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Subject: Trump tests limits of deportation powers with Abrego Garcia case

To: jbell@cityofmelrose.org <jbell@cityofmelrose.org>



MORNING REPORT

Wednesday, April 16 | By Alexis Simendinger & Kristina Karisch

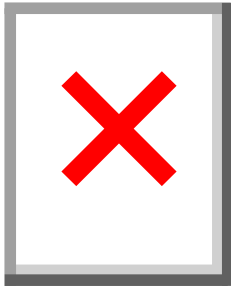
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In today's issue:

- District judge presses intransigent administration
- GOP lawmakers want courts to curtail tariffs
- Biden reemerges to defend Social Security
- US envoy backtracks on Iran deal details

TRUMP FIRST 100 DAYS



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Trump tests limits of deportation powers with Abrego Garcia case

The legal battle over the Trump administration's efforts — or lack thereof — to return a mistakenly deported Maryland migrant may eventually wind up back before the Supreme Court as **President Trump** tests the limits of his executive power.

The case of **Kilmar Abrego Garcia** already reached the high court, but on Tuesday, it was the centerpiece of a [tense hearing in Greenbelt, Md.](#), where U.S. District Judge **Paula Xinis** said the Justice Department's foot-dragging means she will now [seek sworn depositions from federal officials](#) *"to determine whether you are abiding by the court order. My court orders."*

The judge has appeared exasperated since last week, when Abrego Garcia's limbo as a migrant without U.S. legal status landed back in her court after the Supreme Court largely endorsed her order that the administration work to bring him back to the U.S.

Trump and Attorney General **Pam Bondi** on Monday suggested the U.S. is [powerless to gain the release](#) of Abrego Garcia if the Salvadoran government refuses.

A Justice Department lawyer previously conceded the former Maryland resident was deported in error on March 15. The government says he's been incarcerated for a month along with Venezuelan migrants sent to El Salvador under a \$6 million prison contract paid by the U.S. government.

"It is a fact now of this record that every day Mr. Garcia is detained in CECOT is a day of irreparable harm," the judge said, referring to the Salvadoran prison facility.

"HE SHOULD GET HIS DUE PROCESS": Maryland Sen. **Chris Van Hollen** (D) said he will travel today to El Salvador to try to discuss Abrego Garcia's case with officials there and attempt to visit him in prison, despite not receiving a response from Salvadoran President **Nayib Bukele** during his Washington visit with Trump on Monday.

"I do intend to go to El Salvador ... to show solidarity with his family. ... He should get his due process," the senator [told CNN](#), referring to his constituent.

Van Hollen said he believes the administration's stance is "unsustainable" because the government admitted a deportation "mistake" and as a result was later instructed by the Supreme Court to work to reverse its error.

"U.S. federal courts have ordered the safe return of my constituent Kilmar Abrego Garcia to the United States. It should be a priority of the U.S. government to secure his safe release," Van Hollen said in a statement.

Democrats on Capitol Hill fear that options to press for Abrego Garcia's return for additional U.S. court deliberations are slipping away, [reports The Hill's AI Weaver](#).

The White House has accused Democrats of defending criminal migrants at the expense of innocent U.S. citizens, which for many is a politically precarious perch to maintain for long.

One Senate Democratic aide told The Hill that "realism" is setting in among some Senate Democrats that the chances that Abrego Garcia returns to Maryland have dimmed with each passing day.

In Iowa on Tuesday, Republican Sen. **Chuck Grassley** held a [town hall](#) attended by a jeering crowd asking what he planned to do about Abrego Garcia. *“Are you going to bring that guy back from El Salvador?”* one man shouted. The question was met with enthusiastic claps from many in the crowd of about 100. *“I’m not going to,”* Grassley said. Pressed to explain, he said, *“Because that’s not a power of Congress.”* Asked if he was proud of Trump, the 91-year-old Judiciary Committee chair responded, *“There’s no president I have agreed with 100 percent of the time.”*

[The Hill](#): Contrary to specifics in the court record, Trump’s press secretary said Tuesday that Abrego Garcia is “a foreign terrorist and an MS-13 gang member” who is in prison after deportation for “his gang affiliation and his engagement in human trafficking.”

