

# Fascist Stephen Miller declares Trump intends to circumvent Supreme Court, deploy National Guard to carry out mass deportations

**Jacob Crosse****2 May 2025**

As the Trump administration escalates the detention and disappearance of US citizens, legal residents, students, immigrants and asylum seekers without due process, top policy adviser Stephen Miller confirmed Friday that the administration intends to defy Supreme Court rulings and use the National Guard to carry out mass deportations. He made the remarks in an interview on the podcast of Republican propagandists Clay Travis and Buck Sexton.

Asked by the hosts if the administration was still planning to “deport them en masse,” Miller replied:

Yes. Absolutely. ... But the biggest near-term impediment to that goal, of course, are the courts and these radical leftist judges that are trying to shut down the machinery of immigration enforcement nationwide.

After painting a target on the judiciary, Miller declared:

We ... the Department of Justice, is pursuing a legal strategy with the hope that very soon the Supreme Court will swat away these injunctions so that we can get to the business of securing the American homeland in full force.

Miller added that the administration is prepared to take actions in defiance of the court:

If the Supreme Court doesn’t provide that relief, there are many other options that I will not get into here on what the president’s inherent authorities and powers are. So this isn’t we are only waiting on the Supreme Court. It is: The Supreme Court will hopefully do the right thing, or we have many other options at our disposal.

When Miller speaks of the “president’s inherent authorities and powers,” he is explicitly invoking the “unitary executive theory”—a

dictatorial interpretation of the Constitution that asserts that the president alone exercises full control over the executive branch and possesses sweeping authority over both foreign and domestic policy, including immigration and law enforcement.

Miller, both during his time in the White House and as the founder of America First Legal in 2021, has advanced policies and filed lawsuits aimed at legitimizing Trump’s dictatorial attacks on federal agencies and established law.

He noted that in order to carry out mass deportations, the administration would have to enroll “state and local law enforcement nationwide in assisting in supporting the deportation effort,” as well as the National Guard.

“We’re going to get National Guard more engaged in putting them into immigration enforcement roles in a domestic law enforcement setting,” Miller said, adding, “which is allowable under the 287(g) program that’s used for state on local law enforcement as well.”

The 287(g) program, a provision added to the Immigration and Nationality Act in 1996, allows the Department of Homeland Security (DHS) to deputize state and local law enforcement to carry out immigration raids and other functions. However, it has never before been used to deputize members of the US military.

Some 241 police agencies in 26 states have signed “Task Force Model” (TFM) agreements with the DHS under the 287(g) program. These agreements authorize state and local police to interrogate individuals about their immigration status, make arrests and even carry out raids on homes and businesses—entirely independent of ICE agents. Under one such TFM agreement with fascistic former Maricopa County Sheriff Joe Arpaio, tens of thousands of Hispanic and Latino residents were targeted and arrested.

Miller’s threats to conduct mass militarized raids are already being put into effect. In a display of force reminiscent of US combat operations in Fallujah or Kabul, more than 15 heavily armored ICE vehicles descended on a residential neighborhood in Irvine, California, Thursday morning. Dozens of armed agents swarmed a home—not in response to a violent crime but over allegations that posters had been placed on wooden poles.

Flashing their lights and carrying semi-automatic rifles, the agents surrounded the upper middle class home and ordered Michael Chang, the son of Annie Yang and YuZong Chang, to exit with his hands up. Chang, however, was not even present. In an interview with ABC7,

his parents confirmed that he had moved to New York last month.

According to ABC7, Michael Chang is being targeted by the agency for the “crime” of putting up posters around Los Angeles warning residents that agents from Homeland Security Investigations and ICE were operating in the area. The station reported that the posters allegedly included “personal information.”

In the face of growing popular opposition, Trump is escalating his assault on democratic rights with the full confidence that the official “opposition” will do nothing to stop him.

The Democratic Party has already signaled its complicity. In Trump’s first 100 days, it provided bipartisan support for the Laken Riley Act, voted overwhelmingly for his spending bill enshrining massive cuts through the Department of Government Efficiency (DOGE), and confirmed Marco Rubio as Secretary of State with a unanimous 99–0 vote. Emboldened by this collaboration, the Trump administration is pressing forward in open defiance of the Constitution.

Speaking at a cabinet meeting on Wednesday, Rubio pledged that the US would continue to disappear alleged immigrants to foreign gulags.

“I say this un-apologetically,” declared Rubio as Trump sat next to him.

We are actively searching for other countries to take people from third countries. So we are active, not just El Salvador. We are working with other countries to say, “We want to send you some of the most despicable human beings to your countries. Will you do that as a favor to us?” And the further from America the better. So they can’t come back across the border.

He continued, gesturing towards Trump:

I am not apologetic about it. ... The president was elected to keep America safe and to get rid of a bunch of perverts and pedophiles and child rapists out of our country.

Since his election to the Senate in 2011, Rubio has been a vocal advocate for expanding the Guantanamo Bay torture complex. During his 2016 presidential campaign, he declared, “We should be putting more people into Guantanamo, not emptying it out.”

Following the cabinet meeting, CNN reported that the Trump administration is actively negotiating with the Rwandan dictatorship and Libyan warlord General Khalifa Haftar to disappear immigrants by deporting them to these regimes, where they face the threat of imprisonment, torture or even enslavement.

The administration’s plans go beyond those with alleged criminal records; CNN confirmed that asylum seekers are also being targeted for removal to Libya, a country notorious for slave markets and extrajudicial killings.

Following the 2011 US-NATO bombing campaign in Libya, the country has collapsed into a state of poverty, desperation and civil war. A 2024 United Nations report confirms that immigrants are routinely smuggled and trafficked within Libyan prisons:

Migrants were reportedly also hired out for forced labour, sold to other centers or smugglers, or released against payments. ... While it was challenging to verify individual reported incidents, UNSMIL [United Nations Support Mission In Libya] confirmed a consistent pattern of reports of sexual violence, slavery and exploitation targeting people on the move across Libya.

As for Rwanda, the current President Paul Kagame was “elected” to a fourth term last July with 99.17 percent of the vote. Conditions inside the prisons are unsurprisingly horrid. In a 2024 report, Amnesty International wrote:

There was evidence of torture and other ill-treatment in detention, with a rare prosecution offering limited accountability. Enforced disappearances were reported. ... Journalist Dieudonné Niyonsenga, who was arrested in 2020 for reporting on Covid-19 restrictions and was serving a seven-year sentence in Mageragere prison ... appeared at his appeal hearing in January. He bore visible signs of ill-treatment. He told the court that he was beaten frequently, detained in dark conditions in a hole that was often filled with water, and that his hearing and eyesight were consequently impaired.

The methods and tactics used by US imperialism against its official “enemies” abroad—mass imprisonment, torture, targeted assassinations, extraordinary rendition—are now being rapidly deployed against immigrants and so-called “home-grown,” that is, US citizens.

This is no accident. It is the product of decades of bipartisan support for imperialist war, mass surveillance and the systematic erosion of democratic rights. The Democratic Party, no less than the Republicans, has backed illegal wars of aggression, CIA black sites, mass deportations and the legal architecture of dictatorship, all in preparation for global conflict, above all, with China.

The defense and expansion of democratic rights cannot be entrusted to the Democratic Party, which functions as a full accomplice in the Trump administration’s assault on immigrants and its preparations for war. The fight must be waged by the working class, through the building of an independent socialist movement that defends the right of all workers and their families to live and work wherever they choose, free from repression and fear.

We urge all workers and youth to attend today’s May Day online rally and join the Socialist Equality Party to take up this fight.



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