

# Groton Daily Independent

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**Part-time Custodian needed. Approximately 20 hours per week Monday through Thursday. Hourly Wage DOE qualifications and experience. Applications are being accepted until 5 pm September 14, 2015 Send a letter of interest along with a resume to: Knute Reierson, Superintendent, Frederick Area School District, PO Box 486, Frederick, SD 57441**

**St. John's Lutheran Church is having its annual soup, sandwich, and pie luncheon (\$2.00 each) on Thursday, September 10th, from 11 a.m. to 1 p.m. along with crafts and a bake sale. Supplemental funds have been applied for from Thrivent Financial for Lutherans.**

**Open:** Recycling Trailer in Groton  
The recycling trailer is located at 10 East Railroad Ave.

**The cardboard/paper**  
recycling trailer at the school is **Open**

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## Saturday, September 5

2009: Dave and Becky Hunter

**Birthdays:** Mary Fordham • Lauri Howard • Dan Krueger • Irene Zoellner

1:00pm: Girls soccer at Tea Area (JV at 3 p.m.)

3:00pm: Boys Soccer at 3 pm (Boys JV at 5 pm)

4:30pm: St. Elizabeth Ann Seton Catholic Church Mass

## Sunday, September 6

**Birthdays:** Samantha Larson • Trey Gengerke • Justin Olson • Nick Olson • Perryn Dobbins

9:00am: St. Elizabeth Ann Seton Catholic Church Mass

10:00am: Heaven Bound Ministries worship at Pierpont Church

10:15am: Emmanuel Lutheran Worship

11:00am: United Methodist Church Worship

## Monday, September 7

LABOR DAY - No School

Labor Day

**Birthdays:** Alana Wolken • Dannielle Dobberpuhl • Faye Berndt • Kris Ferrington • Crystal Waage

## Tuesday, September 8

**School Breakfast:** Mini pancakes, fruit, juice, milk.

**School Lunch:** BBQ, baked beans, veggie trays, fruit.

**Birthdays:** Russ Claussen • Seth Duncan • Kelly Kjelden

10:00am: United Methodist Women's Bible Study

4:00pm: Cross Country at Britton

7:00pm: Groton City Council Meeting

7:00pm: Emmanuel Lutheran Council

## Wednesday, September 9

**School Breakfast:** Ham and egg sandwich,

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Last night was our first attempt at doing a CUBE broadcast of the football game at Mobridge. We did trial runs and everything seemed to be in order. So with iPad and iPhone in hand, an extension cord, the CUBE lens from the school, my list of sponsors, a tripod, my regular camera and notebook, I was ready to tackle the game.

Everything seemed to work great. It said I was streaming live. Trying to get a good location seemed to be a bigger challenge at the time, but I made work with what I had. The sun was directly across from me so I figured I would have to wait a bit to try and take still photos. Then a text came in. It was from Toby Doeden. He said there was nothing there. It was blank. I looked at my status and it said I was live. I grabbed my iPhone to see what was going on and sure enough, it was black. How? Why? Not now! Now I was frustrated. To no avail, I could not get it working. Towards the

end of the second quarter, I tried my iPhone. That worked. Apparently I am having a video issue with the iPad that it works when it wants too. I call it technology with an attitude. It was a good thing I kept my cool and didn't say a lot of bad things during this time because the audio was actually working, as I found out later.

So for the rest of the first half, I held my iPhone. Toby texted back and said it was working, but it was a little shaky. I replied that I was holding the iPhone until halftime and yes, I wouldn't make a good surgeon.

So at halftime, I took the iPad out of the CUBE holder and put my iPhone in its place. There was a 2X magnifier lens that I was using. While I had to hold the iPhone for the second half on the case, at least it was more steady.

So now, I am trying to merge the newspaper coverage with the video coverage into one. Easier said than done - it was something I tried about 15 years ago. Now it's coming back to haunt me again. The video from last night was not very clear so I was not able to extract any still photos out of it for the paper. Needless to say, the still camera did not get used for the game. The quality of the video is determined by the data speed. I did try to get Wifi at the football field, but I was told there was no Wifi available at the Mobridge football field. So I was using my data plan. Speed on the data plan varies from carrier to carrier.

Now it's back to the drawing board - or should I say back to shopping. We have a new iPad on its way that is supposed to speed up data delivery. I'm not sure if I'll have it on time for the Redfield-Doland game, but should have it for the Milbank game. I guess I'll see if I can overcome technology with an attitude.

Meanwhile, if there is anyone out there that would like to do the announcing for the game, let me know. We will be expanding our CUBE coverage once we get everything in place.

Our website on the CUBE is <http://thecube.com/cube/paperpaul>. Or just go to [thecube.com](http://thecube.com) and search for either paperpaul or Groton Daily Independent. For the Mobridge-Pollock game, you will need to move the scroll bar to about halfway to get the video. Most of the first half was audio only and a black screen.

For those of you trying to watch it last night, thanks for your patience while we worked through the technology. I do see that we had over 300 views, which I think is remarkable for our first attempt.

## Bowlers Needed!

The Groton Coffee Cup League and the Conde National League are looking for regular bowlers and subs for the 2015-16 year. The coffee cup league is an afternoon ladies league that bowls on Tuesday afternoons at 2:00pm. The conde national league is a mixed league that bowls on Monday nights at 7:30pm.

We start on September 14th and 15th and go through March.

You don't have to be good, you just need to want to have fun.

Please contact Vickie Kramp at 382-7293 or leave your name and contact number at Jungle Lanes.



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**CUBE Coverage of the game was sponsored by**  
**James Valley Telecommunications**  
**Modern Woodmen of Amercia, Curtis Mitchell**  
**Bahr Spray Foam & Construction**  
**Subway**  
**Groton Vet Clinic**  
**Tuffer'n Hell Equipment**  
**Fliehs Sales & Service**  
**Poet**  
**Aberdeen Chrysler Center**  
**Groton Daily Independent**

## **Groton Area wins second annual "Battle of the Tigers"**

Groton Area overcame 10 penalties and used its defense to snag up two interceptions and one fumble to win the second annual "Battle of the Tigers." Groton Area traveled to Mobridge-Pollock and came home with a 27-8 win.

"We have to clean up our penalties," said Coach Shaun Wanner. "That's one area that we are concerned about. It shows the inexperience of our team and as the season goes on, we can't have so many of them."

Groton had 10 penalties for 80 yards while Groton Area had three for 40 yards.

The Groton Area defense kept Mobridge-Pollock from having much for rushing yards, only 27. Matt Lepke completed 13 of 24 passes for Mobridge-Pollock for 111 yards with two interceptions - one by Patrick Gengerke and one by Trevor Pray, and the only touchdown with 10:12 left in the first quarter on a 51 yard pass-play to Gary Wellman for the first score of the game. Riley Schott ran in the extra point as Mobridge-Pollock jumped out to a 8-0 lead.

Groton Area would score on its second play of the game when Adam Herman caught a 30-yard pass from Bennett Shabazz with 9:55 left in the first quarter. The PAT kick was no good and Mobridge-Pollock held an 8-6 first quarter lead.

"Bennett (Shabazz) threw the ball well and we had some good catches," Wanner said. Herman had two catches for 54 yards, Seric Shabazz had two for eight yards and Hunter Lerew had one for two yards. Bennett Shabazz completed five of 11 passes for 78 yards and two touchdowns. His second touchdown pass was a 24 yarder to Herman with 29 seconds left in the first half. "We are trying to shore things up offensively," Wanner said. "Everyone is playing hard and they want to win."

Groton Area had 41 carries for 222 yards. Bennett Shabazz had 28 carries for 170 yards, Lucas Hinman had five for 20 yards, Seric Shabazz had four for 17 yards, Carter Jondahl had three for 12 yards and Brandon Keith had one for three yards. Groton's other touchdowns were Bennett Shabazz with runs of 16 and 40 yards. Herman had a PAT pass from Shabazz and James Thompson kicked one PAT.

Defensive leaders for Groton Area were Brandon Keith with 15 tackles and Carter Jondahl with seven. "We played really well defensively," Wanner said. "We're running kids in and out. It's a good thing."