Lawyers for the Maryland sheet metal worker and father of three who is married to a U.S. citizen say their client entered the U.S. after fleeing El Salvador without legal status in 2011 and found work. He was accused in 2019 by a police informant of being a member of MS-13, allegations he denied. He has never been charged with a crime. A judge found in 2019 that he should not be deported to his home country because he had a credible fear of persecution and torture in El Salvador.

A former Maryland police officer who had accused Abrego Garcia of being an MS-13 gang member was later suspended for disclosing confidential information about another case, [The New Republic reported](#) on Tuesday. Advocates for Abrego Garcia say he has been denied due process, was deported to his home country in defiance of a court order and should be returned to the U.S. to receive due process under U.S. law.

“DEEPLY DISTURBING”: [The New York Times’s “The Daily”](#) podcast spoke with Supreme Court reporter **Adam Liptak** about why the administration’s legal position in the Abrego Garcia case goes beyond one deported migrant.

“There’s really nothing in the administration’s legal logic that would prohibit the administration from picking an American citizen off the street, send them to a viscous prison in another country where torture is routine, concededly lawlessly, and then say, ‘Whoops, sorry, nothing we can do about it. You’re going to spend the rest of your days there,’” Liptak said. *“The logic and implications of the administration’s position can only be called deeply disturbing.”*

- [The Associated Press](#): Here is a look at what judges, federal officials and Trump lieutenants have said about Abrego Garcia’s case.

- [Reuters](#): Trump said during an interview with Fox Noticias on Tuesday that he plans stipends as part of a self-deportation program.

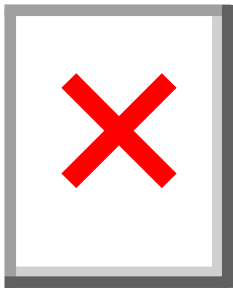
- [Axios](#): The president described a new legal path for “great” migrants who lack legal status.

Blake Burman's Smart Take is off this week and will return next week.

3 Things to Know Today

1. [The Hill's intrepid White House reporter Brett Samuels](#) has some takeaways after traveling with Trump.
2. Consumer tip: You can visit more than 100 U.S. [national parks for free](#) on Saturday.
3. The Hill's third in a four-part series about housing in America highlights [three nontraditional living situations](#) that people are adopting to achieve affordability. Check back this week at [TheHill.com](#) to find the entire series.

LEADING THE DAY



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TARIFFS: Republicans on Capitol Hill are hoping that the Supreme Court will step in to curb Trump's tariff authority, recognizing that Republican-sponsored legislation to limit the president's power to impose duties has no chance of becoming law. [The Hill's Alexander Bolton reports](#) Republican sources think that Justice **Amy Coney Barrett** and Chief Justice **John Roberts** could join liberals on the high court in curtailing Trump.

A group of small businesses on Monday filed a lawsuit in the U.S. Court of International Trade arguing that Trump illegally usurped Congress's power by applying the International Emergency Economic Powers Act to impose tariffs on more than 180 countries and territories. Sen. **Rand Paul** (R-Ky.) has argued that Trump has taken over Congress's power to levy taxes, and other conservatives, such as Sen. **Ted Cruz** (R-Texas), said that tariffs are nothing more than taxes on American consumers.

*“Members would love to have the courts bail them out and basically step in and assert the authority under the Constitution that taxes are supposed to originate in the House of Representatives,” said **Brian Darling**, a GOP strategist and former Senate GOP aide. “Senators and House members would like the courts to give them some cover because I’m sure many of them are nervous about getting reelected if these tariffs last for a long time. They’re looking at the poll numbers and see that tariffs are not popular.”*

- [The New York Times](#): Amid tariffs, stocks tumble as tech investors pull back.
- [The Guardian](#): A “shock to the system”: Farmers hit by Trump’s tariffs and cuts say they need another bailout.
- [The Wall Street Journal](#): The Trump administration plans to use ongoing tariff negotiations to pressure U.S. trading partners to limit their dealings with China.
- [BBC](#): These Chinese small businesses were brought to a standstill by Trump's tariffs.

