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DHS, Justice, and State Prepare for Court-Ordered Reimplementation of MPP

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WASHINGTON – As required by a federal court order, the Department of Homeland Security (DHS) has been working in good faith to re-implement the Migrant Protection Protocols (MPP) program. Today, in coordination with the Departments of State and Justice, DHS announced key changes to MPP to address humanitarian concerns raised by the Government of Mexico and shared by the U.S. Government. Secretary of Homeland Security Alejandro N. Mayorkas has repeatedly stated that MPP has endemic flaws, imposed unjustifiable human costs, pulled resources and personnel away from other priority efforts, and failed to address the root causes of irregular migration.

To comply with the court order, however, DHS will be ready to reimplement MPP once the Government of Mexico makes a final and independent decision to accept the return of individuals enrolled in the program, subject to certain humanitarian improvements. These key changes include a commitment that proceedings will generally be concluded within six months of an individual's initial return to Mexico; opportunities for enrollees to secure access to, and communicate with, counsel before and during *non-refoulement* interviews and immigration court hearings; improved *non-refoulement* procedures; and an increase in the amount and quality of information enrolled individuals receive about MPP. DHS will exclude particularly vulnerable individuals from being enrolled in MPP. In addition, DHS will provide COVID-19 vaccinations for all persons enrolled in MPP.

The U.S. Government will work closely with the Government of Mexico to ensure that there are safe and secure shelters available for those enrolled in MPP; that individuals returned under MPP have secure transportation to and from U.S. ports of entry; and that MPP enrollees are able to seek work permits, healthcare, and other services in Mexico.

On October 29, 2021, Secretary Mayorkas issued a new memorandum (<https://www.dhs.gov/news/2021/10/29/dhs-issues-new-memo-terminate-mpp>) announcing and explaining his decision to terminate the program. This Administration, however, remains under a court order requiring it to reimplement MPP in good faith, which it will abide by even as it continues to vigorously contest the ruling.

Once the court injunction is lifted, MPP will be terminated.

The Administration remains committed to building a safe, orderly, and humane immigration system that upholds our laws and values. DHS also continues to process individuals in accordance with U.S. law and our mission.

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