Groton Area, now 2-0, will host Redfield-Doland Friday. "It's always a physical game with Redfield-Doland," Wanner said. "They lost a lot of linemen like we have, so they're a lot like us." The Friday game begins the Northeast Conference title race as the next four games are conference games.

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## Fourth annual Ladies Night Out

Monday  
September 14, 2015

Social 6:00 PM  
Painting 7:00 PM

**OLIVE GROVE GOLF COURSE**

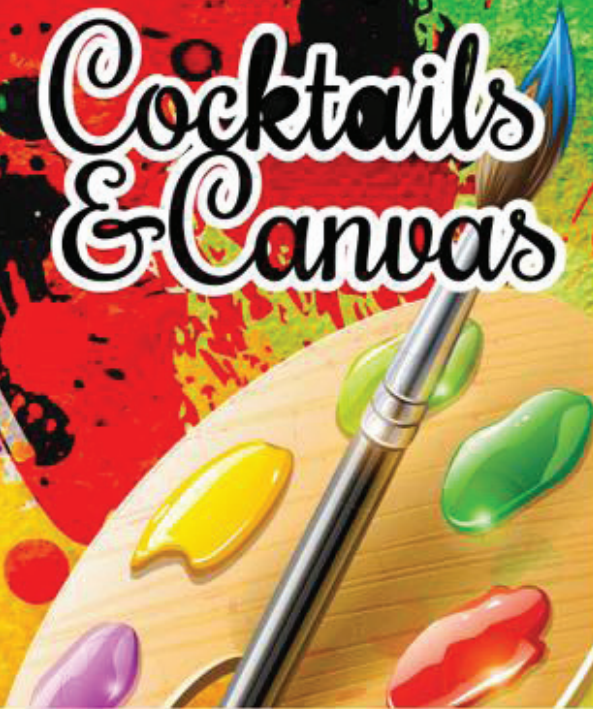
Wine tasting  
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Course



## Today in Weather History

September 5, 1983: In the late afternoon and early evening, hail up to 2½ inches in diameter pounded crops, trees, buildings, and windows resulting in extensive damage in Spink, Beadle, Turner, and Clay Counties. Trees were stripped with numerous branches broken off.

1925 - The temperature at Centerville, AL, soars to 112 degrees to establish a state record. Every reporting station in Alabama was 100 degrees or above that afternoon. (The Weather Channel)

1933 - A hurricane hit Brownsville, TX, killing forty persons and causing 12 million dollars damage. (David Ludlum)

1950 - Hurricane Easy produced the greatest 24 hour rainfall in U.S. weather records. The hurricane deluged Yankeetown, on the upper west coast of Florida, with 38.7 inches of rain. (David Ludlum)

1975 - Strong winds reduced visibilities to near zero in blowing dust resulting in a 22-car chain reaction accident on Interstate 10 near Toltec AZ. Two persons were killed, and 14 others were injured. (The Weather Channel)

1987 - Thunderstorms over the Southern and Middle Atlantic Coast States drenched Charleston, SC, with 5.50 inches of rain, and a total of 13.50 inches in two days, flooding homes, and leaving roads and bridges under water. (The National Weather Summary) A tropical storm which formed off the South Atlantic coast was responsible for torrential rains over coastal regions of South Carolina. Between the 30th of August and the 8th of September, Charleston SC received 18.44 inches of rain. The heavy rains caused extensive flooding around the city of Charleston, seriously damaged cotton crops in the eastern part of the state, and resulted in an unusually high number of mosquitos. (Storm Data)

1988 - Five days of heavy rain commenced in west central Florida. Up to 20 inches of rain in four days resulted in extensive urban flooding, and evacuation of 1000 homes. Flooding claimed four lives, and caused more than five million dollars property damage. (The National Weather Summary)(Storm Data)

1989 - Thunderstorms produced six to ten inches of rain in south central Kansas between 6 AM and Noon. Serious flooding was reported around Wichita, with water four feet deep along some roads. A cold front crossing the Northern High Plains Region produced wind gusts to 63 mph at Sheridan WY. (Storm Data) (The National Weather Summary)



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This Afternoon	Tonight	Sunday	Sunday Night	Labor Day	Monday Night	Tuesday
 50%	 50%	 20%		 20%	 20%	
Chance T-storms	Chance T-storms	Slight Chance T-storms and Breezy	Mostly Clear	Slight Chance T-storms	Slight Chance T-storms	Sunny
High: 83 °F	Low: 68 °F	High: 80 °F	Low: 49 °F	High: 75 °F	Low: 51 °F	High: 73 °F

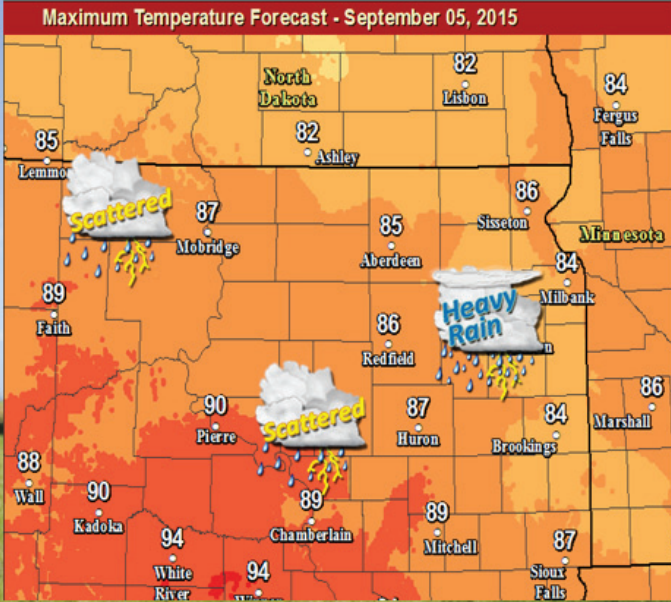


## Thunderstorms Today

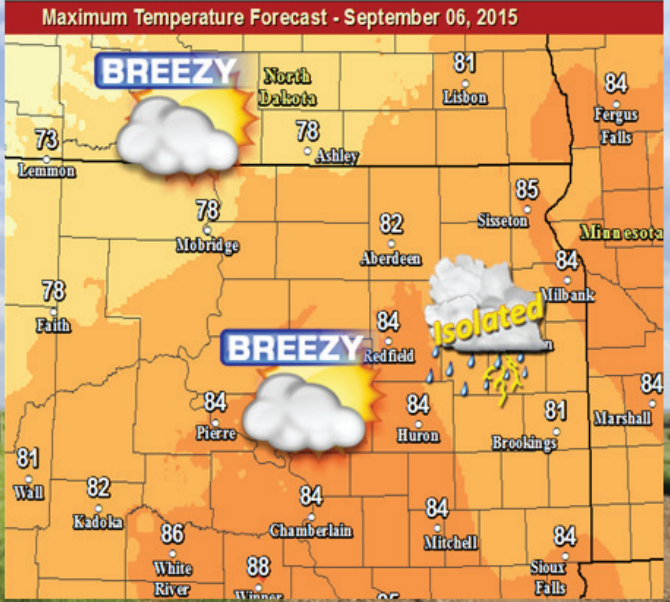
### Cooler and Less Humid on Sunday



**Maximum Temperature Forecast - September 05, 2015**



**Maximum Temperature Forecast - September 06, 2015**






**- Saturday**

- Thunderstorms possible
- Some may produce locally heavy rainfall

**- Sunday**

- Cooler and less humid
- Breezy west the northwest winds


[weather.gov/Aberdeen](http://weather.gov/Aberdeen)

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Published on: 09/05/2015 at 5:13AM

An area of low pressure will slowly cross the region today through tonight. This system will bring scattered showers and thunderstorms to most areas. Locations in eastern South Dakota and western Minnesota could see locally heavy rainfall with some thunderstorms later this afternoon through tonight. Cooler and less humid conditions are expected on Sunday.

