States increased by 37 percent. See ICE, Fiscal Year 2017 ICE Enforcement and Removal Operations Report (Washington, DC: ICE, 2017), <a href="https://www.ice.gov/sites/default/files/documents/Report/2017/iceEndOfYearFY2017.pdf">www.ice.gov/sites/default/files/documents/Report/2017/iceEndOfYearFY2017.pdf</a>.

<sup>24</sup> Capps et al., Revving Up the Deportation Machinery.

Since 2014, the Border Patrol has been apprehending large numbers of Central American families and children, but due to humanitarian concerns and court cases limiting their detention, most have been released into the United States pending their asylum cases and immigration court hearings—a process that can take years to complete. See Donald J. Trump, "Executive Order 13767 of January 25, 2017: Border Security and Immigration Enforcement Improvements," Federal Register 82, no. 18 (January 30, 2017): 8793–97, <a href="https://www.gpo.gov/fdsys/pkg/FR-2017-01-30/pdf/2017-02095.pdf">www.gpo.gov/fdsys/pkg/FR-2017-01-30/pdf/2017-02095.pdf</a>; Randy Capps, Faye Hipsman, and Doris Meissner, Advances in U.S.-Mexico Border Enforcement: A Review of the Consequence Delivery System (Washington, DC: MPI, 2017), <a href="https://www.migrationpolicy.org/research/advances-us-mexico-border-enforcement-review-consequence-delivery-system">www.migrationpolicy.org/research/advances-us-mexico-border-enforcement-review-consequence-delivery-system</a>.



prosecuting all unauthorized immigrant adults for the federal misdemeanor crime of illegal entry, separating children from parents in the process. More than 2,500 children were separated from their parents before President Trump, in response to public outcry and a federal court injunction, signed an executive order ending family separations in June. The zero-tolerance policy for adults crossing without children remains in place, however, and other relatives apprehended with children are still being separated. Advocates and legal service providers in Texas, many based in Houston, have been involved in identifying and assisting separated parents and children, as most separations happened in the Rio Grande Valley Sector in South Texas, though many parents and children were subsequently transferred to detention facilities around the country.

The administration has also announced the end of the DACA program and terminated TPS for some countries, two types of temporary immigration benefits that provide work authorization and protect more than 1 million immigrants from deportation nationwide.<sup>28</sup> The courts have temporarily enjoined DACA's rescission, leaving the program's approximately 702,000 beneficiaries—an estimated 36,000 of whom live in the Houston metropolitan area—protected, but with uncertain futures (see Section V.A).<sup>29</sup> The Trump administration's announcement that TPS would end for six countries including El Salvador and Honduras, whose nationals are well represented in the Houston area, has not been blocked by the courts and is set to take effect over the next two years (see Section V.B).<sup>30</sup>

Taken together, these policy changes have greatly increased demand for immigration services—legal and otherwise—in Houston and other parts of Texas. Affected populations potentially in need of services include DACA recipients and TPS holders, asylum seekers, and members of the unauthorized population. Additionally, large numbers of legal permanent residents will likely continue to seek assistance with their naturalization applications, as demand for naturalization is at a record high and wait times growing.<sup>31</sup>

## III. Profile of the Area's Foreign-Born Population

In 2017, the Houston metropolitan area was home to 1.6 million immigrants, making it the fifth largest foreign-born population in the United States after New York City, Los Angeles, Miami, and Chicago. Immigrants represented 24 percent of Houston's overall population. Notably, between 2010 and 2017, Houston's foreign-born population grew at the highest rate among these five large metro areas: 23

In the past, adults apprehended without children were prosecuted, but the policy shift announced by the attorney general in April 2018 meant that for the first time, adults apprehended with children would be prosecuted in large numbers in federal court. Since children cannot be prosecuted in federal court, this meant parents and children would be detained separately until the parents' cases had run their course. See Muzaffar Chishti and Jessica Bolter, "Family Separation and 'Zero-Tolerance' Policies Rolled Out to Stem Unwanted Migrants, But May Face Challenges," Migration Information Source, May 24, 2018, www.migrationpolicy.org/article/family-separation-and-zero-tolerance-policies-rolled-out-stem-unwanted-migrants-may-face; Memorandum from Attorney General Jeff Sessions to All Federal Prosecutors, Renewed Commitment to Criminal Immigration Enforcement, April 11, 2018, www.justice.gov/opa/press-release/file/956841/download.

<sup>27</sup> After the executive order, parents apprehended at the border were no longer prosecuted for illegally entry and therefore no longer separated from their children; instead, some families are being held in detention together for a short period of time, while others are being released into the community. But other adults apprehended with children (e.g., grandparents, aunts, and uncles), and those apprehended without children continue to be prosecuted in larger numbers than before the attorney general's April 2018 policy memo. See Donald J. Trump, "Executive Order 13841 as of June 20, 2018: Affording Congress an Opportunity to Address Family Separation," *Federal Register* 83, no. 122 (June 25, 2018): 29435–36, <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-06-25/pdf/2018-13696.pdf">www.gpo.gov/fdsys/pkg/FR-2018-06-25/pdf/2018-13696.pdf</a>.

<sup>28</sup> Pierce, Bolter, and Selee, Trump's First Year on Immigration Policy.

<sup>29</sup> U.S. Citizenship and Immigration Services (USCIS), "Approximate Active DACA Recipients" (dataset, May 31, 2018), www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/DACA\_Expiration\_Data\_May\_31\_2018.pdf.

<sup>30</sup> Pierce, Bolter, and Selee, Trump's First Year on Immigration Policy.

<sup>31</sup> Alexa Ura, "Under Trump, the Backlog of U.S. Citizenship Applications in Texas is Growing," *Texas Tribune*, August 9, 2018, www.texastribune.org/2018/08/09/trump-texas-backlog-citizenship-naturalization-applications/.



percent, compared with 17 percent for Miami, 9 percent for New York City, and no significant growth in Los Angeles or Chicago.<sup>32</sup>

## A. Geographic Concentration

Houston's foreign-born population is highly concentrated, with three-quarters of immigrants in the metropolitan area living in Harris County as of 2016 (see Table 1). But from 2010 through 2016, the foreign-born population grew more quickly in some of the 11 suburban counties than it did in Harris County, which encompasses the city of Houston. The counties with the highest growth rates were Matagorda, Liberty, Fort Bend, and Montgomery. Though 2017 ACS data were not yet available for all 12 counties when this report was published, early data show that the Harris County share of the area's immigrants remained steady.<sup>33</sup>



Figure 1. The 12-County Houston Metropolitan Area

*Note:* This study describes the Houston metropolitan area as comprised of 12 counties, based on the boundaries available in the U.S. Census Bureau's American Community Survey (ACS) public use microdata. *Source:* Compilation by the authors.

<sup>32</sup> U.S. Census Bureau, "American FactFinder—B05002: Place of Birth by Citizenship Status—2010, 2016, and 2017 American Community Survey 1-Year Estimates," accessed September 14, 2018, <a href="https://factfinder.census.gov/">https://factfinder.census.gov/</a>.

<sup>33</sup> In 2017, Harris County had 1,224,000 foreign-born residents, 18,000 more than in 2016. The Fort Bend County foreign-born population grew by 16,000, and data for the remaining ten counties either showed no substantial growth or had not been released at the time of publication. Ibid.



Table 1. Houston Metropolitan Area Foreign-Born Population, by County, 2010 and 2016

	2010	2016	Change 2010 to 2016	Percent Change (%)
Total 12-county metro area	1,307,000	1,598,000	291,000	22
Harris County	1,020,000	1,206,000	186,000	18
Fort Bend County	142,000	206,000	64,000	45
Montgomery County	55,000	76,000	21,000	38
Brazoria County	38,000	45,000	7,000	18
Galveston County	27,000	33,000	6,000	22
Liberty County	5,000	8,000	3,000	60
Waller County	6,000	8,000	2,000	33
Matagorda County	3,000	5,000	2,000	67
Wharton County	4,000	4,000	0	0
Austin County	3,000	3,000	0	0
Chambers County	2,000	2,000	0	0
Colorado County	2,000	2,000	0	0

*Notes:* Because of differences in geographic boundaries and data years, the figures shown in this table may not match totals for the Houston metropolitan area overall. This study describes the Houston metropolitan area as comprised of 12 counties, based on the boundaries used by the ACS. The figures for 2010 represent a three-year average of ACS data (2008–10), pooled to increase accuracy.

Sources: U.S. Census Bureau, "American FactFinder—C05002: Place of Birth by Citizenship Status—2008–10 American Community Survey 3-Year Estimates," accessed August 4, 2018, <a href="https://factfinder.census.gov/">https://factfinder.census.gov/</a>; U.S. Census Bureau, "American FactFinder—K200503: Place of Birth in the United States—2016 American Community Survey 1-Year Estimates," accessed August 4, 2018, <a href="https://factfinder.census.gov/">https://factfinder.census.gov/</a>.

## B. Most Common Countries of Origin

Immigrants from Mexico and Central America accounted for slightly more than half of the Houston area's foreign-born population in 2017. As in previous years, Mexico remained the top origin country, accounting for 38 percent of all immigrants in Houston: 612,000 out of 1.6 million (see Table 2). And while the number of Mexican immigrants grew by 2 percent between 2010 and 2017, this growth slowed in recent years and between 2016 and 2017 the number fell by 4 percent (not shown in table).<sup>34</sup>

Some other origin groups grew much more rapidly. The fastest growing immigrant populations were Cubans and Venezuelans—two groups that include large shares of asylum seekers—each of which more than tripled in size from 2010 to 2017. The Nigerian population also grew rapidly, more than doubling. Looking at broader regions of origin, African immigrants had the highest growth rate (82 percent) but were still a relatively small group of just 95,000 people in 2017, or 6 percent of the total Houston immigrant population.

The Northern Triangle of Central America represents another important region of origin for immigrants in the Houston area. Combined, the 246,000 immigrants from El Salvador, Guatemala, and Honduras made up 15 percent of the Houston foreign-born population. Over the 2010–17 period, the Honduran-born population grew the fastest (59 percent), followed by the Guatemalan and Salvadoran born (42 percent and 22 percent, respectively). Overall, the Central American immigrant population in the area grew by 34 percent from 2010 to 2017.

<sup>34</sup> Nationwide, the number of Mexican immigrants fell by 2 percent from 2016 to 2017, while the total foreign-born population rose by 2 percent. See U.S. Census Bureau, "American FactFinder—B05006: Place of Birth for the Foreign-Born Population in the United States—2010, 2016, and 2017 American Community Survey 1-Year Estimates," accessed September 14, 2018, <a href="https://factfinder.census.gov/">https://factfinder.census.gov/</a>.



