

In reversal, Trump orders halt to family separation rule

By JILL COLVIN and COLLEEN LONG
Associated Press

WASHINGTON — Bowing to pressure from anxious allies, President Donald Trump abruptly reversed himself Wednesday and signed an executive order halting his administration's policy of separating children from their parents when they are detained illegally crossing the U.S. border.

It was a dramatic turnaround for Trump, who has been insisting, wrongly, that his administration had no choice but to separate families apprehended at the border because of federal law and a court decision.

The order does not end the "zero-tolerance" policy that criminally prosecutes all adults caught crossing the border illegally. But, at least for the next few weeks, it would keep families together while they are in custody, expedite their cases and ask the Defense Department to help house them. It also doesn't change anything yet for the some 2,300 children taken from their families since the policy was put into place.

The news in recent days has been dominated by searing images of children held in cages at border facilities, as well as audio recordings of young chil-

dren crying for their parents — images that have sparked fury, questions of morality and concern from Republicans about a negative impact on their races in November's midterm elections.

Until Wednesday, the president, Homeland Security Secretary Kirstjen Nielsen and other officials had repeatedly argued the only way to end the practice was for Congress to pass new legislation, while Democrats said Trump could do it with his signature alone. That's just what he did.

"We're going to have strong, very strong borders, but we're going to keep the families together," said Trump, who added that he didn't like the "sight" or "feeling" of children separated from their parents.

Under a previous class-action settlement that set policies for the treatment and release of minors caught at the border, families can only be detained for 20 days. A senior Justice Department official said that hasn't changed.

"This is a stopgap measure," said Gene Hamilton, counsel to the attorney general. Justice lawyers were planning to file a challenge to the agreement, known as the Flores settlement, asking that a judge allow for the detention of families until criminal and removal proceedings



AP Photo/Pablo Martinez Monsivais
President Donald Trump holds up the executive order he signed to end family separations at the border.

are completed.

So Trump's order is likely to create a fresh set of problems and may well spark a new court fight. It's unclear what happens if no changes to law or the settlement take place by the time families reach the detention deadline. The language also leaves room to separate children from parents if it's best for the child's welfare.

And it didn't do much for the teeming outrage over the issue. The Alabama-based Southern Poverty Law Center said the order didn't go nearly far enough.

"The administration still plans to criminalize families

— including children — by holding them in prison-like detention facilities. There are workable alternatives," president Richard Cohen said in a statement.

It's also unclear what will happen to the children already separated. Health and Human Services Secretary Alex Azar said his department will start reuniting detained immigrant children with their parents — but he made no specific commitment on how quickly that can be accomplished. And officials said the cases of the children already separated and turned over to their custody would proceed as usual.

Trump's family apparently played a role in his turnaround.

A White House official said first lady Melania Trump had been making her opinion known to the president for some time that she felt he needed to do all he could to help families stay together, whether by working with Congress or acting on his own.

And daughter Ivanka Trump tweeted, "Thank you @POTUS for taking critical action ending family separation at our border."

Homeland Security Secretary Nielsen briefed lawmakers on Capitol Hill Wednesday, and those on the fence over pending immigration legislation headed to the White House to meet with Trump. Assessments for possible detention facilities at military bases have already been done in Texas and another is expected in Arkansas on Thursday.

Two people close to Nielsen said she was the driving force behind the turnabout that led to the new order keeping families together. Those people were not authorized to speak publicly and commented only on condition of anonymity.

One of them said Nielsen, who had become the face of the administration's policy, had little faith that Congress would act to fix the separation issue and

felt compelled to act. She was heckled at a restaurant Tuesday evening and has faced protesters at her home.

Trump had tweeted early Wednesday, before issuing his order: "It's the Democrats fault, they won't give us the votes needed to pass good immigration legislation. They want open borders, which breeds horrible crime. Republicans want security. But I am working on something - it never ends!"

The "zero tolerance" policy put into place last month moves adults to the custody of the U.S. Marshals Service and sends many children to facilities run by the Department of Health and Human Services.

The policy had led to a spike in family separations in recent weeks, with more than 2,300 minors separated from their families at the border from May 5 through June 9, according to Homeland Security.

The Flores settlement, named for a teenage girl who brought the case in the 1980s, requires the government to release children from custody and to their parents, adult relatives or other caretakers, in order of preference. If those options are exhausted, authorities must find the "least restrictive" setting for a child who arrived without parents.

WORLD IN BRIEF

Associated Press

Supreme Court: Online shoppers can be forced to pay sales tax

WASHINGTON — States will be able to force shoppers to pay sales tax when they make online purchases under a Supreme Court decision today that will leave shoppers with lighter wallets, but is a big win for states.

More than 40 states had asked the high court to overrule two, decades-old Supreme Court decisions that they said cost them billions of dollars in lost revenue annually. The decisions made it more difficult for states to collect sales tax on certain online purchases.

The Supreme Court agreed to overturn those decisions in a 5-4 ruling. Justices Anthony Kennedy, Clarence Thomas, Ruth Bader Ginsburg, Samuel Alito and Neil Gorsuch voted in the majority.

Chief Justice John Roberts and three of his colleagues would have kept the court's previous decisions in place. Roberts wrote that Congress, not the court, should change the rules if necessary.

The cases the court overturned said that if a business was shipping a customer's purchase to a state where the business didn't have a physical presence such as a warehouse or office, the business didn't have to collect the state's sales tax. Customers were generally responsible for paying the sales tax to the state themselves if they weren't charged it, but most didn't realize they owed it and few paid.

In addition to being a win for states, the ruling is also a win for large retailers, who argued the physical presence rule was unfair. Large retailers including Apple, Macy's, Target and Walmart, which have brick-and-mortar stores nationwide, already generally collect sales tax from their customers who buy online. That's because they typically have a physical store in whatever state the purchase is being shipped to. Amazon.com, with its network of warehouses,

also collects sales tax in every state that charges it, though third-party sellers who use the site to sell goods don't have to.

Trudeau: Canada to legalize marijuana on Oct. 17

TORONTO — Marijuana will be legal nationwide in Canada starting Oct. 17 in a move that should take market share away from organized crime and protect the country's youth, Prime Minister Justin Trudeau said Wednesday.

The Senate gave final passage to the bill to legalize cannabis on Tuesday, legislation that will make Canada only the second country in the world to make pot legal across the country.

Trudeau said provincial and territorial governments need the time to prepare for retail sales.

"It is our hope as of October 17 there will be a smooth operation of retail cannabis outlets

operated by the provinces with an online mail delivery system operated by the provinces that will ensure that this happens in an orderly fashion," Trudeau said.

The prime minister said at a news conference that the goal is to take a significant part of the market share away from organized crime.

Canada is following the lead of Uruguay in allowing a nationwide, legal marijuana market, although each Canadian province is working up its own rules for pot sales. The federal government and the provinces also still need to publish regulations that will govern the cannabis trade.

Many questions remain unanswered, including how police will test motorists suspected of driving under the influence, what to do about those with prior marijuana convictions and just how the rules governing home cultivation will work.

The Canadian provinces of Quebec and Manitoba have already decided to ban home-grown pot, even though the federal bill specifies that individuals can grow up to four plants per dwelling.

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