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## Yesterday's Weather

**High:** 88.4 at 4:32 PM

**Low:** 71.1 at 11:19 AM

**High Gust:** 21 at 4:26 PM

Precip: 0.00

## Today's Info

**Record High:** 102° in 1945

**Record Low:** 32° in 1962

**Average High:** 77°F

**Average Low:** 50°F

**Average Precip in Sept.:** 0.37

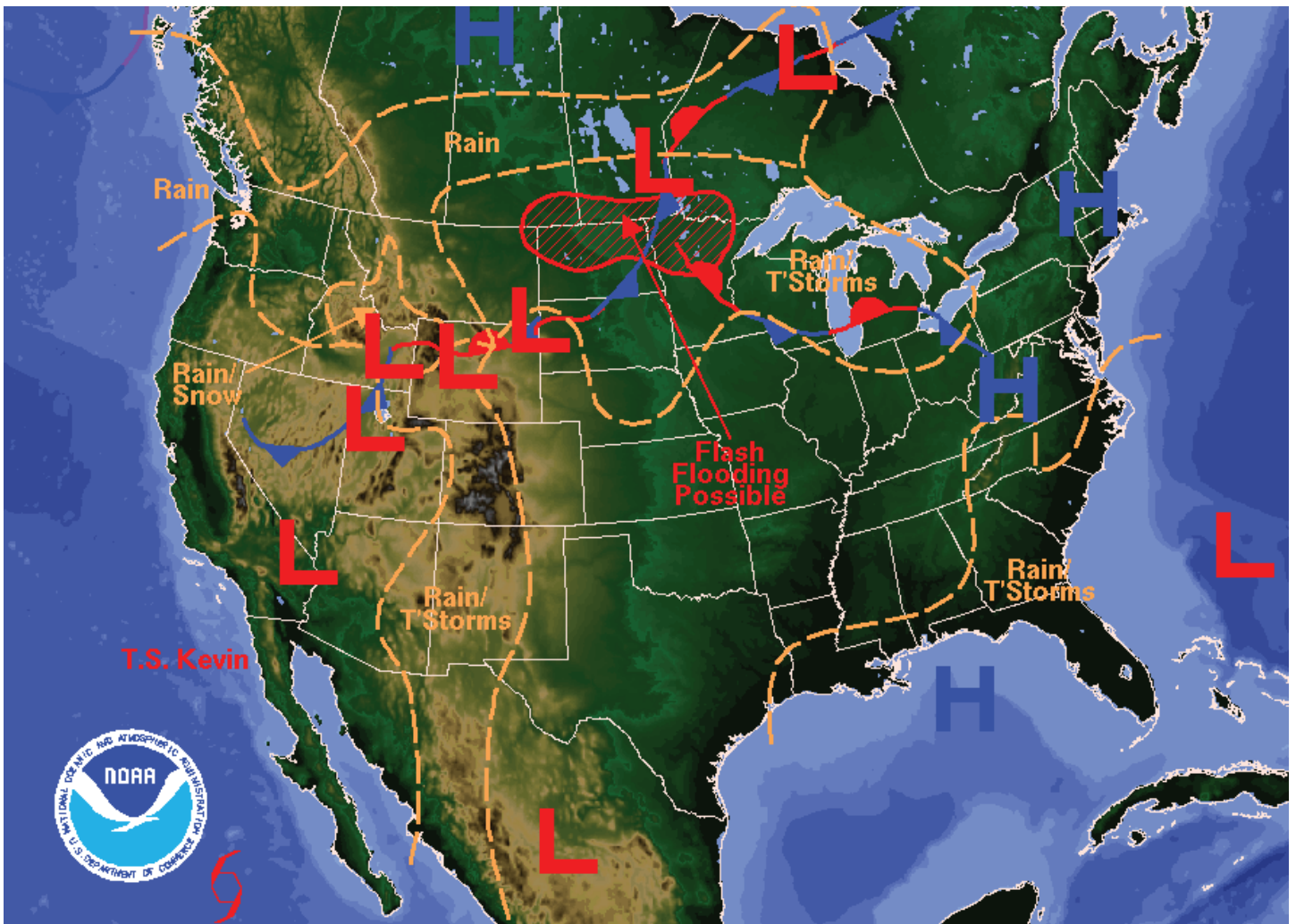
**Precip to date in Sept.:** 0.00

**Average Precip to date:** 16.66

**Precip Year to Date:** 16.56

**Sunset Tonight:** 8:04 p.m.

**Sunrise Tomorrow:** 7:00 a.m.



Weather Forecast for Sat, Sep 05, 2015, issued 4:22 AM EDT  
DOC/NOAA/NWS/NCEP/Weather Prediction Center  
Prepared by Krekeler based on WPC, SPC and NHC forecasts



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## "DOING THE BEST I CAN"

Every now and then we meet someone who believes that they have been called to do something special - something that no one else can do. It makes their lives different, unique.

Charles Schultz created the world-famous comic strip, Peanuts. It grew from the pages of a newspaper to television specials and ultimately a movie. But success came slowly to him. When he was in art school he barely earned a "C+" in a course entitled "The Drawing of Children."

While serving in the armed forces Schultz designed cartoons on the letters his friends sent home to their loved ones to make the letters special. After he returned to civilian life, he submitted a few of them to the Saturday Evening Post and were eventually published. This eventually turned into the comic strip, Peanuts.

Once during an interview he said, "I don't think I am a true artist. But I do think I am doing the best I can with whatever abilities I have been given."

"God has given gifts to each of you...manage them well...so His generosity can flow through you." All of us have been given gifts from God and He expects us to use them in serving others. "Manage them well!"

**Prayer:** We thank You, Father, for the gifts You have given us to use to honor You by serving others. In Jesus' Name, Amen.

**Scripture for Today:** 1 Peter 4:10 As each one has received a gift, minister it to one another, as good stewards of the manifold grace of God.

## News from the Associated Press

### **Sioux Falls man wins Dakota Cash jackpot worth over \$178,000**

PIERRE, S.D. (AP) — A Sioux Falls man has claimed a Dakota Cash jackpot worth nearly \$180,000. Josh Johnson on Friday claimed his prize worth \$178,607 from the Sept. 2 drawing. Johnson bought his winning ticket at a Lewis Drug store in Sioux Falls. The store will receive a \$5,000 bonus for selling the winning ticket. Dakota Cash is played only in South Dakota. The odds of winning the top prize are 1 in about 325,000. The jackpot for Saturday's drawing currently sits at \$20,000.

### **South Dakota meat seller to pay \$30,000 to state of Iowa**

SIOUX FALLS, S.D. (AP) — A South Dakota-based meat seller accused of employing deceptive trade practices must pay the state of Iowa \$30,000.

The Iowa Attorney General's Office says Sioux Falls-based Rancher's Pride violated the state's door-to-door sales act by failing to tell buyers about their right to cancel their order. A settlement was reached this week.

Spokesman Geoff Greenwood tells the Argus Leader that the attorney general's office received 20 complaints about the company and that they had a number of concerns about their practices.

The South Dakota attorney general's office has received 24 complaints about the company. Spokeswoman Sara Rabern says an investigation is ongoing.

A woman who answered a number listed for the company told The Associated Press to speak with company officials during regular business hours.

### **Officials warn of high fire danger in western South Dakota**

RAPID CITY, S.D. (AP) — State officials are continuing to warn South Dakotans about a high risk of fire in the western part of the state.

The South Dakota Division of Wildland Fire says its staff and local volunteer fire departments responded to three fires from Wednesday night through Thursday night.

A fire northeast of Oral that was started by lightning Thursday night burned over 200 acres. Small fires were also extinguished near Edgemont and the Angostura Reservoir.

The Division of Wildland Fire is asking anyone working or spending time outdoors in western South Dakota to be "fire safe" in wildland areas.

### **Minimum-security inmate who left grounds back in custody**

SIOUX FALLS, S.D. (AP) — A minimum-security state prison inmate who left the grounds without permission Friday is back in custody in Sioux Falls.

The South Dakota Department of Corrections says escape procedures were enacted Friday afternoon after 39-year-old Frederick Montgomery left the Sioux Falls Community Work Center, which is on the grounds of the State Penitentiary.

