



Migrant Protection Protocols (MPP) Timeline



2018
DEC 20

The [Department of Homeland Security](#) announces use of [Section 235\(b\)\(2\)\(C\)](#) of the Immigration and Nationality Act (INA) to return to Mexico non-Mexican citizens and nationals who crossed into the United States from Mexico in order to await their removal proceedings. This becomes known as the Migrant Protection Protocols (MPP) or “Remain in Mexico” or RMX.

2019
JAN 25

Secretary of Homeland Security Kirstjen Nielson issues [the memorandum](#) entitled “Policy Guidance for Implementation of the Migrant Protection Protocols” which details how to use [Section 235\(b\)\(2\)\(C\)](#) of INA on a large-scale basis.

2020
MAR 23

In response to the Covid-19 pandemic, [DHS and EOIR suspend MPP hearings](#).

2021
JAN 20

Acting Secretary David Pekoske issues a memorandum temporarily [suspending new enrollments](#) into the Migrant Protection Protocols (MPP) pending further review.

2021
FEB 02

The Biden administration directs the Secretary of Homeland Security to review and assess whether to terminate or modify MPP through [Executive Order 14010](#), “Executive Order Creating a Comprehensive Regional Framework to Address the Causes of Migration to Manage Migration Throughout North and Central America and to Provide Safe and Orderly Processing.”

2021
FEB 11

[DHS announces](#) the beginning of the process to dismantle MPP.

2021
JUN 01

Secretary Mayorkas issues a [memorandum terminating MPP](#).

2021
JUN 23

[DHS expands eligibility](#) for processing into the United States to MPP enrollees who had their cases terminated or were ordered removed in absentia (i.e., individuals ordered removed while not present at their hearings).

2021
AUG 13

U.S. District Court for the Northern District of Texas determines in [Biden v. Texas](#) that the June memorandum was not issued in compliance with the Administrative Procedure Act. The Court remands it to DHS for further consideration and orders the Department to “enforce and implement MPP in good faith.”

2021
AUG 24

The [Supreme Court declines to issue a stay](#) and upholds the Texas district court decision.

2021
OCT 29

Secretary Mayorkas announces his decision to terminate MPP in a [second memorandum](#).

2021
DEC 03

The Biden administration [reimplements and expands MPP](#), including for eligibility “nationals of any country in the Western Hemisphere other than Mexico.” Previously, the policy only applied to migrants from Spanish-speaking countries other than Mexico. The list of eligible countries now includes Haiti.

2021
DEC 06

DHS begins enrolling undocumented migrants and asylum seekers into MPP under the reimplementation.

2021
DEC 13

A [Fifth Circuit panel of judges](#) refuses to vacate the Texas district court injunction requiring the reimplementation of MPP. The panel argues that the Administration’s second termination memo has not mooted out the issue of whether the earlier termination of MPP was done in compliance with the Administrative Procedure Act.

2021
DEC 29

The [Biden administration requests](#) that the U.S. Supreme Court review the decision of the Fifth Circuit Court of Appeals.

2022
FEB 25

The Supreme Court [granted](#) the Biden administration request to review the Fifth Circuit Court of Appeals decision in [Biden v. Texas](#). The Court placed the case on an expedited timeline with oral arguments set to be held in April.