The Asian immigrant population grew by 29 percent during this period, and in 2017, there were 410,000 Asian immigrants in the Houston area, representing one-quarter of its total foreign-born population. Substantial numbers came from India, Vietnam, China, the Philippines, Pakistan, Korea, and Taiwan. Some groups of Asian immigrants (including those from India, China, the Philippines, and Pakistan) grew relatively rapidly, while others (e.g., those from Vietnam, Korea, and Taiwan) grew more slowly in the 2010–17 period (for a longer list of origin countries, see Appendix A).

Table 2. Top 20 Origin Countries of the Houston Metropolitan Area Foreign-Born Population, 2010 and 2017

		2010	2017	Change 2010 to 2017	Percent Change (%)
	Total immigrants from all countries	1,332,000	1,629,000	298,000	22
1	Mexico	601,000	612,000	11,000	2
2	El Salvador	106,000	129,000	23,000	22
3	India	60,000	93,000	33,000	54
4	Vietnam	80,000	91,000	11,000	13
5	Honduras	44,000	70,000	26,000	59
6	China*	36,000	48,000	12,000	32
7	Guatemala	33,000	47,000	14,000	42
8	Nigeria	17,000	41,000	24,000	139
9	Philippines	26,000	38,000	12,000	45
10	Cuba	11,000	36,000	25,000	223
11	Pakistan	23,000	34,000	11,000	49
12	Venezuela	10,000	33,000	23,000	223
13	Colombia	17,000	26,000	9,000	52
14	United Kingdom**	18,000	24,000	6,000	37
15	Canada	12,000	18,000	6,000	47
16	Korea	13,000	14,000	1,000	10
17	Taiwan	11,000	12,000	1,000	12
18	Iran	9,000	11,000	2,000	31
19	Peru	6,000	11,000	5,000	80
20	Germany	8,000	8,000	0	-7

Notes: These data are for the official Houston metropolitan area, as defined by the U.S. Census Bureau, and not the 12-county area defined by the boundaries in the ACS microdata used for other tables in this report. Percent changes are based on unrounded numbers. For a more complete list of Houston immigrants' origin countries, see Appendix A. Source: U.S. Census Bureau, "American FactFinder—B05006: Place of Birth for the Foreign-Born Population in the United States—2010 and 2017 American Community Survey 1-Year Estimates," accessed September 14, 2018, https://factfinder. census.gov/.

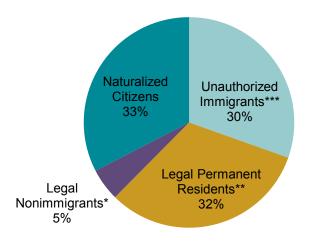
<sup>\*</sup> China excludes Hong Kong and Taiwan.
\*\* United Kingdom includes crown dependencies.



## IV. Immigrants by Citizenship and Legal Status

The Houston area's foreign-born population is made up of roughly equal shares of immigrants who are naturalized U.S. citizens, legal permanent residents (LPRs, also known as green-card holders), and unauthorized immigrants (see Figure 2). Out of a total of 1.66 million foreign-born Houston residents,<sup>35</sup> 541,000 were naturalized citizens and 531,000 were LPRs.<sup>36</sup>

Figure 2. Legal Status of the Houston Metropolitan Area Foreign-Born Population, 2012–16



<sup>\*</sup> Legal nonimmigrants are temporary-visa holders such as international students, H-1B high-skilled workers, and H-2A low-skilled agricultural workers; short-term visitors such as tourists are not included.

\*\* Legal permanent residents are also known as green-card holders.

MPI estimates that 506,000 unauthorized immigrants lived in the Houston area in 2016, representing 30 percent of all immigrants and 7.5 percent of the overall resident population of 6.8 million.<sup>37</sup> As is the case nationwide, these unauthorized immigrants include some who entered the United States illegally, usually by crossing the border with Mexico, as well as others who had valid visas but overstayed them or otherwise violated the terms of their admission. The unauthorized immigrant population also includes all DACA recipients and TPS holders, and some asylum applicants. Compared to an earlier MPI estimate of the unauthorized population in Houston (407,000 individuals in 2014), this 2016

<sup>\*\*\*</sup> Unauthorized immigrants include those who entered the country illegally as well as those who overstayed their visas. Also included in this group are DACA recipients, TPS holders, and some asylum applicants.

Note: These data are for the 12-county Houston metropolitan area, based on ACS boundaries.

Source: Migration Policy Institute (MPI) analysis of pooled 2012–16 ACS data and 2008 Survey of Income and Program Participation (SIPP) data, with legal status assignments by James Bachmeier of Temple University and Jennifer Van Hook of Pennsylvania State University.

<sup>35</sup> The total number of immigrants in the MPI analysis of ACS data is 4 percent higher than the official Census Bureau estimate based on the 2016 ACS (1.59 million for the Houston metropolitan area) because MPI assumes that some unauthorized immigrants are not counted in Census surveys. Additionally, the MPI analysis pools five years of ACS data (2012–16), while the 2016 estimate shown earlier is based on single-year 2016 ACS data. Throughout, the text of this report refers to data year 2016, which generally includes the five-year pooled sample of ACS data.

<sup>36</sup> Nationwide, about two-thirds of legal permanent residents (LPRs) are sponsored by family members (spouses, parents, children, or siblings), while the remaining third are admitted as refugees or asylees, based on offers of employment, or through the diversity lottery program. See U.S. Department of Homeland Security (DHS), Office of Immigration Statistics, "Table 6. Persons Obtaining Lawful Permanent Resident Status By Type And Major Class Of Admission: Fiscal Years 2014 To 2016" (dataset from the 2016 Yearbook of Immigration Statistics, DHS, Washington, DC, December 28, 2017), <a href="https://www.dhs.gov/immigration-statistics/yearbook/2016/table6">www.dhs.gov/immigration-statistics/yearbook/2016/table6</a>. After five years in LPR status—or three years, if married to a U.S. citizen—an LPR is eligible to naturalize.

<sup>37</sup> This population is higher than the official Census Bureau estimate of 6.9 million in 2016, because it is an average of the total population across a five-year period (2012–16) during which the total population grew quickly.



estimate represents an increase of about 25 percent—a higher growth rate than that of the overall Houston immigrant population (19 percent).<sup>38</sup>

The subsections that follow examine how immigrants with different legal statuses living in the Houston metropolitan area compare in terms of key socioeconomic indicators. This comparison sheds light on important differences within the Houston immigrant population. This analysis is mostly descriptive in nature and does not analyze the structural factors behind the demographic differences between groups of immigrants. The next section of the report will then take a closer look at three groups that intersect with the unauthorized population and who have been particularly affected by national immigration policy changes under the Trump administration: DACA beneficiaries, TPS holders, and asylum seekers.<sup>39</sup>

## A. Geographic Distribution of Unauthorized and Legal Immigrants

Of the area's estimated 506,000 unauthorized immigrants, 81 percent lived in Harris County in 2016 (see Table 3). Within Harris County, 32 percent of immigrants were unauthorized, a share slightly above the Houston metro area average of 30 percent. The concentration of unauthorized immigrants in Harris County (as well as its large overall foreign-born population) means that demand is high in the county for immigration legal services, including those that offer assistance with DACA renewals and deportation defense.

# Within Harris County, 32 percent of immigrants were unauthorized, a share slightly above the Houston metro area average of 30 percent.

Unauthorized immigrants comprised smaller shares of the immigrant populations in Fort Bend and Brazoria Counties, but larger shares in Montgomery County and the smaller, outlying suburban counties. By contrast, immigrants in Fort Bend and Brazoria Counties were more likely to be naturalized citizens and less likely to be unauthorized than in other parts of the metro area. This pattern may reflect the fact that both counties had relatively high shares of Asian immigrants and lower shares of Latino immigrants, as Asian immigrants are less likely to be unauthorized and more likely to be citizens.

<sup>38</sup> MPI includes TPS holders in its unauthorized estimate for 2016; they were excluded in 2012. TPS holders amounted to 4 percent of the unauthorized (21,000 out of 506,000) in the Houston area in 2016. See Randy Capps, Michael Fix, and Chiamaka Nwosu, *A Profile of Immigrants in Houston, the Nation's Most Diverse Metropolitan Area* (Washington, DC: MPI, 2015), www.migrationpolicy.org/research/profile-immigrants-houston-nations-most-diverse-metropolitan-area.

<sup>39</sup> Examination of these three groups is important to understanding of the unauthorized population both because they often share origin countries and socioeconomic characteristics, and because many immigrants in these groups may become unauthorized if DACA ends, their countries are no longer designated for TPS, or their asylum claims are rejected.



Table 3. Houston Metropolitan Area Foreign-Born Population, by Immigration Status and County, 2012– 16

	Total Foreign Born	Naturalized Citizens	Legal Permanent Residents	Legal Nonimmigrants	Unauthorized Immigrants	Unauthorized Share of the Foreign Born (%)
Total 12-county metro area	1,662,000	541,000	531,000	83,000	506,000	30
Harris County	1,276,000	379,000	424,000	61,000	412,000	32
Fort Bend County	199,000	100,000	49,000	15,000	36,000	18
Montgomery, Chambers, and Liberty Counties	86,000	24,000	27,000	5,000	29,000	34
Brazoria County	48,000	21,000	14,000	< 2,000	11,000	23
Galveston County	32,000	12,000	10,000	< 2,000	10,000	31
Austin, Matagorda, Waller, Wharton, and Colorado Counties	20,000	5,000	7,000	< 2,000	8,000	40

*Notes:* Counties are grouped according to boundaries used in the ACS public use data. The total foreign-born population shown here may exceed official U.S. Census Bureau estimates based on ACS data, because these estimates undercounted immigrants. These totals may also differ from those given in other tables in this report because they use five-year pooled data, not a single-year sample for 2016. Populations of less than 2,000 are not displayed because estimates of small populations have high margins of error.

Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and Van Hook.

