

# *U.S. Secretary of State Marco Rubio will not provide information to judge about Kilmar Abrego Garcia*

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Secretary of State Marco Rubio speaks during a cabinet meeting at the White House in

Washington, May 1 (RHC)-- U.S. Secretary of State Marco Rubio has indicated the administration of President Donald Trump may flout a judge's order requiring it to provide information about efforts to return a wrongly deported man from El Salvador.

At a cabinet meeting on Wednesday, the top diplomat was asked if he had formally requested the return of Kilmar Abrego Garcia from El Salvador.

Rubio responded: "I would never tell you that. And you know who else I'd never tell? A judge." He added that he does not feel bound by the court order. "Because the conduct of our foreign policy belongs to the president of the United States and the executive branch, not some judge."

The statements underscored the Trump administration's defiant stance towards judicial checks on its power. In the case of Abrego Garcia, U.S. District Judge Paula Xinis had ordered government lawyers to offer updates about measures the Trump administration had taken to return Abrego Garcia to the United States. On April 15th, she announced she would seek sworn testimony about those efforts from administration officials.

But Xinis temporarily halted the directive last week at the administration's request. She has scheduled new deadlines in May for administration officials to provide sworn testimony about what had been done to retrieve Abrego Garcia.

A resident of Maryland, Abrego Garcia has been held in El Salvador since March 15, when he was among the immigrants placed on a deportation flight and transferred to the Terrorism Confinement Center (CECOT), a maximum-security prison.

He has since been transferred to another facility, according to Senator Chris Van Hollen of Maryland, who visited Abrego Garcia in detention. The deportation violated an immigration judge's 2019 order barring his deportation on the basis that he would face persecution from local gangs.

Abrego Garcia and his family have said he fled El Salvador at age 16, after gangs pursued him for recruitment. He arrived in the U.S. without documentation. Given the 2019 protection order, the U.S. government initially acknowledged that Abrego Garcia's deportation had been the result of an "administrative error."

But in the wake of the public outcry the case has caused, the Trump White House has since doubled down on its position that Abrego Garcia is a member of the MS-13 gang and will never be allowed to live in the United States.

"Nothing will ever change the fact that Abrego Garcia will never be a Maryland father. He will never live in the United States of America again," White House Press Secretary Karoline Leavitt said earlier this month.

While Abrego Garcia has not been charged with any crimes, the White House has pointed to his tattoos as evidence of gang affiliation, something experts on MS-13 have cast doubt upon.

The administration also has referenced past allegations against Abrego Garcia from an anonymous informant, but his lawyers say those accusations are false and reference gang membership in New York, a state he has never lived in.

Earlier this month, Judge Xinis initially ordered the US government to "facilitate and effectuate the return of" Abrego Garcia no later than April 7th. After an appeal, the U.S. Supreme Court ruled that the Trump

administration must indeed “facilitate”, not “effectuate”, the return, though it did not specify the minimum requirements to comply with its order.

Furthermore, the high court sided with Xinis’s determination that Abrego Garcia had been denied due process during his deportation.

Still, Trump officials have repeatedly said the Supreme Court had backed their appeal. They also maintain it is up to El Salvador to return Abrego Garcia, a prospect the country’s leader, President Nayib Bukele, had previously dismissed.

“How can I return him to the United States?” Bukele said at an Oval Office sit-down earlier this month.

“Should I smuggle him into the United States? Of course, I’m not going to do it. The question is preposterous. How can I smuggle a terrorist into the United States? I don’t have the power to return him to the United States.”

But Trump has given contradictory signals about his government’s position on the matter, and whether he is indeed empowered to seek Abrego Garcia’s return.

In an interview with ABC News that aired on Tuesday, the U.S. president was asked if he could unilaterally bring back Abrego Garcia. Trump responded: “I could.” “And if he were the gentleman that you say he is, I would do that,” Trump added. “But he is not.”

But when asked on Wednesday during the cabinet meeting if Bukele would release Abrego Garcia if Trump requested, the president balked. “I really don’t know, I know that he’s been a great friend of our country,” he said.

“I haven’t spoken to him. I really leave that to the lawyers. I take my advice from [Attorney General] Pam [Bondi], they know the laws.”

[ SOURCE: AL JAZEERA and ASSOCIATED PRESS ]

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