STOCK TRADING: House Minority Leader **Hakeem Jeffries** (D-N.Y.) is giving a big boost to those who want to ban members of Congress from trading individual stocks, an idea that has bipartisan backers in Congress and broad support in the public. The deliberate and public push from Jeffries — coming as he accuses Republicans of potentially improperly profiting off Trump’s suggestion that it was a “great time to buy” ahead of his tariff pause — is particularly notable given how his predecessor, former Speaker **Nancy Pelosi** (D-Calif.), bristled at the idea. But [The Hill’s Emily Brooks reports](#) there is a long way to go before any changes to the law take effect, let alone a vote.

IRS: About 22,000 Internal Revenue Service employees have signed up for the Trump administration’s [latest resignation offer](#). The ensuing exodus could weaken the agency’s ability to collect taxes. Meanwhile, a new memo outlines the agency’s plans to reduce its workforce to between 60,000 to 70,000 employees, [down from roughly 100,000](#). Notices of “reductions in force” will start going out this week, specifying that *“taxpayer services and compliance will need to be trimmed.”*

- [The New York Times](#): A Tuesday town hall for Rep. **Marjorie Taylor Greene** (R-Ga.) outside of Atlanta quickly devolved into chaos, as police officers forcibly removed several protesters.
- [Punchbowl News](#): The State Department is expected to propose an unprecedented overhaul of the government’s overseas footprint, including the elimination of entire embassies and consulates

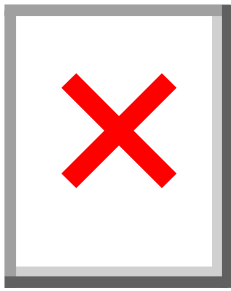
- [The Hill](#): The Commerce Department and its National Oceanic and Atmospheric Administration are refiring probationary employees after the expiration of a temporary court restraining order.
- [Punchbowl News](#): In a new letter, a dozen House Republicans are warning GOP leaders that they won't back a budget reconciliation package that includes massive cuts to Medicaid.

WHEN & WHERE

- **The House** and **Senate** are out this week.
- **The president** will receive an intelligence briefing at 11 a.m. Trump will participate in an Easter prayer service and dinner at the White House at 6:30 p.m.

□ Check out **Whole Hog Politics**, Chris Stirewalt's newsletter looking at the American political scene. Publishes every Friday. [Click here to sign up & get it in your inbox.](#)

ZOOM IN



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SOCIAL SECURITY: In his first post-presidency speech, former **President Biden** on Tuesday warned that Trump has [“taken a hatchet” to Social Security](#), weighing in on a critical issue for millions of Americans. Biden, who has largely avoided the public eye since leaving the White House in January, spoke in Chicago at the national conference of Advocates, Counselors and Representatives for the Disabled. The former president echoed warnings from fellow Democrats across the nation for what they described as a “Social Security Day of Action.”

“In fewer than 100 days, this new administration has done so much damage and so much destruction. It’s kind of breathtaking,” Biden said. “They’ve taken a hatchet to the Social Security Administration.”

[CNN](#): Feeling out a bizarre post-presidency, Biden reemerges on the public stage.

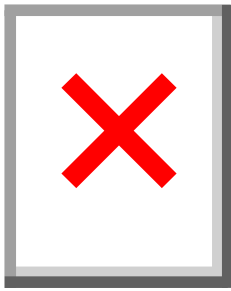
HIGHER EDUCATION: Harvard University on Monday [became the first university to openly reject](#) the administration's demands to change its policies, leading the federal government to pause \$2 billion in contracts with the Ivy League school while Trump threatens its tax-exempt status. Now, the higher education world will watch closely as the nation's oldest and richest school will almost certainly take the federal government to court.

Harvard has received [support from Stanford and Yale](#) universities, with representatives from both schools supporting Harvard's decision to reject the government's demands to rid the institution of diversity, equity and inclusion policies amid other directives.

"Universities need to address legitimate criticisms with humility and openness. But the way to bring about constructive change is not by destroying the nation's capacity for scientific research, or through the government taking command of a private institution," Stanford President **Jonathan Levin** and Provost **Jenny Martinez** wrote in a Tuesday statement. *"Harvard's objections to the letter it received are rooted in the American tradition of liberty, a tradition essential to our country's universities, and worth defending."*

- [The New York Times](#): Why Harvard decided to fight Trump.
- [The Washington Post](#): What Harvard could lose in its battle with the Trump administration.