## B. National Origins

Compared to the diversity of Houston's overall immigrant population, unauthorized immigrants come from a narrower set of countries. In the Houston area, as nationally, unauthorized immigrants are predominantly from Mexico and Central America. In 2016, 78 percent of the Houston area's unauthorized population was born in Mexico, El Salvador, Guatemala, or Honduras (see Table 4). This share is higher than the same figure for unauthorized immigrants nationwide (66 percent), a difference that may be due to Houston's proximity to the U.S.-Mexico border and that suggests a relatively high share of immigrants who crossed the border illegally rather than overstayed a visa. Nationwide, immigrants who overstayed a visa comprise an estimated 42 percent of the unauthorized population, and that share has been rising as overstays have outnumbered illegal border crossings since 2007.<sup>40</sup>

This distinction between border crossers and visa overstays has implications for an immigrant's future legal immigration options. Unauthorized immigrants are barred from legal admission to the United States for certain periods of time, but there are more exceptions to these bars for those who have overstayed a

<sup>40</sup> Robert Warren and Donald Kerwin, "The 2,000 Mile Wall in Search of a Purpose: Since 2007 Visa Overstays Have Outnumbered Undocumented Border Crossers by a Half Million," *Journal on Migration and Human Security* 5, no .1 (2017): 124–36.



visa than there are for those who have crossed the U.S. border illegally. <sup>41</sup> Thus, opportunities to adjust to legal status are generally more limited for Mexican and Central American unauthorized immigrants, most of whom crossed into the United States illegally, than for other unauthorized populations comprised mainly of visa overstayers.

Table 4. Top Origin Countries of the Unauthorized Immigrant Population in the Houston Metropolitan Area, 2012–16

	Origin Country	Number of Unauthorized Immigrants	Share of the Unauthorized Population (%)
	Total all countries	506,000	100.0
1	Mexico	290,000	57.3
2	El Salvador	55,000	10.9
3	Honduras	31,000	6.1
4	Guatemala	20,000	4.0
5	Vietnam	11,000	2.3
6	India	11,000	2.3
7	China	9,000	1.8
8	Philippines	8,000	1.5
9	Nigeria	7,000	1.4
10	Colombia	6,000	1.2
11	Pakistan	5,000	1.1
12	Venezuela	4,000	0.7
13	Nicaragua	3,000	0.5
14	United Kingdom	2,000	0.5
15	Peru	2,000	0.4
16	Korea	2,000	0.4

Notes: This table shows only populations of more than 2,000 because estimates of small populations have high margins of error. These data are for the 12-county Houston metropolitan area, based on ACS boundaries.

Source: MPI analysis of 2012-16 ACS data (pooled) and 2008 SIPP, with legal status assignments by Bachmeier and Van Hook.

## C. Family Structure

Many unauthorized immigrants live in mixed-status families with LPR or U.S.-citizen relatives. In 2016, 20 percent of unauthorized adults (age 15 and older) in Houston were married to either a green-card holder or U.S. citizen, as shown in Table 5. Another 26 percent were married to either another unauthorized immigrant or, in a small number of cases, a legal noncitizen (e.g., an international student or temporary worker).

Marriage to a U.S. citizen is the quickest pathway to a green card for any noncitizen. For some unauthorized immigrants—those who have overstayed a visa or are able to prove that their absence

<sup>41</sup> In order to apply for LPR status, unauthorized immigrants who have been in the United States for at least six months must leave the country and wait either three or ten years (depending on their length of stay in the country) before their applications for permanent residency may be accepted. There are exceptions for some immigrants who overstayed their visas—as opposed to those who crossed into the United States illegally—and for a small number of other unauthorized immigrants who can show that their absence would cause extreme hardship to U.S.-citizen or LPR family members. See American Immigration Council, *The Three- and Ten-Year Bars: How New Rules Expand Eligibility for Waivers* (Washington, DC: American Immigration Council, 2016), <a href="https://www.americanimmigrationcouncil.org/sites/default/files/research/three\_and\_ten\_year\_bars.pdf">www.americanimmigrationcouncil.org/sites/default/files/research/three\_and\_ten\_year\_bars.pdf</a>.



would cause a U.S.-citizen or LPR family member extreme hardship—it may also allow them to adjust their status without leaving the country and spending often lengthy wait times abroad.

Table 5. Marital Status and Spouse's Immigration Status for Unauthorized Immigrants (age 15 and over) in the Houston Metropolitan Area, 2012–16

	Number of Unauthorized Immigrants	Share of Total (%)
Total population (age 15 or over)	472,000	100
Married to a U.S. citizen	59,000	12
Married to a legal permanent resident (LPR)	39,000	8
Married to an immigrant who is not a U.S. citizen or LPR*	122,000	26
Never married	169,000	36
Divorced, separated, or widowed	83,000	18

<sup>\*</sup> Almost all noncitizen/non-LPR spouses of unauthorized immigrants are also unauthorized. Fewer than 2,000 are legal nonimmigrants.

Note: These data are for the 12-county Houston metropolitan area, based on ACS boundaries.

Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and

Of the estimated 98,000 unauthorized immigrants in the Houston metropolitan area married to a U.S. citizen or LPR,42 it is likely that many would not be able to qualify for a green card without first leaving the country because they entered illegally and do not qualify for a hardship exemption. Moreover, the Trump administration is in the process of developing a "public charge" rule that would bar potential immigrants from entering the country and restrict the ability of those already present to adjust their legal status if they or their dependent family members (including U.S.-citizen spouses and children) have used public benefits, such as cash welfare, food stamps, or Medicaid. Among the broader noncitizen population this public-charge rule would likely affect, some unauthorized immigrants married to U.S. citizens or LPRs, or who have U.S.-citizen or LPR children, may find it even more difficult in the future to adjust their status to become LPRs. Unauthorized immigrants are generally not eligible for public benefits; however, many live in families with U.S. citizens or LPRs whose use of such benefits could exclude them from adjusting their status, even if they leave the county for an extended period.<sup>43</sup>

In 2016, according to MPI estimates, 768,000 children in the Houston area had at least one immigrant parent, comprising 44 percent of all children in the area.

In addition to mixed-status families in which spouses have different legal statuses, it is also common for immigrant parents (including those who are unauthorized) and their children to have different legal statuses. In 2016, according to MPI estimates, 768,000 children in the Houston area had at least one

<sup>42</sup> Of these, 76,000 lived in Harris County, and 10,000 lived in Fort Bend County, with the remaining 12,000 living in other counties in the area.

<sup>43</sup> Unauthorized immigrants are ineligible for most public benefits, but there are no eligibility bars for their U.S.-citizen or LPR spouses and children. Because many unauthorized immigrants have family incomes below the poverty level, this make their spouses and children income-eligible for benefit programs. See Jeanne Batalova, Michael Fix, and Mark Greenberg, Chilling Effects: The Expected Public Charge Rule and Its Impact on Legal Immigrant Families' Public Benefits Use (Washington, DC: MPI, 2018), www.migrationpolicy.org/research/chilling-effects-expected-public-charge-rule-impact-legal-immigrantfamilies.



immigrant parent, comprising 44 percent of all children in the area (see Table 6).<sup>44</sup> Of these children of immigrants, approximately one-third had at least one unauthorized immigrant parent.

Table 6. Children under Age 18 in the Houston Metropolitan Area, by Parental Citizenship and Immigration Status, 2012–16

	Number of Children	Share of Total (%)
Total children under 18 with parents in the home	1,752,000	100
U.Sborn parents only	974,000	56
At least one foreign-born parent	768,000	44
One or more naturalized-citizen parents (no noncitizen parents)	199,000	11
One or more legal noncitizen parents (no unauthorized parents)	311,000	18
One or more unauthorized parents	258,000	15

*Notes:* Children without parents in the home are excluded. Legal noncitizens include both legal permanent residents (LPRs, also known as green-card holders) and nonimmigrants, such as international students and temporary workers. These data are for the 12-county Houston metropolitan area, based on ACS boundaries.

Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and Van Hook.

Eighty-six percent of children of immigrants in Houston were U.S. citizens, as were 80 percent of children of unauthorized immigrants—a pattern similar to the one seen at the national level. But even within the same family, children may have different legal statuses; in many unauthorized immigrant families, for example, the older children are unauthorized while the younger children are U.S. citizens. Nationally, 40 percent of adolescent children (ages 15 to 17) with unauthorized parents are unauthorized themselves, compared to less than 10 percent of those under age 5.

## D. Educational Attainment

Immigrants in the Houston area with different immigration statuses tend also to have different levels of education. LPRs and unauthorized immigrants in the area have roughly equivalent educational attainment, though this level is, on average, lower than that of citizens, both naturalized and the U.S. born. In 2016, about half of LPRs and unauthorized immigrants lacked a high school education, compared with 23 percent of naturalized citizens and just 10 percent of U.S.-born adults age 25 and over (see Figure 3). Nonetheless, more than one-quarter of both LPRs and unauthorized immigrants had at least some college education, as did 59 percent of naturalized citizens and 66 of the native born. More than 80 percent of legal nonimmigrants had a four-year college degree, reflecting the fact that many were graduate students, H-1B workers (who are required by law to have at least a four-year degree), or other high-skilled workers.

The Census Bureau's official estimate of children with immigrant parents in the Houston metropolitan area, based on the 2012-16 ACS (pooled), is 728,000, or 5 percent lower than MPI's estimate of 768,000. MPI's estimate incorporates unauthorized immigrants who were potentially undercounted in the ACS. See U.S. Census Bureau, "American FactFinder—B05006."

<sup>45</sup> Randy Capps, Michael Fix, and Jie Zong, *A Profile of U.S. Children with Unauthorized Immigrant Parents* (Washington, DC: MPI, 2016), www.migrationpolicy.org/research/profile-us-children-unauthorized-immigrant-parents.



U.S.-Born Citizens

Total Foreign Born

Naturalized Citizens

Legal Nonimmigrants

Legal Permanent

Figure 3. Educational Attainment of Houston Metropolitan Area Residents (age 25 and over), by Immigration Status, 2012–16

Note: These data are for the 12-county Houston metropolitan area, based on ACS boundaries. Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and Van Hook.

40%

20%

60%

High school but no college

■ Bachelor's (4-year) college degree

80%

100%

## E. English Proficiency and Bilingualism

0%

Some college or associate's (2-year) degree

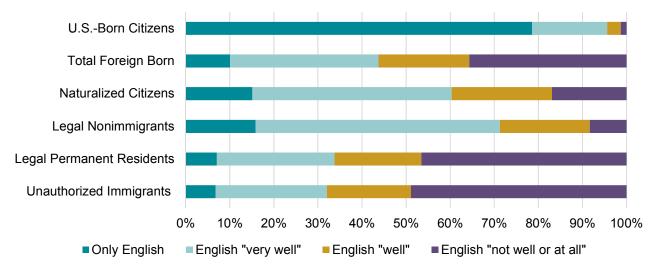
Residents

Less than high school

**Unauthorized Immigrants** 

As with educational attainment, there is variation among Houston immigrants in terms of English proficiency. LPRs and unauthorized immigrants have similar levels of proficiency: as of 2016, about half of each group spoke English less than very well—a level the U.S. Census Bureau describes as limited English proficient (LEP) (see Figure 4). Despite their much higher levels of formal education, substantial shares of legal nonimmigrants (29 percent) and naturalized citizens (40 percent) were also LEP. With large numbers of LEP immigrants in Houston—including an estimated 340,000 unauthorized immigrants and 350,000 green-card holders—demand is high for interpretation and translation, particularly among noncitizens seeking immigration legal services.