Department of Corrections staff members reached out to the Sioux Falls Police Department, who had contact with Montgomery at an apartment complex in Sioux Falls. The investigation was then turned over to Sioux Falls police.

Corrections officials say Montgomery was back in custody Friday evening.

Leaving a non-secure correctional facility without authorization is considered second-degree escape, which is a class five felony punishable by a maximum of five years.

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## Alumnus donates \$250K in instruments to School of Mines

RAPID CITY, S.D. (AP) — The South Dakota School of Mines & Technology has received more than \$250,000 in rare musical instruments as part of a donation from a former student.

The gift from alumnus Paul Rafter includes 44 acoustic, electric and bass guitars, three Hammond organs, a 7-foot Yamaha Disklavier grand piano, a Wurlitzer electric piano, amplifiers, microphones, drums and recording equipment.

It's the largest gift ever received by the school's music program, and many of the pieces will be sold to benefit the program.

Rafter is a retired engineer living in San Jose, California. His instrument collection includes limited edition guitars, basses and amps, with some dating back to 1958.

He says he wanted to show his gratitude for all that Mines gave him.

## USD theater students to present 4 productions this season

VERMILLION, S.D. (AP) — Theater students at the University of South Dakota will present four productions during the 2015-2016 season.

The students will open the season Sept. 25 with William Inge's comedy "Bus Stop." The production, which takes place in a rural diner just outside Kansas City, shows how bad weather can affect people's emotions.

The season continues with Mel Brooks' famous comedy "Young Frankenstein." Students will present this energetic musical starting Nov. 20.

The university's theater department then moves from hilarity to the shadowy world of playwright Martin McDonough as students present his dark comedy "The Pillowman" beginning Feb. 18.

The season will conclude with the production of "Assassins" that opens April 14. This Stephen Sondheim Tony Award-winning musical brings to life people who attempted or achieved the assassination of U.S. presidents.

## Friday's Scores The Associated Press

### PREP FOOTBALL

Aberdeen Central 48, Rapid City Central 47, OT  
Avon 58, Tripp-Delmont/Armour 6  
Belle Fourche 62, Todd County 12  
Beresford 32, Wagner 6  
Chamberlain 23, Jones County/White River 6  
Chester 15, Alcester-Hudson 14  
Clark/Willow Lake 50, Tri-State 0  
Colman-Egan 28, Arlington/Lake Preston 22  
Colome 26, Gayville-Volin 22  
Corsica/Stickney def. Marty Indian, forfeit  
Custer 10, Bennett County 0  
Dell Rapids 35, Vermillion 6  
Dell Rapids St. Mary 48, Oldham-Ramona/Rutland 0  
DeSmet 56, Castlewood/Estelline 8  
Deubrook 42, Elkton-Lake Benton 12  
Deuel 16, Florence/Henry 12  
Eureka/Bowdle 62, Ipswich/Edmunds Central 14  
Faith 40, Edgemont 33  
Garretson 40, Centerville 30  
Great Plains Lutheran 38, Waubay-Summit 20  
Gregory 62, Platte-Geddes 8

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Groton Area 27, Mobridge-Pollock 8  
Harding County 24, Timber Lake 22  
Harrisburg 14, Huron 7  
Hitchcock-Tulare 42, Sunshine Bible Academy 6  
Hot Springs 6, Douglas 2  
Irene-Wakonda 25, Viborg-Hurley 0  
Langford 45, Faulkton 0  
Lemmon/McIntosh 34, Hettinger/Scranton, N.D. 14  
Lennox 13, Tea Area 7  
Lyman 42, Wall 18  
Madison 49, Dakota Valley 14  
Milbank Area 32, McCook Central/Montrose 20  
Miller 30, Potter County 22  
Mt. Vernon/Plankinton 40, Kimball/White Lake 18  
Newcastle, Wyo. 50, Lead-Deadwood 12  
Newell 44, McLaughlin 12  
Parker 28, Howard 6  
Philip 44, Kadoka Area 0  
Pierre 23, Brookings 9  
Rapid City Christian 45, Hay Springs, Neb. 8  
Rapid City Stevens 39, Sturgis 3  
Redfield/Doland 53, Crow Creek 20  
Scotland 22, Burke/South Central 18  
Sioux Falls Christian 36, Bridgewater-Emery 14  
Sioux Falls Lincoln 21, Sioux Falls Washington 10  
Sioux Valley 26, Elk Point-Jefferson 12  
Sisseton 36, Flandreau 0  
Spearfish 47, Pine Ridge 6  
Sully Buttes 36, Stanley County 28  
Tri-Valley 7, Parkston 0  
Waverly-South Shore 20, Hamlin 14  
Webster 24, Britton-Hecla 22  
West Central 30, Canton 7  
Winner 62, Cheyenne-Eagle Butte 8  
Wolsey-Wessington 64, Herreid/Selby Area 12  
Yankton 21, Mitchell 14

## **Volleyball**

Oelrichs def. Edgemont, 22-25, 25-27, 25-13, 25-20, 15-13  
Rapid City Christian def. Hay Springs, Neb., 25-12, 25-23, 25-17

## **Judge: Injunction against water rule limited to 13 states**

**JAMES MacPHERSON, Associated Press**

BISMARCK, N.D. (AP) — A federal judge in North Dakota said Friday that his injunction blocking a new Obama administration rule aimed at regulating some small waterways applies only to the 13 states that sued to block it, and not nationwide.

The ruling by U.S. District Judge Ralph Erickson clarified the temporary injunction he issued last week at the request of North Dakota and 12 other states. They sought to stop the U.S. Environmental Protection Agency and the Army Corps of Engineers from regulating some small streams, tributaries and wetlands under the Clean Water Act.

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"Because there are competing sovereign interests and competing judicial rulings, the court declines to extend the preliminary injunction at issue beyond the entities actually before it," Erickson wrote.

The EPA had maintained after Erickson's initial ruling that the injunction applied in only those 13 states, and said it had begun enforcing it elsewhere. The states had argued that the judge made no geographical limitation in his ruling and it should apply everywhere.

"No harm, no foul for North Dakota and the 12 other states," said North Dakota Attorney General Wayne Stenehjem, who filed the original lawsuit on behalf of those states. "It's unfortunate for the other states because they will have to abide by the ruling."

The states involved in the lawsuit with North Dakota are Alaska, Arizona, Arkansas, Colorado, Idaho, Missouri, Montana, Nebraska, New Mexico, Nevada, South Dakota and Wyoming.

Justice Department spokesman Wyn Hornbuckle said, "We are gratified that the court agreed with our position that the preliminary injunction does not apply nationwide."

Erickson, who is based in Fargo, wrote that there are "compelling reasons in favor of both extension of the injunction and limitation of the injunction.

"On the one hand, there is a desirability for uniformity regarding a national rule with national application. On the other hand, there is the idea of respecting the decisions of other courts and other sovereign states."

Stenehjem said a total of 31 states have filed various lawsuits against the ruling. The states involved "cover 75 percent of the nation's landmass," he said.

District judges in other high-profile cases have issued orders that apply nationwide, over the federal government's objection.

One recent example was earlier this year in Texas, where U.S. District Judge Andrew Hanen issued a nationwide order blocking the Obama administration from implementing rules to spare nearly 5 million people living in the U.S. illegally from deportation. Hanen issued his order in a lawsuit filed by Texas and 25 other states. The government has appealed

The water rule is a response to calls from the U.S. Supreme Court and Congress for the EPA to clarify which smaller waterways are protected. The EPA said the new law aims to help landowners understand which waters fall under the Clean Water Act.

Thirteen states led by North Dakota sued, claiming the new rule illegally expands federal jurisdiction and infringes on their sovereignty. Some critics have also argued the rule does nothing to increase water quality.

The government countered that the rule will help protect the nation's waters from pollution and development and safeguard drinking water for 117 million Americans.

Several other lawsuits remain from other states, farm and business groups that hope to delay or block the rule. State officials say the regulations could be harmful to farmers and landowners who might have to pay for extra permits or redesign their property to manage small bodies of water on their private land.

The government argued in court last month that the new rule clarifies some of the ambiguity in the law and actually makes it easier for the states to manage some waterways.

