**Mass Deportation—summary from the web site “Tangle”**

The Alien Enemies Act. On Saturday, the United States government transferred hundreds of noncitizens and alleged gang members to a detention facility in El Salvador, despite [an order](https://www.readtangle.com/r/e548c851?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) from a federal judge blocking the deportation flights. According to Salvadoran President Nayib Bukele, the deportees [were transferred](https://www.readtangle.com/r/a8860abe?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) on three flights and included 238 alleged members of the Venezuelan prison gang Tren de Aragua (TdA), as well as 23 alleged members of the street gang Mara Salvatrucha 13 (MS-13). President Trump justified their removal by [invoking](https://www.readtangle.com/r/2a6621bb?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) the [Alien Enemies Act of 1798](https://www.readtangle.com/r/a5f4791e?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387); he had previously designated the group a foreign terrorist organization infiltrating the United States. The detainees were sent to the Terrorism Confinement Center ([CECOT](https://www.readtangle.com/r/34fdd153?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387)) in El Salvador; CECOT is the [largest prison facility](https://www.readtangle.com/r/e72b657a?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) in Central America.

**Back up:**[The Alien Enemies Act](https://www.readtangle.com/r/3a440dba?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) is a 1798 law that gives the president the wartime authority to deport any foreign nationals of an enemy nation. The act has been invoked three times in the past, all during declared wars — The War of 1812, World War I, and World War II.

On Friday, the American Civil Liberties Union and Democracy Forward [preemptively sued](https://www.readtangle.com/r/45b1edce?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) the Trump administration, saying five Venezuelan men being held in Raymondville, TX, were at “imminent risk of removal” under the Alien Enemies Act. A hearing for that case began on Saturday, [immediately following](https://www.readtangle.com/r/78e106fe?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) President Trump’s proclamation invoking the law. U.S. District Judge James E. Boasberg blocked the deportation order under the president’s justification, however, two of the flights had already departed and the third flight left shortly after.

The Trump administration then began to defend its decision to send the flights. First, the administration [claimed](https://www.readtangle.com/r/3d708623?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) that the judge’s written order [did not apply](https://www.readtangle.com/r/a67b325a?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) to the first two flights since they had already departed U.S. soil. Second, the administration [claimed](https://www.readtangle.com/r/2f79083c?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) that all those aboard the third flight were also under Title 8 deportation orders and therefore not subject to Judge Boasberg’s order — the identities of those deported, and which flights they were on, has not yet been confirmed, though an Immigration and Customs Enforcement official [said](https://www.readtangle.com/r/34257d83?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) on Tuesday that many did not have criminal records in the United States.

Third, on Tuesday, President Trump [challenged](https://www.readtangle.com/r/4a710f54?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) the ruling by pushing to impeach Judge Boasberg. Trump has a history with Boasberg, a district judge in Washington, D.C., who [presided](https://www.readtangle.com/r/e7464f08?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) over [cases](https://www.readtangle.com/r/02d4e35d?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) during Trump’s challenge to the 2020 election as well as a [challenge from the Trump administration](https://www.readtangle.com/r/c6d19208?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) over the Justice Department’s gathering of information in a case alleging Trump’s collusion with Russia. Over the weekend, Rep. Brandon Gill (R-TX) [introduced](https://www.readtangle.com/r/239fbf53?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) articles of impeachment for Judge Boasberg.

The proposal, along with the president’s message, prompted a rare public comment from Supreme Court Chief Justice John Roberts. “For more than two centuries, it has been established that impeachment is not an appropriate response to disagreement concerning a judicial decision. The normal appellate review process exists for that purpose,” Justice Roberts [said in a statement](https://www.readtangle.com/r/a0bc6f8c?m=f2760cb5-9492-4316-8d4b-b9e17b5aa387) released on Tuesday.

Today, we’ll share arguments from the right and left about the legal fight over the deportations. Then, my take.