Figure 4. English Proficiency of Houston Metropolitan Area Residents (age 5 and over), by Immigration Status, 2012–16



Note: These data are for the 12-county Houston Metropolitan Area, based on ACS boundaries. Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and Van Hook.



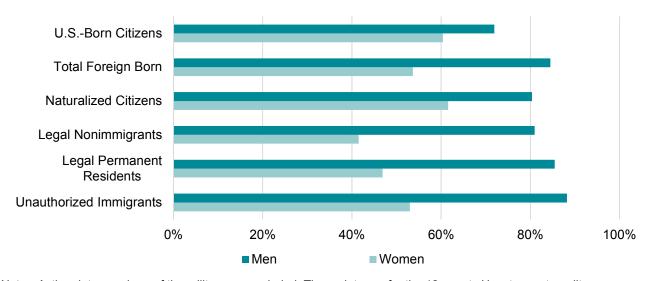
Houston is also home to a large bilingual population, with a total of 1.3 million residents speaking a language other than English at home and also speaking English very well as of 2016. Even among U.S.-born citizens, 21 percent were bilingual—many likely as a result of being the children of immigrants.

## F. Labor-Force Participation

In Houston, as nationally, foreign-born men are more likely to work than U.S.-born men, while the reverse is true for women. In 2016, unauthorized immigrant men had the highest labor-force participation rate of any group of adults (age 16 and over): 88 percent (see Figure 5). Men who held green cards, were naturalized citizens, or legal nonimmigrants had slightly lower rates of between 80 percent and 85 percent. By comparison, 72 percent of U.S.-born men were in the labor force. The slightly lower rates among naturalized and U.S.-born citizen men are a reflection of the fact that these groups are made up of larger shares of individuals age 55 and over, many of whom are likely to be retired.

Among women, U.S.-born and naturalized citizens had the highest labor-force participation of any group, at about 60 percent each in 2016. Participation was lowest among legal nonimmigrants (42 percent), followed by LPRs (47 percent) and unauthorized immigrants (53 percent). The low rate among legal nonimmigrant women may reflect the fact that many are either students or dependents of H-1B holders or other temporary workers, and as such not allowed to work, while among LPR and unauthorized immigrant women it may reflect the choices of families who have children but cannot afford child care outside the home. The choices of families who have children but cannot afford child care outside the home.

Figure 5. Labor-Force Participation of Houston Metropolitan Area Residents (age 16 and over), by Immigration Status and Gender, 2012–16



*Notes:* Active-duty members of the military are excluded. These data are for the 12-county Houston metropolitan area, based on ACS boundaries.

Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and Van Hook.

<sup>46</sup> Some legal nonimmigrants are students and not allowed to work under U.S. immigration law, while others such as H-1B workers are brought in on visas for specific jobs. Still others may be the dependent family members of H-1B holders and other workers, who are also ineligible to work. Men are more likely to be the principal visa holders (i.e., the workers) in H-1B and other temporary-worker families, while women are more likely accompany them as dependents.

<sup>47</sup> National Academies of Sciences, Engineering, and Medicine, *The Integration of Immigrants into American Society*, eds. Mary C. Waters and Marisa Gerstein Pineau (Washington, DC: National Academies Press, 2015), <a href="www.nap.edu/catalog/21746/the-integration-of-immigrants-into-american-society">www.nap.edu/catalog/21746/the-integration-of-immigrants-into-american-society</a>; Hirokazu Yoshikawa, *Immigrants Raising Citizens: Undocumented Parents and Their Young Children* (New York: Russel Sage Foundation, 2012).



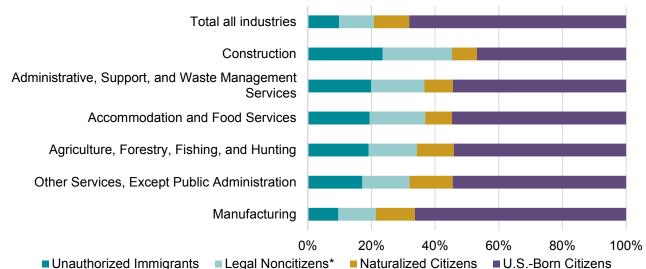
For immigrant men in the labor force, unemployment rates were low in Houston (less than 5 percent as of 2016). The rate was slightly higher for U.S.-born men, at 7 percent.<sup>48</sup> By contrast, unemployment was higher for immigrant women, at more than 8 percent, than for U.S.-born women (7 percent).

## G. Industries of Employment

In 2016, 32 percent of Houston metro area workers were immigrants. Unauthorized immigrants comprised 10 percent of all workers, a share higher than their proportion of the Houston population (8 percent). Legal noncitizens—including both LPRs and nonimmigrants, such as H-1B workers—also comprised a larger share of workers (11 percent) than of the population (9 percent).

In some industries, the immigrant share of workers was even higher. Unauthorized immigrants alone comprised 24 percent of all Houston construction workers, and legal noncitizens comprised another 22 percent; this was the most common industry of employment for both groups (see Figure 6). A total of about 161,000 foreign-born workers held construction jobs in the Houston area in 2016, making them both a large share of the industry's workforce and an important resource in efforts to rebuild damaged homes, businesses, and infrastructure in the wake of Hurricane Harvey.

Figure 6. Houston Metropolitan Area Residents (age 16 and over) Employed in Select Major Industries, by Immigration Status, 2012–16



Notes: Legal noncitizens include both LPRs and nonimmigrants such as H-1B workers; more than 90 percent of immigrants in this category are LPRs. Active-duty members of the military are excluded. These data are for the 12-county Houston metropolitan area, based on ACS boundaries. For a more detailed breakdown of employment by industry and legal status, see Appendix B.

Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and Van Hook.

Other industries with high concentrations of unauthorized immigrant and legal noncitizen workers included administrative support occupations; accommodation and food services; and agriculture, forestry, fishing, and hunting. <sup>49</sup> Unauthorized immigrants were underrepresented in industries such as corporate management, public administration, finance and insurance, and education services, many

<sup>48</sup> These are average unemployment rates based on five-year pooled ACS data (2012–16), and they include a period when unemployment was relatively high in Houston due to a downturn in the oil and gas industry. Unemployment rates have likely fallen substantially since the time these data were collected.

<sup>49</sup> However, it should be noted that relatively few Huston residents of any immigration status were employed in agriculture, forestry, fishing, and hunting—12,000 in all.



of which require professional licenses or training that may be difficult for unauthorized workers to obtain. <sup>50</sup> (For a more detailed breakdown of employment by industry and legal status, see Appendix B.)

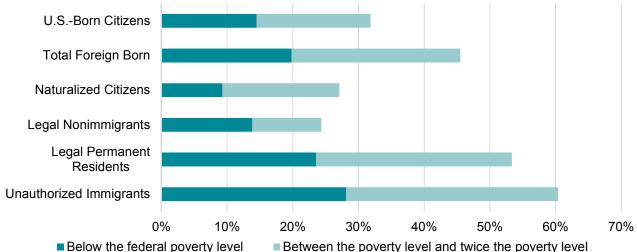
Legal noncitizens living in the Houston metropolitan area were similarly distributed across industries, but they were somewhat better represented in fields that require certifications or training, such as mining; management; finance and insurance; educational services; health care and social assistance; and professional, scientific, and technical services. Four industries had substantial numbers of H-1B and other nonimmigrant workers (more than 5,000 each): professional, scientific, and technical services; manufacturing; mining, quarrying, and oil and gas extraction; and educational services.

## H. Poverty Levels

In Houston, immigrants are substantially more likely to be poor than U.S.-born residents, but this poverty is concentrated among certain noncitizen groups. In 2016, 14 percent of the U.S.-born population had incomes below the federal poverty level, and 31 percent had incomes below twice the poverty level (see Figure 7).<sup>51</sup> The poverty rate was lower for naturalized citizens (9 percent), likely a function of their older average age, greater labor-market experience, and higher earnings. Legal nonimmigrants had a poverty rate of 14 percent, roughly the same as that of the U.S. born.<sup>52</sup>

By contrast, unauthorized immigrants and green-card holders in Houston had considerably higher poverty rates, at 28 percent and 24 percent, respectively. And more than half of unauthorized immigrants and LPRs had incomes below twice the poverty level (about \$48,000 for a family of four, as of 2016). High poverty levels among these noncitizens mean that many are unable to afford attorneys to help them navigate immigration processes, generating substantial demand for pro bono and subsidized legal services.

Figure 7. Share of Houston Metropolitan Area Residents with Poverty-Level Incomes, by Immigration Status, 2012–16



*Notes:* Poverty levels are calculated for individuals based on family size and annual income. The federal poverty level was \$24,300 for a family of four in 2016, higher for larger families and lower for smaller ones. These data are for the 12-county Houston metropolitan area, based on ACS boundaries. *Source:* MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and

Van Hook.

<sup>50</sup> Overall, unauthorized immigrants represented less than 5 percent of workers in the following industries: management of companies and enterprises; public administration; finance and insurance; educational services; professional, scientific, and technical services; information; utilities; mining, quarrying, and oil and gas extraction; health care and social assistance.

<sup>51</sup> The 2016 poverty rate for all Houston area residents was 15 percent, about the same as the national average, according to five-year pooled ACS data for 2012–16. See U.S. Census Bureau, "American FactFinder—S1701: Poverty Status in the Past 12 Months—2012-2016 American Community Survey Estimates," accessed August 8, 2018, https://factfinder.census.gov/.

<sup>52</sup> Legal nonimmigrants are a diverse group that includes students, many of whom are poor because they do not work while in school, as well as high-skilled workers such as H-1B holders employed in technical occupations and L-1 managers, who are unlikely to be poor.



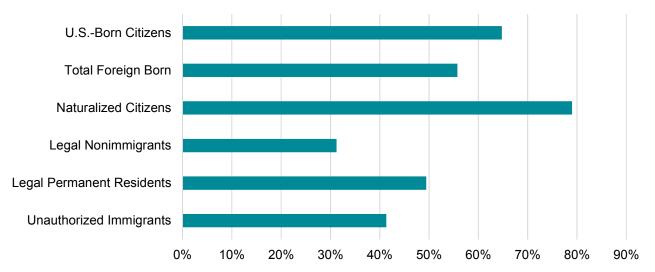
## I. Home Ownership

Most immigrants in the Houston area own their own homes. As of 2016, 56 percent of all immigrants in the area lived in owned homes, not far behind the rate of 65 percent for the U.S.-born population (see Figure 8).<sup>53</sup> Despite recent increases in home prices, Houston ranked 39th in median home prices among the 100 largest U.S. metro areas—making homes in the area more affordable on average than those in many other large cities in both Texas and other major immigrant destination states such as California.<sup>54</sup>

## 56 percent of all immigrants in the area lived in owned homes, not far behind the rate of 65 percent for the U.S.-born population.

