

Remain in Mexico/Migrant Protection Protocols (MPP)

Administration Policy:

President Trump signed the Securing Our Borders Executive Order (E.O.) yesterday. Included in the E.O. are instructions to the Attorney General, Secretary of Homeland Security, and Secretary of State to take actions to resume the Migrant Protection Protocols (MPP), commonly referred to as the “Remain in Mexico” policy. MPP requires that individuals who illegally entered the U.S. along the southern border and went on to make an asylum claim be returned to Mexico while their claim is processed.

MPP removes a major [incentive](#) for illegal immigration by eliminating the ability for illegal immigrants with fraudulent asylum claims to be released into the U.S. interior without accountability or monitoring.

The statutory authority for this policy is rooted in [Section 235\(b\)\(2\)\(C\) of the Immigration and Nationality Act \(INA\)](#), which allows for the removal of aliens who entered the U.S. by land to be returned to the contiguous country from which they entered.

Background:

- President Trump first [instated](#) MPP in 2019 in response to increases in illegal border crossings and the emergence massive [caravans](#) arriving at the U.S.-Mexico border.
- On the importance of MPP, Former Acting Homeland Security Secretary Chad Wolf has previously [stated](#), “The Migrant Protection Protocols (MPP) were one of the most effective policies in solving the 2019 border crisis, and reducing the unprecedented flood of fraudulent asylum claims being made at the southern border.”
- The Biden administration first attempted to formally [terminate](#) the MPP program on June 1, 2021, which triggered a lengthy legal battle, ultimately the Supreme Court [allowed](#) for the termination of the program in a 5-4 decision in Biden v. Texas.
- According to a [Department of Homeland Security \(DHS\) assessment of the MPP program](#), remain in Mexico is highly effective in reducing illegal border crossings:
 - Reduced illegal border crossings by 64% through September 2019
 - Reduced number of illegal immigrants from Northern Triangle countries by 80% through September 2019
- In a [review](#) of completed MPP cases from January 2019 to December 2020 over 32,000 aliens received an order of removal, while only 650 were found to have legitimate asylum claims.