

# Illegal immigrants from India on the rise

Experts say many come to U.S. legally, overstay visas

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By James Pinkerton

The fastest-growing group of illegal immigrants in the United States doesn't speak Spanish. They typically aren't found at day labor sites or streaming across the Southwest border into the U.S.

Instead, they're here in America working in tech companies, small businesses, as engineers or other highly skilled jobs. And they're coming from India.

The profile of the illegal immigrant may need to take on a slightly more South Asian persona since a recent federal report revealed that India had the greatest percentage increase in unauthorized immigrants in the U.S. since 2000.

Illegal immigrants from India grew to 270,000 in 2006 from 120,000 in 2000, a 125 percent increase, according to a report late last month from the U.S. Department of Homeland Security.

Undocumented Indians, however, remain a small segment of the total estimated population of 11.6 million illegal immigrants in the U.S. Mexico tops the list with 6.6 million — up from 4.7 million in 2000 — followed by El Salvador and Guatemala, according to the Homeland Security report.

Locally, this trend is especially relevant since Indians make up one of the fastest-growing immigrant groups in Harris County, with 35,971 counted in the 2000 Census. They also represent a highly visible and influential immigrant community. The Houston area has 6,629 businesses owned by Indian-Americans, according to the most recent Census Bureau data.

Experts say illegal Indian immigrants are coming here legally on visas but are overextending their stays and subsequently slipping under the radar screen of authorities.

## 'The system is broken'

Immigration lawyer Bruce Coane said Indians have replaced Mexicans as the largest group of clients at his Houston practice. He estimates that more than 1,000 Indians in the Houston area do not have legal status to remain here.

"The numbers are large because there are just so many coming to the United States, and almost all of them are coming legally," said Coane, referring to the undocumented population. "And over time, they fall out of legal status."

The most recent government data showed that in fiscal year 2005, Indians received 194,611 temporary work visas to come to the U.S., the most of any nation. India

eclipsed Mexico, which had 169,786 of its workers admitted, and the United Kingdom with 156,635.

Coane and other immigration attorneys stressed that most Indian immigrants come here legally to work, go to school, visit as tourists or conduct business.

"In most cases, they're trying to do everything the right way, but because the system is broken, they fall out of status," said Coane, referring to lengthy waits to become a permanent resident.

More than half of Indian immigrants who came to the U.S. in fiscal year 2005 — about 102,000 — arrived on the H-1B visa for the highly skilled. So, typically, they aren't going to be busted by immigration agents during raids at meat-processing plants such as those owned by Swift & Co., the site of high-profile investigations last year.

"We have not come across many illegal Indian immigrants in Houston," said Robert Rutt, special agent in charge of the U.S. Immigration and Customs Enforcement office in Houston. "Most are Mexicans, South and Central Americans, and some Chinese."

## **Lax federal oversight cited**

There is debate in the Indian community about why immigrants become illegal, and just how many reside in Houston.

"My knowledge tells me that most of the Indians we interact with are highly educated — doctors, engineers and business owners," said Jagdip Ahluwalia, director of the Indo-American Chamber of Commerce. "I personally have not run into any undocumented Indians here, and I've lived here for many years."

Faisal Amin, board member of the South Asian Chamber of Commerce in Houston, said lax oversight of the federal guest workers program is one reason many Indians stay here when their visas expire.

"We see an increase simply because a lot of those workers are coming in on H1-B visas," Amin said. "And, we don't have a good way to track that these workers are, indeed, going back to their countries when they're finished."

One U.S. Department of Homeland Security official, who asked not be identified, agreed there isn't a method to keep tabs on guest workers.

"Once they get in, there's no exit program in place yet — they're talking about it," the official said.

A dozen years ago, India native Ravinder Kour came to Houston with her husband on a tourist visa. They found opportunity and stayed after their visas expired, which turned them into illegal residents. Meanwhile, they were raising two children who were born here.

But now Kour, a 39-year-old housewife, and her husband are hoping to regain their legal status with the help of an immigration attorney.

"There are no jobs" in India, said Kour. "That's why so many Indian people are coming here."

## **Bad advice, bad situation**

After arriving in Houston the couple decided to try to remain legally. They were advised by an immigration lawyer to make a claim for political asylum, which was rejected, and the couple was ordered deported after not attending a hearing, said attorney Gordon Quan.

"They weren't trying to cheat anyone; they got bad advice," Quan said.

Kour is being assisted by her brother-in-law, Surinder Singh, 47, who also came to Houston on a tourist visa. He lived the life of an illegal immigrant until becoming a citizen in 2003.

"We can't fly, if you want to go somewhere, you have to go by car," Singh said. "If you do something bad, and don't have papers, you will be in trouble."

The Houston housewife said she constantly worries about immigration problems.

"It's a big, big depression," Kour said.

Quan, her attorney, noted the federal government assigns a quota of immigrant visas to each country, and with so many Indians here on temporary work and other visas, the demand outstrips the supply.

"It's not first-come, first-serve," Quan said. "A certain percentage is given to each country. Since there are so many Indians that are skilled, and being sponsored by employers, their backlog is longer than other countries."

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