Among immigrants in Houston, homeownership was highest for naturalized citizens (at 79 percent, a rate that outstrips that of the U.S. born). The rate was lower for green-card holders (49 percent) and unauthorized immigrants (41 percent), the latter likely a reflection of lower income levels. Nonetheless, some unauthorized immigrants do own their own homes—something more likely to be the case for those who have lived in the country for a long period of time.<sup>55</sup>

Figure 8. Share of Houston Metropolitan Area Residents Living in Owned Homes, by Immigration Status, 2012–16



Note: These data are for the 12-county Houston metropolitan area, based on ACS boundaries. Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and Van Hook.

<sup>53</sup> Overall, 60 percent of Houston residents lived in owned homes, slightly below the U.S. average of 64 percent, which includes small cities and rural areas as well as larger urban centers. See U.S. Census Bureau, "American FactFinder—B25003: Tenure. Housing Estimates—2012-2016 American Community Survey Estimates," accessed August 8, 2018, <a href="https://factfinder.census.gov/">https://factfinder.census.gov/</a>.

<sup>54</sup> Kiplinger, "Home Prices in the 100 Largest Metro Areas," updated March 2018, <a href="www.kiplinger.com/tool/real-estate/T010-s003-home-prices-in-100-top-u-s-metro-areas/index.php">www.kiplinger.com/tool/real-estate/T010-s003-home-prices-in-100-top-u-s-metro-areas/index.php</a>.

<sup>55</sup> As of 2016, 62 percent of unauthorized immigrants residing in Houston had lived in the United States for at least ten years.



## V. Immigrants with Temporary Immigration Benefits

With the Trump administration's efforts to end DACA and TPS for some countries, and its changes to the U.S. asylum system, some immigrants living in Houston face considerable uncertainty about the future. Most unauthorized immigrants do not have a path to legal status—either because they do not have family members or employers who can sponsor them for a visa, or because of legal bars on their adjustment to LPR status as a result of illegal entry into the country. However, some who came to the United States as children have been able to access temporary protection from deportation through the DACA program, while other unauthorized immigrants from countries experiencing natural disaster or civil unrest have found it in the form of TPS. A subset of the TPS population may have held a visa at the time they applied for this status, but risk lapsing into unauthorized status should they lose this protection. A third group of immigrants—asylum seekers—have applied for humanitarian protection but may wait years for a decision in their case and more secure legal status, if the case is approved. Asylum seekers whose cases have not been decided within 180 days may apply for a work permit that enables them to seek legal employment while they wait for a judge to rule on their cases; however, unless asylum seekers have some other legal basis for being in the country, they are not considered legal immigrants until their applications have been approved.

These three populations can be described using a combination of ACS and U.S. government administrative data. <sup>56</sup> While they share some characteristics with the unauthorized population, members of these three groups often have work authorization, which allows them to obtain better-paid and higher-skilled jobs and to advance economically compared to the broader unauthorized population.

For service providers, understanding the make-up of these groups is particularly important as immigrants often require legal assistance to apply for protection initially, and in the case of DACA and TPS, to renew it. Legal aid and other similar organizations in Houston are likely to experience an increase in demand for services as the administration's policy changes take effect.

## A. DACA Recipients

In June 2012, the Obama administration announced Deferred Action for Childhood Arrivals (DACA), a program that offers a renewable two-year reprieve from deportation and work authorization to certain unauthorized immigrants who entered the United States as children. To qualify for DACA, unauthorized immigrants must:

- be at least 15 years old;
- have come to the United States before age 16;
- have continuously resided in the country since June 15, 2007;
- have been under the age of 31 as of June 15, 2012, and been physically present in the United States at that time;
- be enrolled in school, have graduated high school, have obtained a GED, or be discharged honorably from the armed forces; and
- have not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, or be a threat to national security or public safety.<sup>57</sup>

<sup>56</sup> These three groups are included in the unauthorized immigrant population totals presented earlier in the report, because they have national origins and other characteristics in common with the larger unauthorized population.

<sup>57</sup> USCIS, "Consideration of Deferred Action for Childhood Arrivals (DACA)—Guidelines," updated February 14, 2018, www.uscis.gov/archive/consideration-deferred-action-childhood-arrivals-daca#guidelines.



An estimated 77,000 unauthorized immigrants in the Houston area were potentially eligible for DACA, as of 2018 (see Table 7). Of these, 57,000 met all the eligibility criteria (marked "immediately eligible" in the table). Another 17,000 met all the criteria except school enrollment or a high-school degree and may qualify if they went back to school or enrolled in an adult education program that leads to a GED. A further 3,000 were under the age of 15 and would likely qualify in the future, when they reach that age.

As with the overall unauthorized population, most DACA-eligible immigrants lived in Harris County (82 percent), though Fort Bend and Montgomery Counties also had significant populations. In the other counties, there were fewer than 2,000 DACA-eligible immigrants.

Table 7. Immigrants in the Houston Metropolitan Area Estimated to be Eligible for Deferred Action for Childhood Arrivals, 2018

	Total potentially eligible	Immediately Eligible	Eligible but for Education	Eligible in the Future
Total 12-county metro area	77,000	57,000	17,000	3,000
Harris County	63,000	47,000	13,000	2,000
Fort Bend County	5,000	4,000	<2,000	<2,000
Montgomery, Chambers and Liberty counties	5,000	3,000	2,000	<2,000
Brazoria County	<2,000	<2,000	<2,000	<2,000
Galveston County	<2,000	<2,000	<2,000	<2,000
Austin, Matagorda, Waller, Wharton, and Colorado counties	<2,000	<2,000	<2,000	<2,000

Notes: Counties are grouped according to boundaries provided in the ACS public use data. "Immediately eligible" immigrants met all DACA eligibility criteria, those in the "but for education" category met all criteria except school enrollment or a high-school degree or equivalent, and immigrants "eligible in the future" were younger the program's minimum age of 15. Eligibility due to adult-education program enrollment and ineligibility due to criminal history or lack of continuous U.S. presence were not modeled due to lack of data. To capture the population eligible for DACA as of 2018 using 2016 ACS data, otherwise eligible 13- and 14-year-olds are included in the "immediately eligible population" rather than the "eligible in the future" population, assuming they remained enrolled in school (i.e., they were assumed to be two years older and still in school in 2018). Using high school dropout rates for DACA-eligible youth (ages 16 to 24), 14 percent of immediately-eligible 16- and 17-year-olds from the 2016 ACS data were shifted from the "immediately eligible" to the "eligible but for education" group as immigrants who have dropped out of high school do not qualify for DACA unless they enroll in a qualifying adult-education program. More precise figures are not shown for populations of less than 2,000 due to high margins of error in estimating small populations.

Source: MPI analysis of pooled 2012–16 ACS data and 2008 SIPP data, with legal status assignments by Bachmeier and

According to U.S. Citizenship and Immigration Services (USCIS), the Houston metropolitan area had almost 36,000 DACA recipients as of July 31, 2018. This represents 63 percent of the 57,000 unauthorized immigrants MPI estimated were immediately eligible, and 49 percent of those eligible on all counts except education are included (an additional 17,000 people). Houston was home to about 5 percent of DACA recipients nationwide (a total population of 704,000), ranking fifth among metro areas in terms of the size of its DACA population after Los Angeles, New York, Dallas, and Chicago. 58

In September 2017, the Trump administration announced the rescission of the DACA program, stating that new applications would no longer be accepted, effective immediately, and renewal applications would be accepted for a limited period after the announcement.<sup>59</sup> However, a series of federal court cases

Van Hook.

<sup>58</sup> USCIS, "Approximate Active DACA Recipients: Core Based Statistical Area" (dataset, July 31, 2018), <a href="www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/DACA Population Data July 31 2018.pdf">www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/DACA Population Data July 31 2018.pdf</a>.

<sup>59</sup> Memorandum from Elaine C. Duke, Acting Secretary of Homeland Security, to the Acting Director of USCIS, the Acting Director of ICE, the Acting Commissioner of U.S. Customs and Border Protection, the Acting General Counsel, the Assistant Secretary of International Engagement, and the Citizenship and Immigration Services Ombudsman, *Rescission of the June 15, 2012 Memorandum Entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children,"* September 5, 2017, <a href="www.dhs.gov/news/2017/09/05/memorandum-rescission-daca">www.dhs.gov/news/2017/09/05/memorandum-rescission-daca</a>.



enjoined the administration's cancellation of the DACA program.<sup>60</sup> At the time this report was written, the ultimate outcome of these court cases was uncertain, with action on the injunctions pending in the U.S. Supreme Court, and USCIS was renewing benefits for current DACA recipients and allowing prior recipients to reapply but not accepting first-time applications.

Even though many DACA recipients are well educated, and some have filed applications on their own, many need legal assistance to do so. With the future of the program uncertain, some DACA recipients may also seek advice on alternate paths to maintain their work authorization and permission to stay in the country, and there is evidence to suggest that some could be eligible for other forms of immigration relief. If the courts uphold the rescission of DACA, program recipients will start losing their benefits over a two-year period (in order of when they last renewed their benefits), during which time demand for legal services would likely rise.

With the future of the program uncertain, some DACA recipients may also seek advice on alternate paths to maintain their work authorization and permission to stay in the country.

## B. TPS Holders

In 1990, Congress created a form of humanitarian relief called Temporary Protected Status (TPS) for nationals of countries designated by the U.S. government as unsafe for return due to natural disasters, armed conflicts, or other extraordinary circumstances. In the legislation, Congress authorized the executive branch to decide which countries should be designated for TPS and whether to extend or terminate each designation when its expiration draws close (with extensions ranging from six to 18 months).

As of January 2018, TPS covered more than 300,000 people nationwide from ten countries, with the largest groups being Salvadorans (195,000); Hondurans (57,000); and Haitians (46,000). The current TPS designation for Hondurans was made in 1999 after a hurricane, and the designations for Salvadorans in 2001 and Haitians in 2011 after earthquakes. Since then, successive administrations have renewed these TPS designations. The Trump administration has announced the termination of TPS for 98 percent of current grantees (those from El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan, as well as a similar protection for several thousand Liberians). For Haitians, TPS will expire on

<sup>60</sup> For an overview of recent litigation, see National Immigration Law Center, "Status of Current DACA Litigation," updated August 6, 2018, <a href="https://www.nilc.org/issues/daca/status-current-daca-litigation/">www.nilc.org/issues/daca/status-current-daca-litigation/</a>.

