



# ***Rodney's Take***

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## **The Summer of (Border) Discontent**

On May 23, the Biden Administration will end its reliance on U.S. Code Title 42 of the U.S. health law to send illegal immigrants immediately back over the border. The law allows the U.S. to dispense with lengthy court hearings and to repatriate illegal immigrants immediately during health emergencies. With the pandemic fading, Title 42 no longer applies, which will bring the crisis at the southern U.S. border back to the fore.

Through the year ending September 30, 2021, the U.S. Border patrol stopped more than 1.6 million immigrants trying to walk into the U.S., the third-highest total in U.S. history. The agency expelled 1.2 million immigrants under Title 42 and Title 8. In the weeks and months ahead, U.S. Border Patrol expects the number of encounters with immigrants to reach 8,000 per day. Without Title 42, more will be allowed to stay for years as their claims work through the immigration court system.

With very low unemployment and a dearth of service workers, the U.S. could use the people, but recent polls show that a majority of Americans aren't keen on immigration. Gallup reported in February that 58% of Americans are dissatisfied with immigration levels into the U.S., including 35% of Americans who want the immigration level to decrease. This isn't nearly as high as the 72% who were dissatisfied in 2008, but it marks a sharp rebound from the recent low of 50% last year.

I wonder if that dissatisfaction has more to do with how people arrive and stay than the actual number of people who cross our borders. If we had

better programs for admitting people searching for work, including background checks and I.D. systems, and then we enforced the laws as written, Americans might be more confident in the outcome.

We replaced our water heaters last October, renovated our master bath last November, and replaced an air conditioning evaporator coil last week. The plumbers, carpenters, and A/C technicians who performed the work came from different companies but had two things in common: they did great work and they didn't speak English. This is common, and even expected, when you live in states like Texas.

I presume that most of the workmen are illegal immigrants who made their way north as young adults, but maybe not. It's unlikely that any of them won the green card lottery (because so few are issued), overstayed a student or travel visa, or arrived through H-1B, H-2B, or H-2A Visa programs. They could be asylum seekers or be covered under the U.S. Department of Homeland Security's Temporary Protected Status (TPS) program, but I doubt it.

For some reason, Congress can't seem to figure out immigration reform, although they've pretended to try to for decades. The blame can be shared by both parties. I recognize that it's easy to point out the problem yet hard to craft specific solutions, but isn't that their job? Today, the failed system invites people to break the law. The penalty for getting caught is negligible and is about to be reduced. Weighing the penalties against the possibility of staying in the States, where the economy is growing and jobs are plentiful, who wouldn't take the chance?

May 23 is fast approaching. The U.S. job market is tight, so we're likely to see a record number of border crossings this summer. Some lawmakers from border states have proposed keeping Title 42 in place until better enforcement procedures for existing laws can be put into place. So far, Congressional leaders don't appear eager to let such legislation make it to the floor for a vote. Instead, we'll revert to the same laws we had before with the same enforcement mashup and get the same results: hundreds of thousands

of people entering the country undocumented. Welcome to the summer of discontent at the southern U.S. border.

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Got a question or comment? You can contact us at [info@hsdent.com](mailto:info@hsdent.com).