



# INDEPENDENT

## Border encounters dipped in May, cooling fears of post-Title 42 ‘chaos’

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The number of migrants apprehended at the southern border dipped in May, despite fears that lifting the pandemic-era Title 42 expulsion rule that month would lead to a surge in individuals at the border.

The number of border encounters fell from 211,000 in April to 204,000 in May, according to numbers released Tuesday by Customs and Border Protection. That is still well above historic levels, but a far cry from what even President Joe Biden predicted could be a “chaotic” situation.

“It’s really contrary to the predictions of most people,” said David Bier, director of immigration studies at the Cato Institute.

While most experts expected a crush of migrants after Title 42 was lifted on May 11, Bier said that it appears instead that “we saw ... a huge rush to get in before that date.”

“And then now we’re in a lull because the people that would’ve been coming in late May and June moved their arrival dates up to rush to get in before the end of Title 42,” he said.

Title 42 is a public health policy invoked at the height of the COVID-19 pandemic in 2020 by the Trump administration. It allowed border officials to migrants away on the justification that it would help stem the spread of the virus.

Biden campaigned on ending Title 42, but wound up keeping the policy in place through the first two years of his administration. It was ended on May 11, after the Centers for Disease Control and Prevention said the waning pandemic made it no longer necessary.

The administration took several steps to head off the expected surge in migrants, unveiling the CBP One App, which lets immigrants schedule processing appointments, and announcing a plan to turn away asylum-seekers who had to cross another country to get to the U.S. border, if they did not seek asylum in that country first.

Still, administration officials were warning of problems at the border. Even Biden said in the days before Title 42 was lifted that “it’s going to be chaotic for a while” at the border.

Instead, border encounters fell almost immediately and have stayed down since. CBP said in a press release that more than half of the encounters in May came before Title 42 was lifted, and fell to an average of about 3,500 a day for the rest of the month.

“As a result of comprehensive planning and preparation efforts, there has been a significant reduction in encounters along the Southwest border since the return to full Title 8 immigration enforcement,” Troy Miller, the acting CBP commissioner, said in the press release.

Title 8 is the longstanding law under which migrants are processed. Under it, those entering the U.S. without authorization, and who are unable to establish a legal basis to remain in the country, will be removed quickly.

The dip in border apprehensions follows years of steadily increasing numbers at the border. Encounters in fiscal 2022 hit almost 2.4 million people, a pace that continued into this year when encounters through the first eight months of the fiscal year have totaled more than 1.6 million.

Along the Arizona border, the number of apprehensions hit 571,482 last fiscal year, and stood at 369,875 through May.

According to the CBP data, almost two thirds of the Southwest border encounters were single adults, with families accounting for about 30% and unaccompanied minors making up about 5% of the total. The numbers in all three categories were down from April.

Bier said it is not typical for the number of border encounters to drop at this time of year, and he predicts the numbers will continue to decrease through June.

“This decline is not related to seasonal trends, this is something that’s a consequence of a policy change,” he said.

Apps like CBP One allow migrants to schedule appointments to cross the border and begin the asylum process, which Bier believes has led to a decrease in unauthorized crossings.

“If the administration’s policies continue, I would expect that more people would learn, ‘OK, if I follow this procedure, then I’ll be able to eventually be able to be admitted legally,’” he said.