<sup>61</sup> In a survey drawn from clients of 67 application service providers, 14 percent of potentially eligible DACA applicants qualified for another immigration benefit such as LPR adjustment, a U-visa as a victim of a crime, or Special Immigrant Juvenile status due to absence of a parent or guardian. See Tom K. Wong, Donald Kerwin, Jeanne M. Atkinson, and Mary Meg McCarthy, "Paths to Lawful Immigration Status: Results and Implications from the PERSON Survey," *Journal on Migration and Human Security* vol. 2, no. 4 (2014): 287–304. http://jmhs.cmsny.org/index.php/jmhs/article/view/37.

<sup>62</sup> Madeline Messick and Claire Bergeron, "Temporary Protected Status in the United States: A Grant of Humanitarian Relief that Is Less than Permanent," *Migration Information Source*, July 2, 2014, <a href="https://www.migrationpolicy.org/article/temporary-protected-status-united-states-grant-humanitarian-relief-less-permanent">https://www.migrationpolicy.org/article/temporary-protected-status-united-states-grant-humanitarian-relief-less-permanent</a>.

<sup>63</sup> Jill Wilson, *Temporary Protected Status: Overview and Current Issues* (Washington, DC: Congressional Research Service, 2018), <a href="https://fas.org/sgp/crs/homesec/RS20844.pdf">https://fas.org/sgp/crs/homesec/RS20844.pdf</a>.

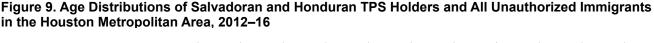
<sup>64</sup> Sarah Pierce, Jessica Bolter, and Andrew Selee, *U.S. Immigration Policy under Trump: Deep Changes and Lasting Impacts* (Washington, DC: MPI, 2018), 7, <a href="https://www.migrationpolicy.org/research/us-immigration-policy-trump-deep-changes-impacts">www.migrationpolicy.org/research/us-immigration-policy-trump-deep-changes-impacts</a>.

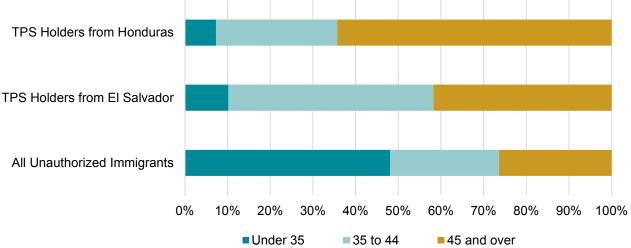


July 22, 2019, for Salvadorans on September 9, 2019, and for Hondurans on January 5, 2020. Unlike with DACA, there have been no successful court challenges of the administration's TPS terminations.

In the Houston area, Salvadorans and Hondurans are the two largest groups of TPS holders. An estimated 16,000 TPS holders from El Salvador and 5,000 from Honduras resided there as of early 2017. 66 Other TPS-holder populations in the area also face the termination of their benefits, but these national groups were too small to estimate with precision.

The demographic characteristics of TPS holders in Houston vary somewhat by national group. Slightly more than half of TPS holders from El Salvador were men (52 percent), while among Hondurans, women comprised a majority (55 percent). Due to their long-term residence in the United States, TPS holders were substantially older than unauthorized immigrants. Ninety-percent of Salvadoran TPS holders and 93 percent of those from Honduras were age 35 or over, compared to 52 percent of unauthorized immigrants (see Figure 9).





Note: These data are for the 12-county Houston metropolitan area, based on ACS boundaries. Source: MPI analysis of pooled 2012–16 ACS data, with legal status assignments by Bachmeier and Van Hook, and January 2017 employment authorization document data MPI received February 20, 2018 from U.S. Citizenship and Immigration Services via a Freedom of Information Act (FOIA) request, tracking number COW2017000248.

Many TPS holders have regularly sought assistance in renewing their status in the years since their country was first designated. When their TPS expires, they will face a difficult choice: leave the United States, where they have lived for years or even decades, or remain and become unauthorized, losing their protection from deportation and authorization to work. While DACA recipients will lose their protection on a rolling basis depending on when they last had their benefits renewed—if the program's rescission

<sup>65</sup> USCIS, "Temporary Protected Status Designated Country: Haiti," updated July 23, 2018, <a href="www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti">www.uscis.gov/humanitarian/temporary-protected Status Designated Country: El Salvador," updated May 9, 2018, <a href="www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-el-salvador">www.uscis.gov/humanitarian/temporary-protected-status-designated-country-el-salvador</a>; USCIS, "Temporary Protected Status Designated Country: Honduras," updated June 6, 2018, <a href="www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-honduras">www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-honduras</a>.

<sup>66</sup> These estimates are based on the number of employment authorization documents (EADs) issued to Salvadoran and Honduran TPS holders living in Texas in January 2017, multiplied by the ratio of Salvadorans and Hondurans eligible for TPS in the Houston area versus Texas. The EAD data were obtained from USCIS through a *Freedom of Information Act* (FOIA) request (COW2017000248) on February 20, 2018. The ratio of TPS eligible populations between Houston and Texas was calculated using the pooled 2012–16 ACS data and 2008 SIPP data, with imputations of legal status by James Bachmeier and Jennifer Van Hook.



is allowed to move forward—all TPS holders from a given country will lose their status and become unauthorized on the same date (e.g., all Salvadorans in September 2019 and all Hondurans in January 2020).

Those who remain in the United States after their benefits expire and become unauthorized may find it more difficult to sustain themselves economically if they lose their jobs as their work authorization expires. Because many are older, jobs that require physical labor and/or retraining may also be difficult to secure. Those nearing or past retirement age may also lose access to some retirement benefits.

## C. Asylum Seekers

Houston also has a substantial population of immigrants who are in the process of seeking asylum. Due in part to its proximity to the U.S.-Mexico border, many of the asylum seekers in the area are recently arrived Central Americans. To file an application, asylum seekers must be present in the United States; some cross the U.S. border illegally, while others enter on valid visas.<sup>67</sup> If they do not request asylum upon arrival at an airport or other port of entry, they must do so within one year of arriving in the country. Immigrants who are not in removal proceedings may request asylum affirmatively by applying to USCIS, while those who have been apprehended and placed in removal proceedings may request asylum defensively in immigration court.

The size of the asylum-seeker population in any given locality is difficult to estimate with precision since it cannot be easily differentiated from the unauthorized population. Based on U.S. government administrative data, it is likely that approximately 26,900 asylum seekers live in the Houston area; this estimate includes 17,300 asylum cases that were pending at the Houston USCIS asylum office at the end of June 2018,<sup>68</sup> and 9,600 asylum cases pending in Houston immigration courts in September 2016 (the most recent available data).<sup>69</sup> However, these estimates should be treated with due caution as some applications and cases may be for immigrants living elsewhere who filed in the Houston USCIS office or will appear in the Houston courts. Houston's asylum office handled 5 percent of the 320,000 asylum cases pending nationwide at the end of June 2018, while its immigration courts had 7 percent of the estimated 130,000 total defensive asylum cases pending nationally at the end of FY 2016.<sup>70</sup> The presence of an asylum office, immigration courts, and large immigrant communities in the Houston area has made it a hub for asylum seekers, many of whom require legal assistance with their cases.

## VI. Legal Immigrants Eligible to Naturalize

Legal permanent residents are eligible to naturalize if they have had their green cards for at least five years or, if married to a U.S. citizen, for at least three years. According to the University of Southern California, an estimated 298,000 immigrants in the 12-county Houston area were eligible to naturalize as of 2014.<sup>71</sup> Of these, 238,000 lived in Harris County; 29,000 in Fort Bend County; 12,000 in Montgomery County; 9,000 in Brazoria County; 6,000 in Galveston County; about 1,000 each in Waller, Liberty, and

<sup>67</sup> Most asylum seekers are unauthorized immigrants at the time they file an asylum application, but some request asylum while still on valid visas.

<sup>68</sup> USCIS, "Asylum Office Workload" (dataset, June 2018), <a href="https://www.uscis.gov/sites/default/files/USCIS/Outreach/Upcoming%20">www.uscis.gov/sites/default/files/USCIS/Outreach/Upcoming%20</a> National%20Engagements/AffirmativeAsylumStats June2018.pdf.

<sup>69</sup> The estimate of 9,600 pending defensive asylum cases in the Houston immigration court is calculated by multiplying the share of total case completions in the in FY 2016 that were asylum cases (22 percent) by the total backlog in that court (43,734 in September 2016). See U.S. Department of Justice, Executive Office for Immigration Review, FY 2016 Statistics Yearbook (Washington, DC: U.S. Department of Justice, 2017), <a href="https://www.justice.gov/eoir/page/file/fysb16/download">www.justice.gov/eoir/page/file/fysb16/download</a>.

<sup>70</sup> Ibid.; USCIS, "Asylum Office Workload."

<sup>71</sup> The estimates in this paragraph come from University of Southern California, Center for the Study of Immigrant Integration, "Interactive Map: Eligible-to-Naturalize Populations in the U.S.," accessed August 15, 2018, <a href="https://dornsife.usc.edu/csii/eligible-to-naturalize-map/">https://dornsife.usc.edu/csii/eligible-to-naturalize-map/</a>.



Wharton Counties; and fewer than 1,000 each in Chambers, Matagorda, Austin, and Colorado Counties. To complete the naturalization process, immigrants must pay the required fees and pass an oral test in English—requirements that can represent barriers to citizenship and the benefits that come with it for lower-income and LEP immigrants who are otherwise eligible to apply.

Of the immigrants estimated to be eligible to naturalize in the Houston area, most had their origins in either Mexico (51 percent) or Central America (19 percent). Another 14 percent were from countries in Asia, with smaller numbers from other world regions.<sup>72</sup>

## VII. Immigration Enforcement in the Houston Area

The Trump administration has set in motion a sweeping set of changes to immigration enforcement. The implementation of the January 2017 executive order entitled "Enhancing Public Safety in the Interior of the United States" led to a 30-percent increase in ICE arrests in the interior of the country between FY 2016 and FY 2017. However, the Houston ICE region (54 counties in southeast Texas) experienced a more modest 5-percent increase from an already-high level of annual arrests. During FY 2015 and FY 2016, Houston had more arrests than any other ICE region, though in FY 2017 Dallas surpassed it.