## Feds auditing nearly \$20M in grants to Lower Brule tribe

**JAMES NORD, Associated Press**

SIOUX FALLS, S.D. (AP) — Federal auditors are examining nearly \$20 million in grants to the Lower Brule Sioux Tribe in response to a human rights organization's report this year alleging financial mismanagement in the tribal government that already has been the subject of another federal investigation.

The audits of four projects are meant to make sure the money is being spent and handled correctly, and are not criminal inquiries, an official at the Interior Department's Office of Inspector General said. The inspection of \$19.15 million in awards spanning several years comes at a sustained period of legal deadlock in the tribal government.

The dispute is between reform-oriented councilmembers and an old guard loyal to now-deceased Chairman Michael Jandreau, who led the tribal government for decades.

Human Rights Watch in January outlined numerous allegations against Jandreau and others, accusing

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them of diverting money and concealing financial activity, and the report ultimately helped spur the audits. Jandreau, who died in April, had vigorously denied any wrongdoing.

"It's really part of our basic oversight mission to protect taxpayer dollars and protect the citizens who are meant to be benefiting from these grants and from these monies," Nancy DiPaolo, a senior policy adviser in the office, told The Associated Press. "It was brought to our attention by that report, and so we went in and chose some to take a look at ... to try to get a picture of what's going on."

Jandreau's death intensified a political battle between members of the tribe loyal to the old administration and the new officials calling for more transparency, including former council Vice Chairman Kevin Wright, who is acting as chairman.

"We have millions and millions of dollars coming in here ... where's all this money going?" said Wright, who said he has been blocked from seeing the tribe's finances.

Nedra Darling, an Interior Department spokeswoman, said in an email the agency will "continue to monitor the situation closely and will take measures to ensure there is no interruption in services and that life and property are protected." She said the department has no plans to intervene in the dispute.

Two Jandreau supporters on the council, Orville Langdeau and John McCauley, didn't immediately respond to requests for comment.

The auditors are examining \$2.75 million that the tribe used to design and build a fire hall; \$4 million for operating and maintaining a water system; \$3 million from the Bureau of Indian Affairs for facilities management; and nearly \$9.4 million from the Bureau of Indian Education for tribally controlled grant schools and transportation, among other projects.

The audits will stretch back in some cases to at least fiscal year 2013, DiPaolo said. The outcomes could include findings of proper fiscal controls or recommendations for changes. If the auditors find anything like the mishandling of money, it would be sent to investigators for an inquiry that could lead to criminal charges.

"I think it is a promising sign, and more importantly, all of the programs they're looking at for the most part are programs that were meant to provide essential services to people on the reservation," Arvind Ganesan, director of Human Rights Watch's Business and Human Rights Division, said of the audits. "If money was misused, it will come at the cost of key things that people both at Lower Brule and elsewhere use."

The Inspector General's office is also still investigating the circumstances surrounding the tribe's purchase of a New York-based brokerage firm called Westrock Advisors Inc. that ultimately went bankrupt. That probe began in February 2013.

The Human Rights Watch report accuses tribal leaders and their business partners of securing a \$22.5 million federal loan guarantee from the Bureau of Indian Affairs. Rather than putting the money toward its stated purpose of economic development, the funds were used to buy Westrock, which went bankrupt two years later, the report said. The guarantee was ultimately sold for about \$20 million to another company, though the tribe hasn't disclosed the status of the loan, the report found.

The Inspector General's office also launched two other investigations into the tribe or an affiliated entity in 2003 and 2009, according to documents obtained by The Associated Press. In both cases, South Dakota's U.S. Attorney's office declined to prosecute based on weak or insufficient evidence.

## Northern Arapaho Tribe appeals Affordable Care Act ruling

**BEN NEARY, Associated Press**

CHEYENNE, Wyo. (AP) — The Northern Arapaho Tribe wants a federal appeals court to overturn a judge's recent ruling that the tribe is legally a large employer under federal health care law — a designation that requires the tribe to provide insurance coverage for its hundreds of employees.

Beginning this year, the Affordable Care Act requires employers with 50 or more employees to offer them health coverage or face federal penalties.

People who register for individual coverage under the act may qualify for federal tax credits. However, that's not an option for those who work for designated large employers. Individual Indians, meanwhile,

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are exempt from penalties that may apply to others under the law who don't opt to get health insurance. U.S. District Judge Scott Skavdahl of Casper in July rejected the tribe's argument that its employees should be allowed to register as individuals for cheaper insurance.

"If Congress wished to exempt Indian tribes from this mandate that otherwise might be reasonably construed as applying to them, it needed to do so explicitly," Skavdahl wrote.

The Northern Arapaho Tribe employs roughly 1,000 workers at its casino and other government operations. Tribal officials have said that the tribe previously had paid to help tribal employees cover individual insurance coverage under the Affordable Care Act.

The tribe last week filed with a federal appeals court in Denver, asking it to overturn Skavdahl's ruling.

"The Northern Arapaho Tribe is pressing this appeal to try and help working class tribal members access health care benefits that are available with exchange policies," Northern Arapaho Business Council Chairman Dean B. Goggles said Friday.

"We appreciate all the support we've had from other tribes, and parallel efforts from the Montana and South Dakota delegations, which are trying to solve the same problem through legislation," Goggles said.

Supporters of the changing the existing law say requiring tribes to provide group insurance for tribal employees amounts to shifting the costs of implementing the Affordable Care Act from the federal government to the tribes.

Sen. Steve Daines, R-Montana, is pushing a bill to exempt tribal governments from the large employer requirement.

Daines issued a statement this summer saying imposing federal fines on tribes would have the potential to kill reservation jobs and further cripple tribes' economies. "It is critically important that our tribes and tribal employees aren't penalized due to a hastily written law," he said.

Co-sponsors in the Senate include Sen. Mike Crapo, R-Idaho, and Sen. John Thune, R-South Dakota. Rep. Ryan Zinke, R-Montana, is sponsoring the bill in the House, where it's co-sponsored by Rep. Kristi Noem, R-South Dakota.

The bill sponsors announced this summer that they have the support of Crow, Blackfeet and Fort Peck Reservation's Assiniboine and Sioux tribes in Montana. Those supporters say imposing federal penalties on tribes for failure to comply would reduce money available for essential tribal services.

Neither the Northern Arapaho nor the U.S. Department of Justice has filed briefs yet in the 10th Circuit Court of Appeals outlining their arguments. An attempt to reach a spokesman for the U.S. Attorney's Office in Cheyenne for comment on the appeal on Friday was not immediately successful and the office has a policy of not commenting on pending matters.

## Jayhawks aim to open in style under new coach David Beaty

**DAVE SKRETTA, AP Sports Writer**

LAWRENCE, Kan. (AP) — Head coaching debuts at Kansas have rarely been kind.

Only two of the last 10 coaches dating to Bud Moore's hiring in 1975 have won their opener. Along the way, newbies have been shut out twice, held to a single field goal twice more, and lost to North Dakota State, a powerhouse in the Football Championship Subdivision.

In other words, David Beaty is keenly aware that getting off to a good start Saturday against South Dakota State is crucial for his rebuilding effort.

Beaty has taken over over a program on its third head coach in five years, with a roster in desperate need of rebuilding and an apathetic fan base that has been more likely to sit at home on fall Saturdays awaiting basketball season than spend time in Memorial Stadium.

"It's hard to win any Division I football game. It's hard to do it. You have to put your entire focus on that," Beaty said. "This is a very important game for us because it's the next one, notwithstanding the type of opponent we're playing."

The biggest challenge for the Jayhawks this weekend may not be the Jackrabbits, though, so much as the unknown. More than two dozen players are expected to make their Division I debut.

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Kansas at least has some experience at quarterback, where Montell Cozart beat out Ryan Willis and Deondre Ford for the starting nod. Cozart started last year before losing the job to Michael Cummings, who sustained a season-ending knee injury in the spring game.

There are some other veterans speckled on the depth chart, but Beaty will be relying heavily on freshmen and transfers as Kansas tries to instill a winning tradition.

