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Biden Terminates “Remain in Mexico”

On June 1, 2021, Department of Homeland Security (DHS) Secretary Alejandro Mayorkas announced that DHS would end the Trump Administration’s so-called “Migrant Protection Protocols” (MPP), better known as the “remain in Mexico” program. Under MPP, it was DHS policy that most non-Mexican applicants for admission who arrived on land at the Southwest Border would be returned to Mexico to await their removal proceedings. In practice, given the length of time required for normal asylum processing magnified by the difficulties imposed by Covid-19, this policy left applicants for admission on the Mexican side of the U.S. border indefinitely.

Secretary Mayorkas found that MPP did not enhance border management or safety, increase efficiency of asylum adjudication, or decrease backlogs of cases pending adjudication. The Secretary has promised implementation of a “Dedicated Docket” program for certain families arriving along the southern border, which will provide alternatives to detention, working of the root causes of migration with Mexico and other countries to the south of the United States.