Migrant Protection Protocols Cohort Report April 2022

Office of Immigration Statistics



Summary

This report describes Migrant Protection Protocols (MPP) processing and outcomes for noncitizens enrolled in MPP from December 6, 2021 – March 31, 2022. The report summarizes information on enrollee nationalities, fear claims, vaccinations, and processing outcomes (returns to Mexico or disenrollments) by month of MPP enrollment; see the appendix for detailed data tables. This report will be updated regularly to include information about individuals enrolled in future months along with updated information about earlier enrollees as they move through additional stages of the MPP process.

Overview of MPP

Under MPP, certain noncitizens encountered at the Southwest Border await their removal proceedings in Mexico rather than in the United States. Noncitizens placed in MPP pass through the main steps outlined below (Figure 1).





- 1) **Enrollment**. U.S. Customs and Border Protection (CBP) selects non-citizens who are subject to MPP for enrollment. To be eligible for MPP, a person arriving on land must be
 - apprehended at the Southwest Border and hold citizenship from a non-Mexico Western Hemisphere country. Single adults and family units may be processed into MPP.
- 2) **Fear screening**. CBP affirmatively screens all enrollees for fear of return to Mexico. If an enrollee asserts a fear of return, the enrollee is provided a 24-hour consultation period to consult, by phone or video-teleconference, with a legal representative. The enrollee may waive this consultation period if they wish to be interviewed sooner. Following this period, U.S. Citizenship and Immigration Services

Enrollees identified as having particular vulnerabilities—including those associated with known mental and physical health issues, advanced age, or sexual orientation or gender identity—are not enrolled in MPP. Unaccompanied children are never processed into MPP. Those initially enrolled in MPP who are subsequently identified as having a particular vulnerability will be disenrolled from MPP.

- (USCIS) asylum officers complete a non-refoulement interview (NRI) by phone. A legal representative or consultant may participate in the NRI with the enrollee.
- 3) **Disenrollment or return to Mexico**. If an enrollee is found to have a reasonable possibility of persecution or torture in Mexico (positive fear finding), or if an enrollee is found to have a particular vulnerability that make them ineligible for MPP, the individual is disenrolled from MPP. Disenrollees are referred to U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) for a custody determination. If an enrollee does not claim fear or claims fear and has a negative fear finding and is not otherwise disenrolled due to one of the vulnerabilities articulated in

¹ This report is based on Department of Homeland Security (DHS) Office of Immigration Statistics (OIS) analysis of U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and Countering Weapons of Mass Destruction (CWMD) data. All data are as of April 6, 2022, except for returns data which are as of April 7, 2022.

- policy guidance, the enrollee is returned to Mexico through a port of entry (POE). DHS offers a COVID-19 vaccination prior to enrollees' return to Mexico. The enrollee then waits in Mexico for their removal proceeding.
- 4) **EOIR hearings**. MPP enrollees returned to Mexico are placed on an Executive Office for Immigration Review (EOIR) docket specific to MPP. Removal proceedings typically involve multiple court appearances. If multiple hearings are required, an individual is returned to Mexico to await a subsequent hearing, and therefore will repeat the return and re-entry process multiple times until the removal proceedings are completed.
- 5) **Re-entry**. The day that an enrollee is due to appear in court, they present themselves at a designated POE where they undergo medical clearance. Proof of COVID-19 vaccination and negative COVID-test are required for re-entry into the United States.
- 6) **Continued Fear and Vulnerability Consideration**. Enrollees may claim fear of return to Mexico any time they are in the United States. If an enrollee claims fear, the individual will be given adequate time to consult with a legal representative. Enrollees who claim or develop particular vulnerabilities are also entitled to a consideration of their claims when in the United States.
- 7) Case outcomes. MPP enrollees may go through several iterations of re-entry into the United States, EOIR immigration court hearings, fear screenings, and returns to Mexico until EOIR makes a final determination in their case. A final determination will either confer relief or protection from removal in the form of asylum, withholding of removal, or deferral of removal or result in an order of removal to their country of citizenship.

MPP Enrollments and Outcomes

A total of 3,012 non-citizens were enrolled in MPP December 6, 2021 – March 31, 2022, including 896 enrollments in February and 1,444 enrollments in March. During the same period, 1,802 non-citizens were returned to Mexico following initial enrollments, including 487 returns in February and 900 returns in March. Among enrollees who have re-entered the United States after being returned to Mexico,² 111 additional post-re-entry returns occurred in February and 301 post-re-entry returns occurred in March (Table 1).