"This is a great opportunity for us moving forward," he said, "because it's the beginning of our team's new beginning here. So it's great for that. But at the same time we're in an evaluation this weekend. It's going to help us moving forward. We're going to be able to get a little bit better based off the information we get from this game."

South Dakota State, which coincidentally lost to Kansas in Charlie Weis's debut in 2012, is coming off its third straight trip to the FCS playoffs. And while the Jayhawks lack experience, the Jackrabbits have plenty on both sides of the ball.

"We don't change a whole lot, but they changed their whole staff, whole system," South Dakota State coach John Stiegelmeier said, "so we'll have to be ready to go down there and adjust."

As the Jayhawks and Jackrabbits prepare to meet again, here are some things to remember:

**MISSING STARS:** While several players are back, graduation still took a heavy toll on South Dakota State. Career passing leader Austin Sumner, three-time 2,000-yard rusher Zach Zenner and Jason Schneider, the second-most prolific receiver in school history, have all departed.

**DEPTH CHART:** Beaty declined to release a depth chart ahead of his opener, though he said it had less to do with gamesmanship than competition. There were still numerous jobs up for grabs, mostly among backups, and Beaty is hoping things will settle.

**CONFIDENCE IN COZART:** Poor quarterback play has been among the only constants at Kansas the past few years. Now, with a version of the "air raid" offense in place, the Jayhawks need Cozart to have confidence that he can handle the responsibility. "We all do our jobs better when we're confident," said offensive coordinator Rob Likens, who also serves as the QB coach.

**BIG EXPECTATIONS:** South Dakota State is among several Missouri Valley teams picked in the Top 25 of the FCS, raising expectations for a breakthrough year. With heavyweight North Dakota State, Illinois State and Northern Iowa also ranked, a win over Kansas would turn some heads.

**BIG EXPECTATIONS, PART 2:** Many fans believe Saturday is the Jayhawks' best chance to get a win this season. But one thing Kansas has going for it is swagger, despite all the losses over the years. "This season is the foundation of what this program is going to become," said defensive coordinator Clint Bowen. "We need to establish what we want that to be."

## Kansas State to lean on defense in opener vs South Dakota

DAVE SKRETTA, AP Sports Writer

MANHATTAN, Kan. (AP) — Bill Snyder is just as keen as anybody else to see how Kansas State's new-look offense, led by sophomore quarterback Jesse Ertz, will fare in its opener against South Dakota on Saturday.

Part of that is he doesn't have to spend much time wondering about his defense.

One of the best units in the Big 12 last season returns most of its playmakers, including three starters in the defensive backfield. In fact, every player listed first on the depth chart has started or played significant minutes during their careers with the Wildcats.

That stands in glaring contrast to the offense, where the departure of prolific passer Jake Waters and record-setting wide receiver Tyler Lockett have produced plenty of questions.

"There are a lot of things in place that would tell you they have a chance to be pretty good," Snyder said of his defense. "Ask me after the first game. ... I might have a better idea."

"Might" is the operative word. The Coyotes won just twice in the FCS last season, so there is a good chance Snyder won't know a whole lot more after Week 1.

The strength of Kansas State's defense is unquestionably its defensive backfield, a good thing in the pass-happy Big 12. Senior safety Dante Barnett is on watch lists for every major award, including the



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Walter Camp and Bednarik awards. Morgan Burns started 12 games last season, while fellow cornerback Danzel McDaniel is a preseason All-Big 12 pick.

The only newcomer to the group is Kaleb Prewett, who fought his way into the lineup with a strong fall after appearing in six games as a freshman a year ago.

"As a defense, you always want to go out there and get stops," Barnett said. "The offense, we lost a few pieces, but we have players who are ready to step up and play."

OK, even the guys on defense are curious about seeing how the offense fares.

Elijah Lee, Will Davis and Charmeachealle Moore give the Wildcats veteran linebackers, and Jordan Willis, Travis Britz, Will Geary and Marquel Bryant form a formidable front.

That's a stiff challenge for the Coyotes, who return eight starters on offense from a group that was ravaged by injuries during their 2-10 season a year ago.

"They have a wonderful program. I think we all know the job their coach has done down there," said fourth-year coach Joe Glenn, who won national championships at Northern Colorado and Montana before a stretch in the FBS with Wyoming. "They're very fundamentally sound."

South Dakota is flush with experience, too. Eight are back on offense and 10 on defense.

"We're sick and tired of losing," said linebacker Keyen Lage, one of their captains. "Most of us have come from big high schools, played in big games."

They'll be playing in another big one Saturday. Here are some things to keep in mind as the Coyotes prepare to visit the Wildcats:

**SPEAKING OF BIG GAMES:** Don't expect South Dakota to be intimidated by playing at Kansas State. The Missouri Valley school visited Oregon last year, and have played just down the road at Kansas and at Northwestern the past few years.

**STADIUM RENOVATIONS:** The Wildcats will unveil another massive stadium renovation, this time to the north side of the field. That is where teams will enjoy spacious new locker rooms and fans will be able to view replays on a massive new video board.

**QUARTERBACK COMPARISON:** Ertz earned the job for Kansas State even though the sophomore has never thrown a college pass. On the opposite side, Ryan Seager will start for the fifth time for South Dakota after filling in for the injured Kevin Earl for a four-game stretch last season.

**RUN, RUN, RUN:** The Wildcats struggled to run last season, especially when Waters got banged up — they lean heavily on quarterback runs. But with Charles Jones returning in the backfield and an experienced offensive line, Kansas State wants to get back to its running roots.

**SERIES HISTORY:** Kansas State has never lost in three games against South Dakota, the last meeting in 1982. But the Coyotes have had success against schools from major conferences before, upsetting Minnesota 41-38 in 2010.

## **AG: Mitchell officer fatally shot armed man during struggle**

MITCHELL, S.D. (AP) — The state Division of Criminal Investigation is investigating a Mitchell police officer's fatal shooting of a man after a struggle for the man's gun during an early-morning disturbance call.

The South Dakota Attorney General's office says 37-year-old Curtis James Meyer died at the scene.

Attorney General Marty Jackley says that Mitchell Police Officer Russ Stevenson responded to a disturbance call at a Mitchell residence just before 2 a.m. Friday and encountered Meyer armed with a gun. The incident escalated and during an ensuing struggle, Stevenson shot Meyer with the man's gun.

Jackley says that at the completion of the investigation, DCI will issue a case report to be reviewed by the Attorney General for a final determination on the officer's action. The summary report is anticipated within 30 days.

## University of South Dakota to provide stipends to athletes

VERMILLION, S.D. (AP) — The University of South Dakota says it will provide stipends to all of its scholarship athletes in 17 sports beginning with the 2016-17 season.

Friday's move follows recent announcements by North Dakota State University and the University of North Dakota.

University of South Dakota Athletics Director David Herbster says being a Coyote student-athlete is a full-time commitment, and it's important for the school to support its athletes in any way it can.

The stipends cover expenses beyond the standard room, board and books, such as academic-related supplies, transportation and other personal incidentals. NCAA rules adopted in January and put into place last month now allow for scholarships to include such additions.

USD says the value of the benefits will be up to \$4,145 per full scholarship.

## 2 killed in Pennington County motorcycle crash

RAPID CITY, S.D. (AP) — Authorities say two people from Missouri were killed when the motorcycle they were on left South Dakota Highway 385 and struck a guardrail in Pennington County.

The Pennington County Sheriff's Office says the crash occurred near mile marker 91 about 3 p.m. Thursday. Deputies say a 68-year-old woman died at the scene. Rescuers transported a 72-year-old man to the hospital in Rapid City, but he died on the way.

Authorities didn't release the victims' names pending notification of relatives.

The South Dakota Highway Patrol and Pennington County Sheriff's Office are continuing to investigate the accident.

## AP News in Brief

### Thousands of migrants reach Austria after Hungary mobilizes bus fleet in emergency move

BUDAPEST, Hungary (AP) — Thousands of exhausted, surprised and relieved migrants reached Austria on Saturday, clambering off a fleet of Hungarian buses to find a warm welcome from charity workers offering beds and hot tea.