ELSEWHERE



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IRAN: U.S. special envoy **Steve Witkoff** said Tuesday that Tehran would have to abandon its enrichment program in a potential new nuclear deal with the Trump administration. That [appeared to backtrack on comments](#) he made earlier that Iran could be allowed to enrich uranium at a low level. *“A deal with Iran will only be completed if it is a Trump deal,”* Witkoff wrote in a post on the social platform X, adding that *“Iran must stop and eliminate its nuclear enrichment and weaponization program. It is imperative for the world that we create a tough, fair deal that will endure, and that is what President Trump has asked me to do.”*

Trump held a Situation Room meeting Tuesday morning about the ongoing nuclear deal negotiations, [Axios reports](#), focused on establishing the U.S. position for the next round of talks, scheduled for Saturday in Rome. Iran hawks are slamming the planned deal as a second version of former **President Obama’s** nuclear deal, [writes The Hill’s Laura Kelly](#).

[The New York Times](#): Trump gives conflicting signals and mixed messages on Iran nuclear talks.

UKRAINE: At the start of his term, Trump promised to end the war in **Ukraine** within a day. That goalpost has shifted to securing a ceasefire within his first 100 days, or by the end of this month. While Trump has started to refer to the conflict as “Biden’s war,” if it drags on, [sources tell The Economist](#) that Trump worries it will increasingly become his.

A massive **Russian** attack on Ukraine this Sunday [is complicating efforts to reach a deal](#), and Trump has downplayed the incident as a “mistake” — and lashed out with recriminations as he continues to insist that the broader war was started by Ukrainian President **Volodymyr Zelensky**, not Russia’s full-scale invasion.

“The mistake was letting the war happen,” Trump said, when asked to clarify his initial comments at the White House on Monday.

- [Bloomberg News](#): The U.S. is softening calls for Ukraine to pay back aid in minerals deal talks.

- [France24](#): NATO chief **Mark Rutte** said on Tuesday that Trump’s push for a ceasefire and lasting peace in Ukraine was “not easy” and condemned Russia’s “terrible pattern” of attacks on Ukrainian civilians.

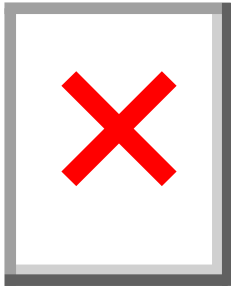
GAZA: Hamas has rejected an **Israeli** proposal for a truce in **Gaza** that would see 10 hostages released in exchange for hundreds of Palestinian prisoners and detainees, [NPR reports](#). The Monday proposal included an initial framework for a 45-day truce, during which the two sides would aim to negotiate a permanent ceasefire.

[ABC News](#): Israel’s defense minister says troops will remain in Gaza, **Lebanon** and **Syria** indefinitely.

OPINION

- **A matter of trust as markets ponder what’s next**, by John Authers, columnist, [Bloomberg Opinion](#).
- **Trump tries to run Harvard**, by [The Wall Street Journal](#) editorial board.

THE CLOSER



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And finally ... □ Tax day in 2025 has come and gone, and the IRS will likely have to contend with more than one tax cheat and fraudster. So did tax authorities 1,900 years ago, a newly analyzed papyrus from the Judean desert reveals.

The scrolls offer details of a tax-evasion trial where the defendants — **Gadalias** and **Saulos** — faced charges of forgery, fiscal fraud and the sham sale of slaves. Possible punishments under Roman law ranged from, according to [The New York Times](#), *“heavy fines and permanent exile to hard labor in the salt mines and, in the worst case, damnatio ad bestias, a public execution in which the condemned were devoured by wild animals.”*

The ancient scheme has resonated with modern tax lawyers. A German lawyer told **Anna Dolganov**, a historian with the Austrian Archaeological Institute, who deciphered the scroll, that Gadalias and Saulos’s evasion

tactics were not all that different from today's most common forms of tax fraud — shifting assets and phony transactions.

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