² This number includes both legal re-entries for EOIR hearings and re-encounters of people arriving at the border before their court date.

Table 1. MPP Enrollments, Disenrollments, and Returns

	December	January	February	March	Total
Initial MPP Enrollments	273	399	896	1,444	3,012
El Paso Sector	273	131	230	272	906
San Diego Sector	0	141	189	215	545
Rio Grande Valley Sector	0	127	460	745	1,332
Laredo Sector	0	0	17	212	229
Intital Enrollment: Returns to Mexico	206	209	487	900	1,802
El Paso Sector	206	79	159	176	620
San Diego Sector	0	110	115	119	344
Rio Grande Valley Sector	0	20	213	489	722
Laredo Sector	0	0	0	116	116
Post-Re-Entry: Returns to Mexico	3	122	111	301	537
El Paso Field Office	2	119	46	81	248
San Diego Field Office	0	3	57	62	122
Rio Grande Valley Sector	0	0	5	144	149
Laredo Field Office	0	0	3	7	10
Other	1	0	0	7	8
Initial Enrollment: Disenrollments	62	89	328	427	906
El Paso Sector	62	35	62	81	240
San Diego Sector	0	11	57	107	175
Rio Grande Valley Sector	0	41	209	170	420
Laredo Sector	0	2	0	69	71
Post Re-Entry: Disenrollments	0	56	58	134	248
El Paso Sector	0	51	38	73	162
San Diego Sector	0	5	16	32	53
Rio Grande Valley Sector	0	0	4	28	32
Laredo Sector	0	0	0	1	1

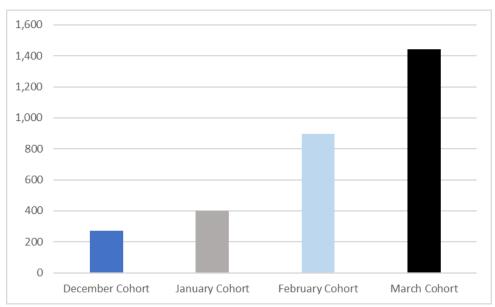
Notes: Data include total MPP-related events by event date (i.e., not cohort reporting). Data include five people whose CBP enrollment records were deleted; they have been assigned to sectors and enrollment dates based on other information in their case histories. All data are current as of April 7, 2022. Initial enrollment disenrollments include persons disenrolled upon re-encounter before their first court hearing; in these cases, re-encounters are counted as both a return and disenrollment. Post-re-entry disenrollments and returns include persons disenrolled or returned upon being re-encountered after an initial court appearance.

Source: DHS Office of Immigration Statistics (OIS) analysis of CBP data.

Cohort Reporting Methodology

Table 1 reports on the aggregate total of all MPP events (enrollments, returns, and disenrollments) that took place in December, January, February, and March. The remainder of this report focuses on monthly cohort reporting by linking person-level records from U.S. Border Patrol (USBP), Office of Field Operations (OFO), USCIS, and the Countering Weapons of Mass Destruction (CWMD) Program. The December cohort consists of the 273 unique noncitizens enrolled in MPP in December 2021, the January cohort consists of the 399 noncitizens enrolled in January, the February cohort consists of 896 noncitizens enrolled in February, and the March cohort consists of the 1,444 noncitizens enrolled in March. This report describes the processing and outcomes for each of these four cohorts (and for certain subsets of these cohorts) at each stage of the MPP process (initial enrollment, fear claim, re-entry, etc.), whenever these subsequent events occur. For example, many people in the December enrollment cohort made fear claims and/or re-entered for EOIR hearings in January, February, and March; those fear claims and re-entries are linked to the December cohort. This style of reporting provides insight into specific program outcomes as discrete groups of people move from point to point in the MPP process, rather than combining events for people at many different stages of the process.

Figure 2. Initial Enrollments by Cohort



Notes: Cohorts are defined by month of enrollment; enrollments began December 6, 2021. Data are limited to events following initial enrollment based on data available as of April 6, 2022. December cohort includes individuals enrolled in MPP Dec. 6 - Dec. 31, 2021; all other cohorts include individuals enrolled in MPP throughout the 2022 calendar month.

