

Some Migrants Sent by Trump to Guantánamo Are Being Held by Military Guards

The Times has obtained a list of 53 Venezuelan men the Trump administration has put in a wartime prison built to hold Al Qaeda suspects.



By Carol Rosenberg and Charlie Savage

Carol Rosenberg and Charlie Savage have each been writing about detention at Guantánamo for more than two decades. Rosenberg reported from Miami and Savage from Washington.

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Dozens of Venezuelan migrants sent by the Trump administration to the U.S. military base in Guantánamo Bay, Cuba, are being guarded by troops rather than civilian immigration officers, according to people familiar with the operation.

While the Trump administration has portrayed the detainees as legally in the custody of Immigration and Customs Enforcement, military guards and medics are doing the work, the people said.

The Trump administration has not released the migrants' names, although at least two have been identified by their relatives through pictures released of the first flight.

By not disclosing the migrants' identities, the government has prevented their relatives from learning where they are being held and complicated lawyers' efforts to challenge their detention.

Spokespeople for the Homeland Security and Defense Departments have been unwilling or unable to answer detailed questions about what is happening to the migrants at the base.

But The New York Times has obtained the names of 53 men who are being held in Camp 6, a prison building where until recently the military held Al Qaeda suspects. The Times has published the list.

A week after the first 10 men arrived from detention in Texas, the specifics of their status remains unknown. Officials for the Defense and Homeland Security Departments have said little about them other than their nationality. They've also described some as gang members, without offering evidence.

On Wednesday, Tricia McLaughlin, a homeland security spokeswoman, said that the agency had sent nearly 100 people to Guantánamo Bay, and that each had final deportation orders. All of them were considered to have “committed a crime by entering the United States illegally,” and the group included “violent gang members and other high-threat illegal aliens,” she said.

Not all migrants in ICE detention entered the United States illegally. Some, for example, requested asylum at the border, but were eventually rejected. The government did not offer evidence that all of the men taken to Guantánamo had sneaked across the border.

The government has periodically taken migrants picked up at sea to Guantánamo to be processed. But it has not previously taken people who were already detained on American soil — and therefore have constitutional rights, even if they were in the country unlawfully — to a U.S. detention facility abroad.

Nonetheless, a picture of the Guantánamo operation is emerging as military guards and medics scramble to figure out how to hold dozens of migrants. Troops had previously helped handle the base's detainees in the war against terrorism, whose numbers are now down to 15 after transfers late in the Biden administration.

Eight people described the migrant operations at Guantánamo. All spoke on the condition of anonymity because they were discussing sensitive information about ongoing security operations in a military zone.

One person familiar with the operation said that Camp 6 is in disrepair, with broken showers and doors and other faulty equipment that make parts of it unusable. This person also said that only two ICE officials were working inside Camp 6.

The Trump administration has told congressional staff members that only six ICE officials are working on the migrant detention operation, according to multiple people familiar with a briefing.

The congressional staff members were told that the prison building has 176 cells, but capacity for only 144 men. It was not clear if that meant 144 cells are in working condition, or if this was a reference to consideration of holding two men in each of 72 cells, using cots.

Two people with knowledge of prison operations said the detainees are being fed prepackaged military rations known as MREs, or Meals Ready to Eat.

The criteria for transfer to Guantánamo is currently Venezuelans in ICE custody, the congressional staffers were told. People in that category have been difficult to deport in recent years because of a breakdown in diplomatic relations, although Venezuela sent two flights to pick up some of its citizens who were being deported this week.

As of Tuesday, ICE had sent a total of 98 men to Guantánamo, according to several people keeping track of flights from El Paso to the Navy base in southeast Cuba. Of those, 53 were being held in Camp 6 and being guarded by the military.

President Trump has called the would-be deportees “criminal aliens” and administration officials have portrayed them as associates of the Tren de Aragua gang. But officials have not said what that accusation is based on for each man, and The Times could not independently verify the claims.

As of Tuesday, the other 45 migrants were being held in a lower-security building on the other side of the base. Their guards are members of the Coast Guard, which is part of the Department of Homeland Security, Ms. McLaughlin said. The names of these migrants were not on the list obtained by The Times.

The U.S. Southern Command, which operates the terrorism prison, has been streaming staff and support personnel to the base since Mr. Trump's order on Jan. 29 for the military and homeland security to prepare to expand a migrant operations center at Guantánamo Bay "for high-priority criminal aliens unlawfully present in the United States."

It is not known if, or when, the guards at Camp 6 would be replaced by or augmented with security personnel from homeland security. Meantime, the Pentagon's prison operation, which has Arabic language linguists on staff for the detainees in the war on terrorism, put out a rush announcement called a "hot fill," seeking a Spanish-language interpreter in the Navy to do a 182-day stint at the prison.

On Wednesday, a group of legal aid organizations sued the Trump administration, asking that migrants who had been taken to Guantánamo Bay be given access to lawyers to see if they want legal representation to challenge their detention there. The plaintiffs also included relatives of three detainees at the base who said they had lost contact with the men and were deeply worried about them.

Two of the migrants named in the suit, Luis Alberto Castillo Rivera and Tilso Ramon Gomez Lugo, were on the list of 53 who were being held in Camp 6. Their relatives said they recognized them from pictures released during the government transfer operations.

The Supreme Court has ruled that the government has lawful authority to hold Al Qaeda suspects in indefinite wartime detention at Guantánamo, under a law passed by Congress that authorizes the use of military force against the perpetrators of the Sept. 11 attacks.

But it is not clear what legal authority the Trump administration has to hold people arrested in the United States at Guantánamo for immigration detention purposes.

“When detained within the United States, immigrant detainees have the right to access counsel,” a request for a court order accompanying the lawsuit said. It added, “The government cannot eviscerate those rights simply by creating a legal black hole on an island in Cuba.”

Carol Rosenberg reports on the wartime prison and court at Guantánamo Bay. She has been covering the topic since the first detainees were brought to the U.S. base in 2002. [More about Carol Rosenberg](#)

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