ICE at-large arrests rose 55 percent nationwide during the first four months of the Trump administration, and in the Houston ICE region, by a roughly comparable 57 percent.

ICE primarily conducts two types of arrests.<sup>74</sup> The first type—"at-large" or "fugitive" arrests—occurs when ICE officers pursue predetermined targets in the community, often arresting them in their homes, at workplaces, or when they are driving. Sometimes, ICE also arrests bystanders who are unauthorized or otherwise deportable but who were not the original target of arrests. ICE at-large arrests rose 55 percent nationwide during the first four months of the Trump administration, and in the Houston ICE region,<sup>75</sup> by a roughly comparable 57 percent. However, at-large arrests comprised only 29 percent of all ICE arrests nationwide, and just 12 percent in Houston (654 arrests) during that period.<sup>76</sup> In a more recent and well-publicized at-large operation in the Houston area, carried out in early August 2018, ICE made 45 arrests: 26 in the city of Houston and the remainder in suburbs such as Baytown, Clear Lake, Conroe, and the Woodlands.<sup>77</sup>

<sup>72</sup> Ibid.

<sup>73</sup> The Obama administration was still in office during the first four months of FY 2017 (October 2016 through January 2017). If only the eight months of the Trump administration (February through September 2017) are included, the increase in ICE arrests over the previous year was 42 percent. ICE regional arrest statistics are available only for all of FY 2017, making it difficult to distinguish between those made under the Obama and Trump administrations. It is possible that the Houston region's total arrests increased more than 5 percent during this period. See Capps et al., *Revving Up the Deportation Machinery*.

<sup>74</sup> In 2018, ICE began conducting more arrests at worksites. But the number of immigrants taken into custody in these arrests is thus far in the hundreds, representing a small fraction of all ICE arrests during the Trump administration.

<sup>75</sup> These at-large arrest figures are for the 54-county region covered by the Houston ICE office and could not be disaggregated for the 12 counties of the Houston metropolitan area.

<sup>76</sup> MPI analysis of ICE Enforcement and Removal Operations (ERO) administrative arrest data received June 28, 2017, via FOIA request from ERO LESA Statistical Tracking Unit, FOIA Tasking 2017-ICFO-27751.

<sup>77</sup> Houston Public Media, "ICE Arrests 45 Unauthorized Immigrants in Houston Area during Five-Day Operation," Houston Public Media, August 13, 2018, <a href="https://www.houstonpublicmedia.org/articles/news/2018/08/13/299916/ice-arrests-45-unauthorized-immigrants-in-houston-area-during-five-day-operation/">https://www.houstonpublicmedia.org/articles/news/2018/08/13/299916/ice-arrests-45-unauthorized-immigrants-in-houston-area-during-five-day-operation/</a>.



The second type of ICE arrest is jail based and made in cooperation with local law enforcement agencies. These represent the vast majority of ICE arrests—86 percent in the Houston ICE region during the first four months of the Trump administration—and occur after an immigrant is already booked into a state prison or local jail on non-immigration charges. An immigrant can be identified as deportable in two ways: either through an interview with an ICE officer or a county sheriff's deputy in the jail, or through the Secure Communities program, which links fingerprints taken in jails with U.S. Department of Homeland Security records of prior immigration arrests, deportations, and other encounters. After an immigrant is identified as deportable, ICE issues a detainer—a request to hold the individual up to 48 hours on an immigration charge. The extra 48 hours gives ICE time to arrange to pick up the immigrant. ICE depends on local law enforcement cooperating with detainers to bring large numbers of deportable immigrants into custody.

There is, however, considerable and growing divergence around the country between jurisdictions that do and do not honor ICE detainers. Those that do not cooperate have refused to hold immigrants the extra 48 hours, and in some cases release them without notifying ICE. These places are sometimes referred to as "sanctuaries," though the term is legally vague and has been applied to a range of noncooperation policies, from symbolic statements opposing ICE cooperation to blanket prohibitions on it. Several states have passed legislation either requiring cooperation with ICE or prohibiting sanctuary policies.<sup>80</sup>

Travis County (which includes Austin) had a policy restricting cooperation with ICE but later rescinded it in August 2017 after Texas passed Senate Bill 4 (SB4),<sup>81</sup> which prohibits jurisdictions from placing any limits on ICE cooperation. No other counties or cities in Texas have had policies limiting cooperation with ICE in identifying immigrants in local custody or placing detainers on them.<sup>82</sup>

## Detainer Issuance and Resulting Bookings into ICE Custody

All counties in the Houston area fully cooperate with ICE, and some have 287(g) agreements through which ICE trains and delegates some authority to local officers to assist in immigration enforcement. Under a prior 287(g) agreement, Harris County deputies screened individuals in jails for legal status and removability (by asking questions about their immigration history, status, and other topics); placed immigration detainers on them; and began the removal process—all under the supervision of ICE officers. The county terminated its agreement in January 2017, and ICE officers replaced local 287(g) officers in the jails, performing the same functions. Later that year, six suburban counties in the Houston area—Chambers, Galveston, Matagorda, Montgomery, Waller, and Wharton—signed their own 287(g) agreements.

In February 2017, soon after Trump signed the executive order on interior enforcement, ICE began issuing more detainers on individuals in state and local custody.<sup>85</sup> The Houston area was no exception. In the 12-county metro area, the average number of detainers issued each month rose from 246 in FY 2016 to 450 in FY 2017 (the first few months of which were still part of the Obama administration) and then to 545 in the first seven months of FY 2018. Average monthly detainer issuance more than

<sup>78</sup> Two percent of arrests could not be coded as at-large or jail-based in the ICE administrative data.

<sup>79</sup> Capps et al., Revving Up the Deportation Machinery.

<sup>80</sup> For example, California, Illinois, and Connecticut have laws requiring all jurisdictions to limit ICE cooperation, and several major cities, such as New York, Chicago, Philadelphia, Boston, Seattle, Baltimore, and Washington, DC, have sanctuary policies. See Ibid.

<sup>81</sup> State of Texas, An Act Relating to the Enforcement by Campus Police Departments and Certain Local Governmental Entities of State and Federal Laws Governing Immigration and to Related Duties and Liability of Certain Persons in the Criminal Justice System; Providing a Civil Penalty; Creating a Criminal Offense, SB4, General and Special Laws of Texas, Chapter 4 (2017), <a href="https://lrl.texas.gov/scanned/signedBills/85-0/sb4.pdf">https://lrl.texas.gov/scanned/signedBills/85-0/sb4.pdf</a>.

<sup>82</sup> Capps et al., Revving Up the Deportation Machinery.

<sup>83</sup> Ibid.

<sup>84</sup> ICE, "Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act" updated June 12, 2018, <a href="www.ice.gov/287g">www.ice.gov/287g</a>.

<sup>85</sup> Capps et al., Revving Up the Deportation Machinery.



doubled in the area, rising faster in its suburban counties than in Harris County (see Table 8). But despite this growth, the monthly number of ICE-issued detainers in most of these counties was small in the single digits in some—most likely because most of these counties have small unauthorized immigrant populations (see Table 3). Detainer issuance did not increase noticeably faster in counties with 287(g) agreements (shaded grey in the table) than those without agreements.

Table 8. Average Monthly Detainer Issuance in the Houston Metropolitan Area, FYs 2016–18\*

	FY 2016	FY 2017	FY 2018*	Change 2016 to 2018	Percent Change 2016 to 2018 (%)
Total 12-county metro area	246	450	545	299	122
Harris County	195	332	381	186	95
Montgomery County	28	51	72	44	157
Fort Bend County	11	26	35	24	218
Galveston County	4	16	24	20	500
Brazoria County	2	6	10	8	400
Waller County	2	6	6	4	200
Liberty County	2	3	4	2	100
Colorado County	0	2	4	4	N/A
Chambers County	0	2	3	3	N/A
Wharton County	1	2	3	2	200
Matagorda County	0	2	2	2	N/A
Austin County	1	2	1	0	0

<sup>\*</sup> The FY 2018 averages are based on data for the first seven months of that year (October 2017 through April 2018). Notes: The figures in this table are based on monthly averages of detainers issued during each fiscal year. Fiscal years run from October to September. Only detainers issued at central county jails are included in the table; small numbers of detainers were issued at local police precincts or smaller jails and are not included. Multiple detainers may be issued for the same individual. Counties with 287(g) agreements are shaded grey.

Source: Transactional Research Clearinghouse (TRAC), "Latest Data: Immigration and Customs Enforcement Detainers—

ICE Data through April 2018," accessed August 1, 2018, http://trac.syr.edu/phptools/immigration/detain/.

These increases in the number of detainers ICE issued are mostly due to the fact that the interior enforcement executive order expanded enforcement priorities from immigrants with felony and substantial misdemeanor convictions to those with any conviction or charge that results in arrest and booking in a county jail. In other words, more detainers were issued on people with minor criminal charges, and they did not have to be convicted before detainers could be issued. It is also possible that some local police became more aggressive in arresting unauthorized immigrants, knowing that once taken to the county jail, they would be identified as deportable and taken into ICE custody.

Not all detainers, however, result in immigrants being taken into ICE custody and deported. In some cases, multiple detainers are issued for the same individual (for instance, at a local police station and later at a county jail or state prison). In others, individuals must first serve out a prison term before ICE can take them into custody, or ICE may not have the resources to transport people from the jail or the space to house them in an ICE detention facility.

Data on how many detainers result in immigrants being taken into ICE custody are much more limited; MPI was able to obtain such data only through April 2017.86 During the first seven months of FY 2017, half of the detainers issued in the 12-county Houston area resulted in an immigrant being booked into ICE custody (see Table 9). There was some variation across counties in the area, but this was partially a result of the very small numbers of detainers issued in some. For example, Chambers County had the

<sup>86</sup> ICE has not responded to multiple FOIA requests by MPI, TRAC, and other entities for data on detainers resulting in immigrants being booked into ICE custody since April 2017.



highest share of detainers resulting in book-ins, but the total number of book-ins was only 11 over the seven-month period.

Jail-based arrests remain heavily concentrated in Harris County. There has been some expansion of detainer issuance in the suburban counties, but the numbers of detainers issued—and those resulting in book-ins to ICE custody—are very low outside of the big four counties: Harris, Montgomery, Fort Bend, and Galveston.<sup>87</sup> As with the issuance of detainers, this is likely to remain the case due to the small unauthorized populations in most of these counties.