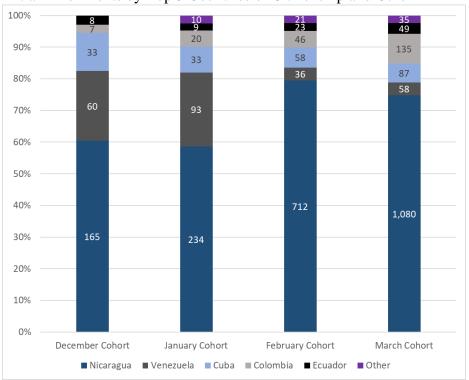
Source: OIS analysis of CBP data.

Initial Enrollments

A total of 1,444 noncitizens were enrolled in MPP in March, up from 896 in February, 399 in January, and 273 in December (Figure 2). From December 6, 2021 through the end of March 31, 2022, a total of 3,012 persons were enrolled in the program.

Persons from Nicaragua have accounted for 73 percent of all enrollments to date, followed by Venezuelans (8 percent) and Cubans (7 percent). In March, the month with the largest number of enrollments, Nicaragua, Colombia, and Cuba accounted for 75 percent, 9 percent, and 6 percent of initial enrollments, respectively (Figure 3).

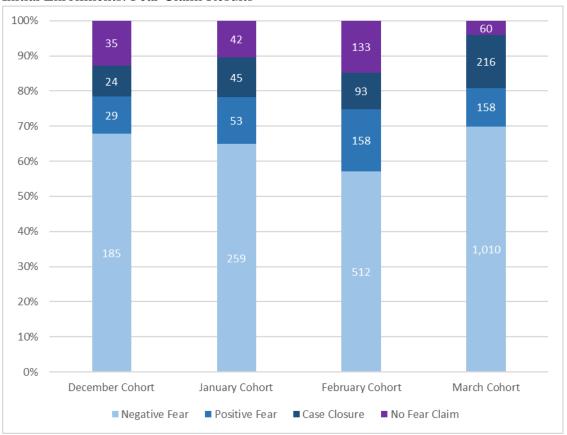
Figure 3. Initial Enrollments by Top 5 Countries of Citizenship and Other



Notes: Cohorts are defined by month of enrollment; enrollments began December 6, 2021. Data are limited to events following initial enrollment based on data available as of April 6, 2022. This figure is limited to the top five countries of citizenship; comprehensive country of citizenship data are available in the appendix. The size of each color segment indicates proportion of each cohort, while the numbers within each segment indicate the count. Source: OIS analysis of CBP data.

Following their initial enrollments, 96 percent of March enrollees claimed fear (1,384 fear claims out of 1,444 enrollments), up from 87 percent of December enrollees, 89 percent of January enrollees, and 85 percent of February enrollees. Almost three-fourths of fear claims have resulted in negative fear decisions, including 73 percent for the March cohort, showing no consistent pattern compared to 78 percent for the December cohort, 73 percent for the January cohort, and 67 percent for the February cohort (Figure 4).

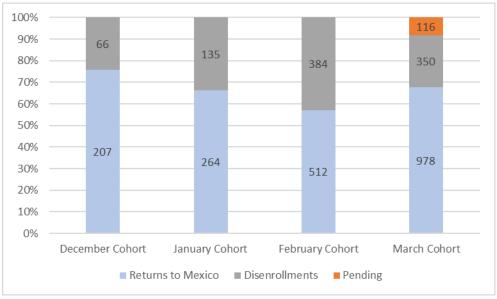
Figure 4. Initial Enrollments: Fear Claim Results



Notes: Cohorts are defined by month of enrollment; enrollments began December 6, 2021. Data are limited to events occurring following initial enrollment based on data available as of April 6, 2022. The size of each color segment indicates proportion of each cohort, while the numbers within each segment indicate the count. Source: OIS analysis of USCIS data.

At the time of this report, 68 percent of the March cohort had been returned to Mexico, with 24 percent disenrolled and 8 percent of cases still pending.³ These numbers put March on track for the highest share of enrollees returned since December (76 percent), up from 66 percent of the January cohort and 57 percent of the February cohort (Figure 5).

Figure 5. Initial Enrollments: MPP Outcomes



Notes: Cohorts are defined by month of enrollment; enrollments began December 6, 2021. Data are limited to events occurring following initial enrollment based on data available as of April 7, 2022 for returns and April 6, 2022 for disenrollments. Pending category includes cases with incomplete data available and cases of people who remain in custody pending disenrollment or return. The size of each color segment indicates proportion of each cohort, while the numbers within each segment indicate the count.

Source: OIS analysis of CBP data.

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³ Pending cases include cases with incomplete data available and cases of people who remain in custody pending disenrollment or return.