The pre-dawn move eased immediate pressure on Hungary, which has struggled to manage the flow of thousands of migrants arriving daily from non-EU member Serbia. But officials warned that the human tide south of Hungary was still rising, and more westward-bound travelers continued to arrive in Budapest within hours of the mass evacuation of the capital's central rail station.

Austrian police spokesman Helmut Marban told reporters that about 4,000 migrants had crossed into Austria from Hungary by mid-morning. About 800 people had already arrived in Vienna and then left on Germany-bound trains, said Vienna official Wolfgang Mueller. He estimates that about 3,000 migrants would come to Vienna from the border during the day.

Hungary relented in its demand for the travelers to report to government-run asylum centers when challenged by defiant migrants largely from Syria, Iraq and Afghanistan.

Thousands marched west Friday from the Keleti train station along Hungary's major motorway and camped overnight in the rain by the roadside. Hundreds more broke through police lines at a train station in the western town of Bicske, where police were trying to take them to a refugee camp, and blocked the main rail line as they, too, marched west.

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## **The Latest: First train carrying 167 migrants arrives in Munich; 100s more expected at noon**

The latest news as tens of thousands of migrants pour into countries across Europe. All times local (CET): 11:20 a.m.

The first train carrying 167 migrants from Austria to Germany has arrived in Munich.

Police say the train arrived in the Bavarian capital at 10:25 a.m. (0825 GMT). The migrants were among a larger group who had traveled by bus from Hungary to Austria.

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## **Canada less welcoming to refugees under Harper's leadership; not swayed by image of Syrian boy**

TORONTO (AP) — Canada has long prided itself for opening its doors wider than any nation to asylum seekers, but the number it welcomes has waned since Conservative Prime Minister Stephen Harper took power almost 10 years ago.

Harper has rejected calls to take immediate action to resettle more Syrian refugees, despite the haunting image of a drowned 3-year-old washed up on a Turkish beach that has focused the world's attention on the largest refugee crisis since World War II.

Canada denied initial, inaccurate reports that it had rejected a refugee application for the boy's immediate family, but the story landed in the middle of an election campaign and forced Harper's party to cancel events and address what Canada is doing for asylum seekers.

In times of crisis in decades past, Canada resettled refugees quickly and in large numbers. It airlifted more than 5,000 people from Kosovo in the late 1990s and more than 5,000 from Uganda in 1972 and resettled 60,000 Vietnamese in 1979-80. More than 1.2 million refugees have arrived in Canada since World War II.

But the number of refugees has declined since Harper became prime minister in 2006. In 2005, Canada received 35,775 refugees. Canada welcomed 23,286 last year. According to the United Nations, Canada has dropped from the fifth-highest refugee-receiving country in 2000 to 15th last year.

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## **Aunt of drowned Syrian boys continues fight to bring family to Canada**

COQUITLAM, British Columbia (AP) — The aunt of a drowned Syrian boy whose death has sparked global outrage about the plight of refugees in Europe says she still hopes to bring the rest of her family to Canada.

Tima Kurdi said through tears outside her home in Coquitlam, British Columbia, that she plans to help her brother, Abdullah, and her other siblings immigrate to the country she made home more than two decades ago.

Abdullah isn't ready to leave his Syrian hometown of Kobani, where his sons, 3-year-old Aylan and 5-year-old Ghalib, and wife Rehanna were buried on Friday, she said. They drowned earlier this week after piling into an overloaded boat in Bodrum, Turkey, headed for the Greek island of Kos. Her brother was among the few survivors.

"We're all emotionally affected by what happened right now," Kurdi said, surrounded by framed photos of her nephews. "I'm sure he (will) refuse and he doesn't want to leave Kobani."

She added: "But one day, I will bring him here. He cannot be by himself there."

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## **Jailed clerk vows not to back down, says she will never violate conscience or 'betray her God'**

GRAYSON, Ky. (AP) — Rowan County Clerk Kim Davis will spend Labor Day weekend in isolation at the Carter County Detention Center with her Bible and her clear conscience.

At least three same-sex couples will spend the weekend planning weddings after finally receiving the marriage licenses they asked for months ago but were denied because Davis believes gay marriage is a sin.

The Rowan County Clerk's office issued the licenses to same-sex couples on Friday under threat of jail time or fines if they didn't comply with a federal judge's order. While the licenses were freely given, the drama surrounding the clerk does not appear to be ending anytime soon. Davis met with her attorneys in jail Friday and told them she would "never violate her conscience or betray her God."

U.S. District Judge David Bunning has said he will not release Davis unless she agrees to obey his order. Davis' attorneys said the only way she would relent would be to change Kentucky's state law so that marriage licenses are not issued under the authority of the county clerk. They claim the licenses that were issued were not valid.

The state legislature will not meet again until January. Democratic Gov. Steve Beshear has refused to call a special session, arguing it would waste taxpayer money to bring the legislature back on an issue that so far only affects one elected official. That means Davis could potentially be in jail for months until the state legislature has a chance to change the law early next year.

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## **Nightmare next door: Black couple uses fair housing law to sue city, white neighbor over slurs**

GAINESVILLE, Ga. (AP) — Citing a sliver of civil rights-era legislation more commonly used as protection against discriminatory landlords, a black couple is suing their former neighbor and a north Georgia city they say failed to stop him from harassing them.

Gregory and Sophia Bonds say the slurs and threats began the day they moved into the brick ranch rental home in a well-kept neighborhood in Gainesville, northeast of Atlanta, back in February 2012.

Roy Turner Jr., the white neighbor who worked for the city's solid waste department, verbally assaulted them whenever he saw them outside, including sometimes while he was working, the couple contends. He also sometimes walked and made sounds like an ape when he saw them, the Bonds family asserts in a lawsuit filed last month against Turner and the city.

Turner told The Associated Press he wasn't aware of the lawsuit but that he never threatened anyone. "I said 'porch monkey,'" he said with a chuckle. "That's just a joking-around term."

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## **Anger and protests over graft scandals in Guatemala ahead of presidential vote**

GUATEMALA CITY (AP) — The wave of political turmoil that toppled Guatemala's president has overshadowed Sunday's vote to elect a new leader — an election many fear could put a lid on the anti-corruption drive.

Tens of thousands who demonstrated for the ouster of President Otto Molina Perez got part of their wishes when the president resigned to face possible corruption charges in a customs fraud scheme. He was spending the weekend in a military lockup.

But a second major demand wasn't met: the postponement of the election that many said offered little alternative to the old guard.

"The people are rejecting this political system, the mafia takeover of democracy. They feel like voting is simply selecting the next person who will loot the country," said Manfredo Marroquin, president of the influential civic group Citizen Action.

"They are not rejecting democracy," Marroquin said. "What they're demanding is to reset, run an anti-

virus and start over from scratch.”

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## **Town near Japan’s stricken nuclear plant lifts evacuation order, but residents slow to return**

NARAHA, Japan (AP) — Japan’s government on Saturday lifted a 4 1/2-year-old evacuation order for the northeastern town of Naraha that had sent all of the town’s 7,400 residents away following the disaster at the nearby Fukushima nuclear plant.

Naraha became the first to get the order lifted among seven municipalities forced to empty entirely due to radiation contamination following the massive earthquake and tsunami that sent the plant’s reactors into triple meltdowns in March 2011.

The central government has said radiation levels in Naraha have fallen to levels deemed safe following decontamination efforts.

According to a government survey, however, 53 percent of the evacuees from Naraha, which is 20 kilometers (12 miles) south of the nuclear plant, say they’re either not ready to return home permanently or are undecided.

Naraha represents a test case, as most residents remain cautious amid lingering health concerns and a lack of infrastructure. In the once-abandoned town, a segment of a national railway is still out of service, with the tracks covered with grass. Some houses are falling down and wild bores roam around at night.

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## **Clinton says she didn’t ‘stop and think’ about email setup, doesn’t apologize for her decision**

WASHINGTON (AP) — Hillary Rodham Clinton says her use of a private email system at the State Department wasn’t the “best choice” and acknowledged she didn’t “stop and think” about her email set-up when she became President Barack Obama’s secretary of state in 2009.