Table 9. ICE Detainers Issued and Detainers Resulting in Book-Ins to ICE Custody in the Houston Metropolitan Area, October 2016 through April 2017

	Total Detainers Issued	Detainers Resulting in ICE Book-Ins	Share Resulting in ICE Book-ins (%)
Total 12-county metro area	2,886	1,451	50
Harris County	2,219	1,133	51
Montgomery County	295	165	56
Fort Bend County	140	45	32
Galveston County	90	40	44
Brazoria County	31	11	35
Waller County	39	19	49
Liberty County	11	5	45
Colorado County	11	7	64
Chambers County	14	11	79
Wharton County	9	3	33
Matagorda County	10	3	30
Austin County	17	9	53

Notes: Only detainers issued at central county jails are included in the table; small numbers of detainers were issued at local police precincts or smaller jails and are not included. Detainers may not result in book-ins for a number of reasons, including: multiple detainers were issued on the same individual, individuals may be serving criminal sentences, or ICE may be unable to transport the individual or detain them.

Source: MPI analysis of ICE Enforcement and Removal Operations (ERO) detainers data received on August 3, 2017 via a FOIA request from ERO LESA Statistical Tracking Unit, FOIA Tasking 2017-ICFO-26209.

## VIII. Conclusions and Implications for Service Providers

Immigration has—and continues to—contribute to the diversity of the Houston metropolitan area population. The area is now home to more Latino than non-Hispanic White residents, alongside substantial Asian and African American populations. The African immigrant population is growing most rapidly, and there is substantial growth among Asian and Central American immigrants as well. Houston's proximity to the U.S.-Mexico border also attracts large numbers of Central American and South American migrants, some of whom are asylum seekers.

Houston is one of the fastest growing major metro areas, with population growth fueled by a mix of immigration, migration from other parts of the United States, and local births. Houston's economy is

<sup>87</sup> The data here precede the implementation of 287(g) agreements in some of the suburban counties, and therefore do not measure any expansion of ICE arrests that may have occurred in those counties since. During the first three months of this period, Harris County still had its 287(g) agreement in operation during the first three months shown here (October through December 2016). See ICE, "Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act."



strong, and immigrants in the area have high labor-force participation rates. Nearly one-third of all workers in the area are immigrants. They can be found in large numbers in high-skilled sectors; in manufacturing, oil, and gas; and in the construction industry that has seen a boom in demand in the aftermath of Hurricane Harvey. However, immigrants earn lower wages on average than native-born workers, resulting in higher poverty rates (20 percent versus 14 percent, respectively).

The immigration policy climate this diverse and dynamic population finds itself in has changed substantially in recent years. Several years ago, there was great demand for legal services among unauthorized immigrants applying for DACA and planning to apply for Deferred Action for Parents of Americans (DAPA)—a larger temporary protection and work authorization program that was enjoined by the federal courts in 2015 and never went into effect. Demand for assistance with naturalization applications and DACA renewals has remained strong, but the center of gravity for immigration services has shifted. The rise in ICE arrests in Houston has increased interest in services related to deportation defense in detention facilities across Texas, where most arrested immigrants are kept until they are deported. At the same time, the substantial number of Central American families arriving at the U.S.-Mexico border has generated demand for assistance with asylum applications and, in some cases, reuniting families separated in Spring 2018 under the Trump administration's zero-tolerance policy. Houston area legal service providers should also be prepared to assist large shares of the area's estimated 36,000 DACA recipients and 21,000 TPS holders, if and when they lose their current protections.

# Demand for assistance with naturalization applications and DACA renewals has remained strong, but the center of gravity for immigration services has shifted.

Additionally, some immigrants in Houston whose future legal status is uncertain may come forward to be screened for pathways to legal residence and work authorization. The nearly 100,000 unauthorized immigrants married to U.S. citizens or green-card holders are the most likely to be able to adjust their status, though a public-charge rule being developed by the administration may prevent some from doing so if they or a dependent family member has used public benefits. Be Other groups that may seek assistance include students and temporary workers (legal nonimmigrants) who overstay their visas and thereby become unauthorized. In general, the tightening of rules and procedures around immigration admissions, adjustments of status, and asylum applications could expand and complicate the work of Houston area legal service providers.

Finally, many immigrants in need of legal assistance will not be able to afford it on the open market. The estimated poverty rate among unauthorized immigrants in Houston is 28 percent, and among LPRs, only slightly lower at 23 percent. Half of both populations have incomes below twice the federal poverty level. Thus, pro bono and subsidized legal services will remain in high demand not just among asylum seekers and ICE detainees, but among members of the general immigrant population seeking to adjust their status, become U.S. citizens, or otherwise navigate the shifting immigration landscape.

<sup>88</sup> USCIS recently announced that it will grant its adjudicators more discretion to deny citizenship and green-card applications when insufficient evidence is presented, instead of requesting more evidence and continuing to adjudicate the applications. This could result in higher denial rates and make the application process more complex. See Memorandum from USCIS, Issuance of Certain RFEs and NOIDs; Revisions to Adjudicator's Field Manual (AFM) Chapter 10.5(a), Chapter 10.5(b), July 13, 2018, www.uscis.gov/sites/default/files/USCIS/Laws/Memoranda/AFM 10 Standards for RFEs and NOIDs FINAL2.pdf.



## **Appendices**

## Appendix A. Origin Countries for the Houston Metropolitan Area Foreign-Born Population,\* 2017

	Origin Countries	Number of Immigrants
Total al	Il countries	1,629,000
1	Mexico	612,000
2	El Salvador	129,000
3	India	93,000
4	Vietnam	91,000
5	Honduras	70,000
6	China**	48,000
7	Guatemala	47,000
8	Nigeria	41,000
9	Philippines	38,000
10	Cuba	36,000
11	Pakistan	34,000
12	Venezuela	33,000
13	Colombia	26,000
14	United Kingdom***	24,000
15	Canada	18,000
16	Korea	14,000
17	Taiwan	12,000
18	Iran	11,000
19	Peru	11,000
20	Germany	8,000
21	Nicaragua	7,000
22	Brazil	7,000
23	Russia	7,000
24	Dominican Republic	7,000

### Origin Countries with Approximately 6,000 Immigrants

Iraq, Jamaica, Japan, Kenya, Lebanon, South Africa, Trinidad and Tobago

### Origin Countries with Approximately 5,000 Immigrants

Bangladesh, Ethiopia, France

## Origin Countries with Approximately 4,000 Immigrants

Argentina, Cambodia, Cameroon, Egypt, Panama, Saudi Arabia, Spain

## Origin Countries with Approximately 3,000 Immigrants

Australia, Haiti, Hong Kong, Indonesia, Italy, Jordan, Morocco, Scotland, Syria, Turkey

## Origin Countries with Approximately 2,000 Immigrants

Afghanistan, Belize, Bolivia, Burma (also known as Myanmar), Costa Rica, Dominica, Ecuador, Ghana, Liberia, Malaysia, Nepal, Netherlands, Norway, Poland, Romania, Somalia, Sri Lanka, Sudan, Thailand

## Origin Countries with Approximately 1,000 Immigrants

Albania, Belgium, Bulgaria, Chile, Guyana, Kuwait, Ukraine, Uruguay

Note: These data are for the official Houston metropolitan area, as defined by the U.S. Census Bureau, and not the 12-county area defined by the boundaries in the ACS microdata used for other tables in this report. Source: Ú.S. Census Bureau, "American FactFinder—B05006."

Figures are shown for all origin groups with at least 1,000 immigrants. Estimates below 1,000 are excluded as they may not be reliable due to margins of error in the 2017 ACS.
\*\* China excludes Hong Kong and Taiwan.

<sup>\*\*\*</sup>United Kingdom includes Crown dependencies.



Αρρεndix B.All Major Industries of Employment of Adults (age 16 and over) in the Houston Metropolitan Area, by

Immigration Status, 2012-16

minigration oracles, 4014-10							
	All Workers	U.SBorn workers	All Foreign- Born Workers	Naturalized Citizens	Legal Permanent Residents	Legal Noncitizens	Unauthorized Immigrants
All industries	3,221,000	2,194,000	1,027,000	358,000	311,000	40,000	318,000
Health Care and Social Assistance	356,000	262,000	94,000	56,000	20,000	2,000	16,000
Retail Trade	348,000	248,000	100,000	39,000	30,000	2,000	29,000
Manufacturing	329,000	218,000	111,000	40,000	33,000	6,000	32,000
Construction	304,000	143,000	161,000	24,000	65,000	<2,000	72,000
Educational Services	276,000	220,000	000'29	28,000	13,000	6,000	10,000
Professional, Scientific, and Technical Services	234,000	177,000	92,000	27,000	12,000	000'6	000'6
Accommodation and Food Services	229,000	126,000	104,000	19,000	39,000	<2,000	45,000
Other Services, Except Public Administration	183,000	100,000	83,000	25,000	26,000	<2,000	31,000
Administrative, Support, and Waste Management Services	163,000	89,000	74,000	15,000	27,000	<2,000	32,000
Transportation and Warehousing	156,000	115,000	41,000	20,000	11,000	<2,000	10,000
Finance and Insurance	116,000	96,000	20,000	11,000	4,000	<2,000	4,000
Wholesale Trade	115,000	83,000	33,000	12,000	000'6	2,000	000'6
Mining, Quarrying, and Oil and Gas Extraction	112,000	81,000	31,000	13,000	6,000	6,000	5,000
Public Administration	92,000	81,000	12,000	8,000	2,000	<2,000	2,000
Real Estate and Rental and Leasing	000'02	51,000	18,000	8,000	5,000	<2,000	2,000
Arts, Entertainment, and Recreation	44,000	35,000	000'6	3,000	3,000	<2,000	2,000
Information	44,000	35,000	000'6	4,000	2,000	<2,000	2,000
Utilities	32,000	25,000	7,000	3,000	2,000	<2,000	<2,000
Agriculture, Forestry, Fishing, and Hunting	12,000	7,000	6,000	<2,000	2,000	<2,000	2,000
Management of Companies and Enterprises	5,000	4,000	<2,000	<2,000	<2,000	<2,000	<2,000

Notes: More precise figures for populations of fewer than 2,000 people are not displayed due to high margins of error in estimating small populations. Active-duty members of the military are excluded. These data are for the 12-county Houston metropolitan area, based on ACS boundaries. Source: MPI analysis of 2012-16 ACS data (pooled) and 2008 SIPP, with legal status assignments by Bachmeier and Van Hook.



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The Migration Policy Institute is a nonprofit, nonpartisan think tank dedicated to the study of the movement of people worldwide. MPI provides analysis, development, and evaluation of migration and refugee policies at the local, national, and international levels. It aims to meet the rising demand for pragmatic and thoughtful responses to the challenges and opportunities that large-scale migration, whether voluntary or forced, presents to communities and institutions in an increasingly integrated world.

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