



Written by [R. Cort Kirkwood](#) on April 14, 2025

Bukele: “Mistakenly” Deported Salvadoran Won’t Return to U.S. Despite Court Orders

It appears that Kilmar Abrego Garcia, whom a Justice Department lawyer wrongly said was mistakenly deported, won’t return from El Salvador, despite a U.S. Supreme Court order to “facilitate” his return.

The reason: El Salvador’s hard-nosed president, Nayib Bukele, said he would not release Garcia — accused of membership in the terrorist MS-13 gang — from the nation’s terrorist detention center.

And in explaining Garcia’s case, White House aide Stephen Miller corrected the media’s incessant refrain — citing the DOJ — that Garcia was unjustly removed. He wasn’t wrongly deported, Miller explained on Fox News and at the White House today.



AP Images
Nayib Bukele

□ [#BREAKING](#): President Bukele says he will REFUSE to send MS-13 gang members back to the United States from El Salvador

BUKELE: “How can I smuggle a terrorist into the United States? Of course I’m not going to do it. The question is preposterous!”

“Why do you want terrorists... pic.twitter.com/Ng954tOBJG

— Nick Sortor (@nicksortor) [April 14, 2025](#)

The Case

The wrangling over Garcia began when DOJ attorney [Erez Reuveni](#) and other officials “admitted” that Immigration and Customs Enforcement removed Garcia due to an “[administrative error](#).” [DOJ suspended](#) Reuveni on Saturday.

A far-left U.S. District Court judge in Maryland, [Paula Xinis](#) — appointed by former President Barack Obama — ordered the government to return him. The Trump administration appealed to the U.S. Supreme Court, which ruled 9-0 that Garcia must be returned. Or so reported the far-left Mainstream Media of the decision. The [upshot](#) isn’t as clear as the media would have it:

The order properly requires the Government to “facilitate” Abrego Garcia’s release from custody in El Salvador and to ensure that his case is handled as it would have been had he not been improperly sent to El Salvador. The intended scope of the term “effectuate” in the District Court’s order is, however, unclear, and may exceed the District Court’s authority. The District Court should clarify its directive, with due regard for the deference owed to the



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Executive Branch in the conduct of foreign affairs. For its part, the Government should be prepared to share what it can concerning the steps it has taken and the prospect of further steps.

□ BOOM! Top Trump advisor Stephen Miller just went BERSERK for 3 minutes straight on Fox over the media narrative that Trump must bring home Kilmar Abrego Garcia from El Salvador.

Miller perfectly debunked this ENTIRE claim that Garcia's deportation was an "error." This entire... pic.twitter.com/TfGa1VjvpS

— Eric Daugherty (@EricLDaugh) [April 14, 2025](#)

Trump aide Miller told Fox News that the SCOTUS ruling is a victory for the administration. And the lower court, he said, had zero authority to challenge Trump's conduct of foreign policy.

"We won the Supreme Court case, clearly, 9-0," Miller said today. "A district court judge said, unconscionably, that the president and his administration have to go into El Salvador and extradite one of their citizens, an El Salvadorian citizen — that would be kidnapping."

Such an act "would be an unimaginable act and an invasion of El Salvador's sovereignty.... No district court can compel the president to exercise his Article II foreign powers in any way whatsoever."

[Article II](#) of the federal Constitution gives the president control of foreign policy.

"[T]his has been portrayed wrong for 72 hours in the media," Miller continued:

[The court] said the most a court could ever compel you to do would be to facilitate return, which would basically mean if El Salvador voluntarily sends him back we wouldn't block him at the airport. We would put him back into ICE detention and then he would be deported either back to El Salvador or somewhere else.

Ordered Removed

But as well, Miller continued, Garcia was not "mistakenly sent to El Salvador," because he was ordered removed in 2019. And that was a final order of removal, the White House aide continued:

These are things that no one disputes. Where is he from? El Salvador. Where is he a resident and citizen of? El Salvador. Is he here illegally? Yes. Does he have a deportation order? Yes.

A DOJ lawyer who has since been relieved of duty, a saboteur, a Democrat, put into a filing, incorrectly, that this was a mistaken removal. It was not! This was the right person sent to the right place.

Now some have said, well, but he had a thing called a 'withholding order.' A withholding order means you've been ordered deported, but an immigration judge is saying you cannot go back to a particular country. Here's the thing: if you are a member of a foreign terrorist organization, you cannot have a withholding order.



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Since he's in MS-13, there is no withholding order. Furthermore, that gang he is accused of being persecuted by doesn't exist anymore in El Salvador! The 18th Street gang is gone.

Masterclass. Everyone needs to watch Stephen Miller's real-time factcheck on the truth about the MS-13 illegal gang member Kilmar Abrego Garcia that was deported to El Salvador. pic.twitter.com/KrPBBmlSdv

— Charlie Kirk (@charliekirk11) [April 14, 2025](#)

At the White House, Miller explained that two immigration courts declared Garcia an MS-13 member. Because [Trump declared](#) MS-13 a terrorist organization, "he was no longer eligible for any form of immigration relief.... We had a deportation order that was valid, which means under our law, he's not even allowed to be present in the United States and had to be returned because of the foreign terrorist designation."

Miller again noted that the district court judge, for all intents and purposes, had ordered the administration to kidnap a Salvadoran citizen.

Preposterous

Frustrated at the lesson in law, a reporter turned to Bukele. Maybe El Salvador's president would spring Garcia from the [Terrorist Confinement Center](#) and send him back here.

"I hope you're not suggesting that I smuggle a terrorist into the United States?" Bukele replied, asking "how can I return him to the United States":

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.

Asked whether he would release him into El Salvador, Bukele noted that the nation was now the safest nation in the Western Hemisphere. As [The New American reported](#) last week, El Salvador is now safer than many European tourist destinations.

"We're not very fond of releasing terrorists into our country," Bukele continued:

We just turned the murder capital of the world into the safest country in the Western Hemisphere and you want us to go back ... to being the murder capital of the world.... That's not going to happen.

SCOTUS [recently ruled](#) that the Trump administration can deport illegal-alien criminals and terrorists under the Alien Enemies Act of 1798.



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