Re-Entries for EOIR Hearings

As of April 6, among enrollees who had been returned to Mexico, 76 percent (157 people) of the December cohort re-entered at least once for an EOIR hearing, compared to 78 percent (207 people) of the January cohort, 52 percent (266 people) of the February cohort, and 16 percent of the March cohort (152 people)—though February and March re-entry numbers are not final since many re-entries are scheduled to occur after the date of this report. Between the December, January, and February cohorts, 36 percent of returnees had re-entered more than one time.

The proportion of re-entering people that claimed fear was 94 percent of the December cohort, 94 percent of the January cohort, 91 percent of the February cohort, and 72 percent of the March cohort. In part, percentages are higher among earlier cohorts because these cohorts have experienced a higher number of re-entries and therefore more opportunities for people to claim fear at least once. More than one fear claim was made following re-entry by 57 people among the December cohort, 71 people among the January cohort, and 37 people among the February cohort. Over half of fear claims following re-entry resulted in negative fear decisions, including 58 percent for the December cohort, 59 percent for the January cohort, 63 percent for the February cohort, and 55 percent for the March cohort (Figure 6).

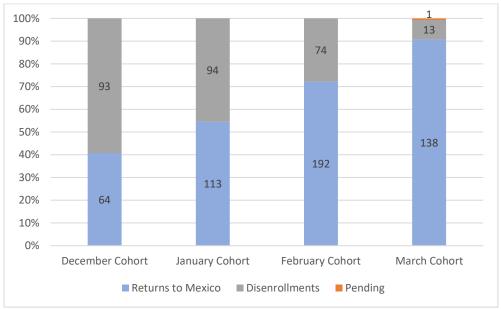
Figure 6.
Re-Entries: Fear Claim Results



Notes: Cohorts are defined by month of enrollment; enrollments began December 6, 2021. Data are limited to events occurring following return to Mexico and subsequent re-entry to the United States based on data available as of April 6, 2022. Data include case closures for people with no interviews. The size of each color segment indicates the proportion of each cohort, while numbers within each segment indicate the count. Source: OIS analysis of USCIS data.

As of April 6, 59 percent of December cohort re-entries had been disenrolled, with just under half (41 percent) returned. Among January cohort re-entries, 45 percent had been disenrolled. About a quarter (28 percent) of February cohort re-entries had been disenrolled. Only 9 percent of March cohort re-entries thus far had been disenrolled, with 91 percent returned to Mexico (Figure 7).

Figure 7: Re-Entries: MPP Outcomes



Notes: Cohorts are defined by month of enrollment; enrollments began December 6, 2021. Data are limited to events occurring following return to Mexico and subsequent re-entry to the United States as of April 6, 2022. Pending category includes cases with incomplete data available for analysis and cases of people who remain in custody pending disenrollment or return. The size of each color segment indicates the proportion of each cohort, while numbers within each segment indicate the count.

Source: OIS analysis of CBP data.

Appendix: Data Tables

Table A1.

Initial Enrollments by Enrollment Cohort

	December Cohort	January Cohort	February Cohort	March Cohor
Initial Enrollments by Sector and Citizenship	273	399	896	1,44
El Paso Sector	273	131	230	272
Colombia	7	1	17	2
Costa Rica	0	1	0	(
Cuba	33	32	40	2
Ecuador	8	9	22	44
Guatemala	0	0	1	(
Nicaragua	165	79	147	140
Peru	0	3	2	13
Venezuela	60	6	1	14
San Diego Sector	0	141	189	21:
Colombia	0	19	29	103
Cuba	0	1	12	
Dominican Republic	0	1	1	
Ecuador	0	0	1	
Nicaragua	0	86	124	69
Peru	0	5	16	2
Venezuela	0	29	6	
Rio Grande Valley Sector	0	127	460	74:
Colombia	0	0	0	, ,
Cuba	0	0	0	
Nicaragua	0	69	431	714
Venezuela	0	58	29	2:
Laredo Sector	0	0	17	21:
Cuba	0	0	6	44
Dominican Republic	0	0	1	
Honduras	0	0	0	
Nicaragua	0	0	10	15
Venezuela	0	0	0	14
Initial Enrollments by Sex	273	399	896	1,44
Female	1	3	115	275
Male	272	396	781	1,169
Marc	212	370	701	1,10.
Number of Fear Claims Received	238	357	763	1,384
0 Fear claims per person	35	42	133	1,36
1 Fear claim per person	238	357	763	1,38
Tear canni per person	250	331	700	1,50
Fear Claim Results by Attorney or Consultant Present	238	357	763	1,384
Positive Fear Findings	29	53	158	158
Attorney or consultant present	4	1	6	130
No attorney or consultant present	25	52	152	15:
	185	259	512	
Negative Fear Findings	185	259	6	1,010
Attorney or consultant present				100
No attorney or consultant present	178	252	506	1000
Case Closures	24	45	93	210
Attorney or consultant present	0	1	0	(
No attorney or consultant present	24	44	93	21
Pending Completion	0	0	0	

See notes at end of table.

