

Trump admin considers temporary courts along the southern border



Washington (CNN) — The Trump administration is considering building temporary courts along the southern border as part of an effort to expand its policy of returning some asylum seekers to Mexico for the duration of their immigration proceedings, according to two administration officials.

The US [recently struck an agreement with Mexico](#) that included expanding the policy, which, the administration argues, serves as a deterrent since it keeps migrants waiting in Mexico, instead of within the US.

Site assessments have been completed for almost all the ports of entry to determine where such temporary immigration courts, described by sources as "soft-sided," would be needed, according to an administration official.

The facilities could be used to conduct hearings via video teleconference, which has previously been used by immigration courts elsewhere in the country, the official said.

The deal to expand the "Remain in Mexico" program across the border earlier this month came amid threats to impose tariffs on Mexico if it didn't bolster enforcement.

Mexico, the joint declaration said, would authorize the entrance of asylum seekers, and offer jobs, health care and education to those individuals. In return, the US must expedite the asylum adjudication process.

Consideration to erect immigration courts, which are overseen by the Justice Department, appears to be a step in that direction.



Migrants who are sent to Mexico to await their court hearings return to the US through a port of entry along the southern border to then be transported to their hearing. The temporary courts would allow migrants to have their hearings near or at the port, rather than

being bussed miles away, said the official.

It also would likely help alleviate the caseload at San Diego and El Paso immigration courts, which have been taking these cases.

The Justice Department's Executive Office of Immigration Review referred questions about the so-called Migrant Protection Protocols program to the Department of Homeland Security. A DHS official confirmed that the temporary structures are being considered, adding that the crisis has strained the immigration courts along the border. The administration has repeatedly requested additional immigration judges to chip away at a

massive backlog that's led to cases being scheduled years down the road.

The "Remain in Mexico" policy began in January and immediately received pushback back from immigrant advocates and lawyers who argue that it puts migrants who are predominantly from Northern Triangle countries of Guatemala, Honduras, and El Salvador and seeking asylum in the US in harm's way.

As of May, the [US had returned around 6,000 people](#) to Mexico to await their court hearings. The number of migrants falling under the policy appears to be doubling over time, but it is unclear how many additional people have been added to the program since the agreement with Mexico was struck.

One of the locations actively working toward implementing the program is the Rio Grande Valley region in Texas, the busiest sector for arrests of people illegally crossing the border, a senior Border Patrol official told CNN.

Before the program can get underway in the region, officials need to first have the infrastructure in place, including logistics for court hearings. The US also needs to engage with Mexico and ensure its government is willing to receive migrants across the border, said the official.

Like other administration immigration policies, returning migrants to Mexico has also been challenged in court.

In May, a federal appeals court allowed the Trump administration to [continue returning some asylum seekers](#) to Mexico for the time being. A panel of the 9th US Circuit Court of Appeals, while split on some issues, listed a number of factors that went into the decision, including risk of injury in Mexico and negotiations between the US and Mexico.