



Three migrants win temporary block from potential transfer to Guantanamo

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Ximena Bustillo



In this photo reviewed by U.S. military officials, the Office of Military Commissions building used for Periodic Review Board hearings stands in 2019, in Guantanamo Bay Naval Base, Cuba.

Alex Brandon/AP file photo

A federal court in New Mexico preemptively blocked the Trump administration from sending three Venezuelan men to [Guantanamo Bay](#). It is the first legal hurdle thrown at the Trump administration as it seeks to send thousands of migrants to a detention facility on the naval base near Cuba.

Three Venezuelan men in the custody of federal immigration officials in New Mexico submitted a motion seeking a temporary restraining order to block their transfer to Guantanamo Bay because they "fit precisely the profile" of people who had already been transferred and feared such a transfer would be imminent, according to court documents.

New Mexico Judge Kenneth Gonzales [approved their motion Sunday night](#).

Trump's plan to send 30,000 migrants to the U.S. naval base at Guantanamo Bay, [facilitated by a memo](#), is likely to face additional legal, logistical, and political challenges.



NATIONAL

The first group of migrants has been sent to Guantánamo, but legal challenges loom

The U.S. flew the first migrants to a temporary housing facility there last week, and U.S. officials said they would be held separately from the U.S. military prison, which houses suspected foreign terrorists, including alleged 9/11 mastermind Khalid Sheikh Mohammed.

The Homeland Security Department and Immigrations and Customs Enforcement did not respond to requests for comment on the temporary restraining order.

The New Mexico order is limited to the three men and does not prevent other people from being transferred to Guantanamo facilities.

Immigration lawyers say moving people off the U.S. mainland can limit legal access and due process.

"Sending immigrants from the U.S. to Guantánamo and holding them incommunicado without access to counsel or the outside world opens a new shameful chapter in the history of this notorious prison," Lee Gelernt, deputy director of the Immigrants' Rights Project at the American Civil Liberties Union, said in a statement. The [ACLU wrote on Friday to the heads of federal agencies responsible with overseeing the transfers, requesting more information](#).

"It is unlawful for our government to use Guantánamo as a legal black hole, yet that is exactly what the Trump administration is doing," Gelernt said.



NATIONAL SECURITY

Trump says the U.S. will send the 'worst criminal illegal aliens' to Guantánamo Bay

Homeland Security Secretary Kristi Noem, who visited the base last week, said the U.S. only wants to hold people on the base for a short period of time before they're sent to another country.

"My goal is that people are not in these facilities for weeks and months. My goal is that there is a short-term stay, they are able to incarcerate them, take them, follow the process and get them back to their country," Noem said on [CNN's *Inside Politics*](#) on Sunday. But she added that she would not rule out the possibility some people would stay at the base for weeks or even months.

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