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Table A1 (continued)

	December Cohort	January Cohort	February Cohort	March Cohor
Fear Claims Received by Sector and Claim Result	238	357	763	1,384
El Paso Sector	238	129	229	266
Positive Fear Findings	29	27	30	27
Negative Fear Findings	185	90	168	181
Case Closures	24	12	31	58
Pending Completion	0	0	0	0
San Diego Sector	0	130	185	203
Positive Fear Findings	0	13	63	51
Negative Fear Findings	0	111	116	115
Case Closures	0	6	6	37
Pending Completion	0	0	0	0
Rio Grande Valley Sector	0	98	334	706
Positive Fear Findings	0	13	61	48
Negative Fear Findings	0	58	217	566
Case Closures	0	27	56	92
Pending Completion	0	0	0	7-
Laredo Sector	0	0	15	209
Positive Fear Findings	0	0	4	32
Negative Fear Findings	0	0	11	148
Case Closures	0	0	0	29
	0	0	0	29
Pending Completion	0	0	0	0
Vaccines Administered	192	252	434	544
vaccines raministered	.,,	202	101	511
MPP Outcomes by Fear Claim Results	273	399	896	1,444
Returns to Mexico	207	264	512	978
No Fear Claim	32	14	8	6
Positive Fear Findings	5	1	0	2
Negative Fear Finding	168	249	504	970
Case Closures	2	0	0	0
Disenrollments	66	135	384	350
No Fear Claim	3	28	125	38
Positive Fear Finding	24	52	158	119
Negative Fear Finding	17	10	8	22
Case Closures	22	45	93	171
Pending	0	0	0	116
No Fear Claim	0	0	0	16
Positive Fear Finding	0	0	0	37
Negative Fear Finding	0	0	0	18
Case Closures	0	0	0	45
	0	0	0	43
Pending Completion	Ü	U	0	0
MPP Outcomes by Sector	273	399	896	1,444
El Paso Sector	273	131	230	272
Disenrollments	66	41	64	71
Returns	207	90	166	180
Pending	0	0	0	21
San Diego Sector	0	141	189	215
Disenrollments	0	24	71	85
Returns	0	117	118	116
Pending	0	0	0	14
Rio Grande Valley Sector	0	127	460	745
Disenrollments	0	70	243	127
Returns	0	57	217	564
Pending	0	0	0	54
Laredo Sector	0	0	17	212
Disenrollments	0	0	6	67
Returns	0	0	11	118
Pending	0	0	0	27

Notes: Data include MPP events by initial enrollment date (i.e., cohort reporting). December cohort includes individuals enrolled in MPP Dec. 6 - Dec. 31, 2021; all other cohorts include individuals enrolled in MPP by 2022 calendar month. All data are as of April 6, 2022 except for returns, which are as of April 7, 2022. People with multiple fear claims are counted multiple times in tables summarizing fear claims received. NRI results include people with no interviews. Data include five people whose CBP enrollment records were deleted; they have been assigned to sectors and enrollment dates based on other information in their case histories. Outcome pending category includes cases with incomplete outcome data and cases of people who remain in custody pending disenrollment or return. Data do not include re-encounters.

Source: OIS analysis of CBP, USCIS, and CWMD data.