The Democratic presidential front-runner said in an interview with NBC News that she was immediately confronted by a number of global hotspots after joining the new Obama administration as its top diplomat and didn’t think much about her email after arriving at her new job.

“You know, I was not thinking a lot when I got in. There was so much work to be done. We had so many problems around the world,” Clinton said. “I didn’t really stop and think what kind of email system will there be?”

But Clinton did not apologize for her decision when asked directly, “Are you sorry?” Instead, she again said she wishes she had “made a different choice” and that she takes responsibility for the decision to use a private email account and server based at her home in suburban New York.

She added it was a choice that should not raise questions about her judgment.

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## **Nadal blows 2-set Slam lead for 1st time in US Open loss to Fognini; 10-year major streak ends**

NEW YORK (AP) — For the first time in his career, Rafael Nadal lost a Grand Slam match after taking a two-set lead.

And for the first time since 2004, he will end a season without winning at least one Grand Slam title.

“The only thing it means,” Nadal said about that streak coming to a close, “is I played amazing the last 10 years.”

Once so seemingly invincible, able to run down every last ball and tough to slow down once out in front, Nadal was beaten 3-6, 4-6, 6-4, 6-3, 6-4 by 32nd-seeded Fabio Fognini of Italy in the third round of the U.S. Open.

“To win like that — against him, from two sets down — is something incredible,” Fognini said, calling it

a "mental victory."

## Vast, stubborn California fire grows overnight

SCOTT SMITH, Associated Press

FRESNO, Calif. (AP) — A vast and stubborn wildfire that has proven California's biggest this year was expected to spew smoke through the long Labor Day weekend, leaving some campgrounds empty and prompting health warnings.

The fire burning east of Fresno grew overnight to 134 square miles. It was 25 percent contained Saturday.

The blaze is just one factor that has challenged people planning outdoor activities in recent weeks, officials said.

An infestation of bugs swarmed high-desert communities on the eastern slopes of the Sierra Nevada. In addition, an 18-day manhunt along the famed Pacific Crest Trail ended with the suspect's death.

Katherine Yi of West Los Angeles leads groups of fledgling backpackers each summer in wilderness training classes through the High Sierra, but the large wildfire has forced her to cancel two recent outings.

"It seems like this is becoming the norm," Yi said. "If I try to plan a trip, they have a fire there."

The fire that began July 31 during a lightning strike has closed roads and about 10 campgrounds around Hume Lake and Kings Canyon.

U.S. Forest Service spokeswoman Denise Alonzo urged holiday campers to head to the mountains far south of the fire, where they can expect cleaner air and better views of nature, including some of the range's 100 groves of Giant Sequoia trees, some of the Earth's largest and oldest living things.

"We're concerned about people trying to stay in their tents and outdoors with so much smoke in the air," Alonzo said. "It's not healthy."

Smoke from the fire prompted the San Joaquin Valley Air Pollution Control District to issue a health warning to people headed to the mountains and foothills of Tulare and Fresno counties.

The district says children and the elderly are especially vulnerable. Residents on the valley floor from Merced and south to Kern County may also notice smoke into next week.

Half a dozen wildfires were burning throughout California, a relatively small number compared to the past two hot months that kept firefighters running, said Daniel Berlant, a spokesman for the California Department of Forestry and Fire Protection.

Despite the welcomed lull caused by cooler temperatures, he said fire season is entering its peak time.

Vegetation remains dry from the hot summer, and the winds pick up in the transition to fall, fanning the smallest spark.

"Conditions are still just as dry as July and August," he said. "One less spark this Labor Day weekend means one less wildfire."

Today in History  
The Associated Press

Today is Saturday, September 5, the 248th day of 2015. There are 117 days left in the year.

### Today's Highlight in History:

On September 5, 1945, Japanese-American Iva Toguri D'Aquino, suspected of being wartime broadcaster "Tokyo Rose," was arrested in Yokohama. (D'Aquino was later convicted of treason and served six years in prison; she was pardoned in 1977 by President Gerald R. Ford.)

### On this date:

In 1774, the first Continental Congress assembled in Philadelphia.

In 1793, the Reign of Terror began during the French Revolution as the National Convention instituted harsh measures to repress counter-revolutionary activities.

In 1836, Sam Houston was elected president of the Republic of Texas.

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In 1914, the First Battle of the Marne, resulting in a French-British victory over Germany, began during World War I.

In 1939, four days after war had broken out in Europe, President Franklin D. Roosevelt issued a proclamation declaring U.S. neutrality in the conflict.

In 1957, the novel "On the Road," by Jack Kerouac, was first published by Viking Press.

In 1961, President John F. Kennedy signed legislation making aircraft hijackings a federal crime.

In 1972, the Palestinian group Black September attacked the Israeli Olympic delegation at the Munich Games; 11 Israelis, five guerrillas and a police officer were killed in the resulting siege.

In 1975, President Gerald R. Ford escaped an attempt on his life by Lynette "Squeaky" Fromme, a disciple of Charles Manson, in Sacramento, California.

In 1984, the space shuttle Discovery ended its inaugural flight as it landed at Edwards Air Force Base in California.

In 1995, France ended its three-year moratorium on nuclear tests, setting off an underground blast on a South Pacific atoll.

In 1997, breaking the royal reticence over the death of Princess Diana, Britain's Queen Elizabeth II delivered a televised address in which she called her former daughter-in-law "a remarkable person." Mother Teresa died in Calcutta, India, at age 87; conductor Sir Georg Solti (johrj SHOL'-tee) died in France at age 84.

**Ten years ago:** President George W. Bush nominated John Roberts to succeed the late William Rehnquist as chief justice of the United States. President Bush and Louisiana Gov. Kathleen Blanco, during a Gulf Coast tour, consoled Hurricane Katrina victims and thanked relief workers. An Indonesian jetliner crashed, killing 149 people, including 49 on the ground; 17 passengers survived. Jerry Rice ended an NFL career that included three Super Bowls and records for most career receptions, receiving yards and receiving touchdowns.

**Five years ago:** A Los Angeles police officer shot and killed Manuel Jaminez, a Guatemalan immigrant, in a case that sparked angry protests. (A civilian oversight panel later said the officer was justified in using deadly force against Jaminez, who witnesses said was drunk and threatening passersby with a knife.) Jefferson Thomas, one of nine black students to integrate a Little Rock high school in America's first major battle over school segregation, died in Columbus, Ohio, at age 67.

**One year ago:** The U.S. and 10 of its key allies, meeting in Wales, agreed that the Islamic State group was a significant threat to NATO countries and that they would take on the militants by squeezing their financial resources and going after them with military might. Ukraine, Russia and Kremlin-backed separatists signed a cease-fire after five months of bloodshed. Former CBS News and CNN correspondent Bruce Morton, 83, died in Washington.

**Today's Birthdays:** Former Federal Reserve Board chairman Paul A. Volcker is 88. Comedian-actor Bob Newhart is 86. Actress-singer Carol Lawrence is 83. Actor William Devane is 76. Actor George Lazenby is 76. Actress Raquel Welch is 75. Movie director Werner Herzog is 73. Singer Al Stewart is 70. Actor-director Dennis Dugan is 69. College Football Hall of Famer Jerry LeVias is 69. Singer Loudon Wainwright III is 69. "Cathy" cartoonist Cathy Guisewite (GYZ'-wyt) is 65. Actor Michael Keaton is 64. Country musician Jamie Oldaker (The Tractors) is 64. Actress Debbie Turner-Larson (Marta in "The Sound of Music") is 59. Actress Kristian Alfonso is 52. Rhythm-and-blues singer Terry Ellis is 52. Rock musician Brad Wilk is 47. TV personality Dweezil Zappa is 46. Actress Rose McGowan is 42. Actress Carice Van Houten is 39. Actor Andrew Ducote is 29. Actress Kat Graham is 29. Olympic gold medal figure skater Kim Yu-na is 25. Actor Skandar Keynes is 24.

**Thought for Today:** "If moderation is a fault, then indifference is a crime." - Jack Kerouac, American novelist (1922-1969).