Table A2.
Re-entries for EOIR Hearings by Enrollment Cohort

	December Cohort	January Cohort	February Cohort	March Cohor
Re-Entries by Sector and Citizenship	157	207	266	15
El Paso Sector	157	75	59	
Colombia	2	0	1	(
Cuba	19	20	2	1
Ecuador	3	2	1	(
Nicaragua	101	48	54	
Venezuela	32	5	1	(
San Diego Sector	0	90	68	
Colombia	0	12	5	
Cuba	0	1	7	(
Dominican Republic	0	1	0	(
Nicaragua	0	59	47	!
Peru	0	0	5	(
Venezuela	0	17	4	(
Rio Grande Valley Sector	0	42	131	108
Nicaragua	0	32	123	100
Venezuela	0	10	8	:
Laredo Sector	0	0	8	3.
Cuba	0	0	2	1.
Nicaragua	0	0	5	1.
Venezuela	0	0	0	
Re-Entries by Sex	157	207	266	153
Female	0	2	40	78
Male	157	205	226	7-
Number of Re-entries	255	316	326	160
1 Re-entry Event per person	76	113	216	14
2 Re-entry Events per person	65	82	40	
3 Re-entry Events per person	15	10	10	(
4 Re-entry Events per person	1	1	0	(
5 Re-entry Events per person	0	1	0	(
,				
Number of Fear Claims Received	213	267	279	110
0 Fear claims per person	10	13	25	42
1 Fear claim per person	90	123	204	110
2 Fear claims per person	48	69	36	(
3 Fear claims per person	9	2	1	(
1 1				
Fear Claim Results by Attorney or Consultant Present	213	267	279	110
Positive Fear Findings	44	57	15	•
Attorney or consultant present	2	14	3	:
No attorney or consultant present	42	43	12	•
Negative Fear Findings	124	157	176	6
Attorney or consultant present	5	11	3	
No attorney or consultant present	119	146	173	6
Case Closures	43	51	67	1
Attorney or consultant present	2	2	1	
No attorney or consultant present	41	49	66	1
Pending	2.	2.	21	2.

See notes at end of table.

Table A2 (continued)

	December Cohort	January Cohort	February Cohort	March Cohor
Fear Claims Received by Sector and Claim Result	213	267	279	11
El Paso Sector	213	96	60	
Positive Fear Findings	44	15	3	
Negative Fear Findings	124	44	27	
Case Closures	43	35	20	
Pending	2	2	10	
San Diego Sector	0	124	62	
Positive Fear Findings	0	34	5	
Negative Fear Findings	0	82	37	
Case Closures	0	8	19	
Pending	0	0	1	
Rio Grande Valley Sector	0	47	150	7
Positive Fear Findings	0	8	5	,
Negative Fear Findings	0	31	108	5
	0	8	27	J
Case Closures	0	0	10	1
Pending	0			
Laredo Sector		0	7	2
Positive Fear Findings	0	0	2	
Negative Fear Findings	0	0	4	
Case Closures	0	0	1	
Pending	0	0	0	
				_
Vaccines Administered	130	199	214	9
ASPRO		20=	244	
MPP Outcomes by Fear Claim Results	157	207	266	15
Returns to Mexico	64	113	192	13
No Fear Claim	7	11	18	4
Positive Fear Findings	0	11	5	
Negative Fear Finding	56	85	141	6
Case Closures	1	6	16	
Pending Completion	0	0	12	2
Disenrollments	93	94	74	1
No Fear Claim	3	2	7	
Positive Fear Finding	41	45	10	
Negative Fear Finding	9	2	6	
Case Closures	40	45	51	
Pending	0	0	0	
No Fear Claim	0	0	0	
Positive Fear Finding	0	0	0	
Negative Fear Finding	0	0	0	
Case Closures	0	0	0	
Pending Completion	0	0	0	
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MPP Outcomes by Sector	157	207	266	15
El Paso Sector	157	75	59	
Disenrollments	93	53	24	
Returns	64	22	35	
Pending	0	0	0	
San Diego Sector	0	90	68	
Disenrollments	0	35	27	
Returns	0		41	
		55		
Pending	0	0	0	
Rio Grande Valley Sector	0	42	131	10
Disenrollments	0	6	22	
Returns	0	36	109	10
Pending	0	0	0	
Laredo Sector	0	0	8	3
Disenrollments	0	0	1	
Returns	0	0	7	3
Pending	0	0	0	

Notes: Data include MPP events by initial enrollment date (i.e., cohort reporting). December cohort includes individuals enrolled in MPP Dec. 6 - Dec. 31, 2021; all other cohorts include individuals enrolled in MPP by 2022 calendar month. All data are as of April 6, 2022 except for returns, which are as of April 7, 2022. People with multiple fear claims are counted multiple times in tables summarizing fear claims received. NRI results include people with no interviews. Data include five people whose CBP enrollment records were deleted; they have been assigned to sectors and enrollment dates based on other information in their case histories. Outcome pending category includes cases with incomplete outcome data and cases of people who remain in custody pending disenrollment or return. Data do not include re-encounters.

Source: OIS analysis of CBP, USCIS, and CWMD data.