

# Groton Daily Independent

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## Saturday, December 5

Oral Interp State Festival at Sturgis  
**Birthdays:** Ilse Cameron • Andy Jondahl • Angela Osterman • Corelea Wolter, Candence Feist  
10:00am: 7th/8th GBB Jamboree in Groton  
10:00am: Wrestling at Clark/Willow Lake Tourney  
4:30pm: St. Elizabeth Ann Seton Catholic Church Mass

## Sunday, December 6

State FFA Leadership CDE in Pierre  
**Birthdays:** Maddie Howard • Nancy Sundstrom  
• Karen Wolter  
9:00am: Emmanuel Lutheran School  
9:00am: St. Elizabeth Ann Seton Catholic Church Mass  
9:00am: St. John's Lutheran Worship with Communion  
9:30am: Emmanuel Lutheran Fellowship  
10:00am: Heaven Bound Ministries worship at Pierpont Church  
10:00am: St. John's Lutheran Christmas Program practice  
10:15am: Emmanuel Lutheran Worship with Communion  
11:00am: United Methodist Church Worship  
5:00pm: St. John's Lutheran Christian Literature Circle

## Monday, December 7

State FFA Leadership CDE in Pierre  
**School Breakfast:** Breakfast pizza, fruit, juice, milk.  
**School Lunch:** Cheese sticks, puzzle tots, carrots and dip, fruit.  
**Senior Menu:** Turkey Chow Mein, rice and Chow Mein noodles, broccoli, Waldorf Salad, whole wheat bread.  
**Birthdays:** Megan Weber • Morgan McNickle •

### 2015 Groton Area Elementary Preschool Developmental Screening for 3 year olds

**Tuesday, Dec. 15, 2015**

Parents of children ages 3 in the Groton Area School District are asked to contact Heidi Krueger at the Groton Area Elementary School during school hours at 397-2317 to set up a screening time or to confirm their screening time.

The Developmental Screening will take place at the Groton Area High School Arena. Please park and use the east entrance to the gym.

**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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## GROTON CITY COUNCIL MEETING AGENDA December 7, 2015 – 7pm Groton Community Center

- 1) Delinquent Utility Customer Hearings
- 2) Minutes
- 3) Financial Report
- 4) 2015 Bond report
- 5) Bills
- 6) Dept Reports – Public Works- Terry, Dwight, & Shawn
- 7) Snow Removal Rules
- 8) Electric Rates
- 9) Credit Card Processors
- 10) Grants
- 11) NECOG 2016 Agreement
- 12) WEB Water Meeting – Dec 5
- 13) 1st Reading Ordinance #702 -2015 Supplemental Appropriation Ordinance
- 14) CC tables
- 15) Exe Session – Personnel
- 16) 2nd Reading Ord 702 – 2016 Salary Ordinance
- 17) Hire Skating Employees

AND any other business that may come before the Council

## Statement From Gov. Daugaard On Federal Transportation Bill

PIERRE, S.D. – Gov. Dennis Daugaard issued the following statement today in response to the passage of the Fixing America’s Surface Transportation Act:

“I am pleased that Congress has passed the FAST Act, which will provide five years of funding certainty for our state transportation system. In January of this year I provided written testimony to the United States Senate Committee on Environment and Public Works on the need for a long-term, fully funded federal highway bill. I underscored the importance of providing flexibility to the states in the program, while also advocating for a large portion of the funding to be dedicated to the program formula, which benefits rural states like South Dakota.

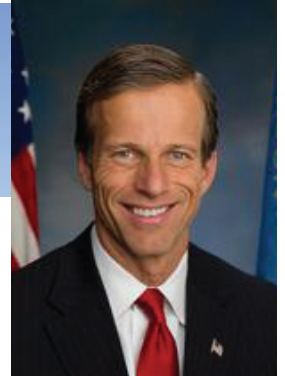
“I sincerely thank Sen. Thune, Sen. Rounds and Rep. Noem for their efforts on this important piece of legislation. It will benefit South Dakota and our nation’s roadways well into the future.”

## South Dakota State announces scholarship recipients

BROOKINGS, S.D. – Dec. 4, 2015 – South Dakota State University announced the following students will receive scholarships this academic year. They are:

- Kathleen Groeblichhoff, Groton, Yellow and Blue Scholarship; and
- Logan Lane, Groton, Al and Veronica Fergen Scholarship and Jim and Mildred Larson Scholarship. Groeblichhoff is the daughter of Matthew and Joni Groeblichhoff. She is a freshman pharmacy student. Lane, a freshman majoring in civil and mechanical engineering, is the son of Jim and Melodee Lane.

**John Thune**  
U.S. SENATOR - SOUTH DAKOTA



## **The Fight to Repeal Obamacare** **By Sen. John Thune**

Before it became law, Republicans in Congress warned of the damage the so-called Affordable Care Act would cause and the burdens the American people would face as a result. Five and a half years later, Obamacare – as it became known – has chipped away at family budgets, squeezed small business growth, and led to fewer choices for patients and their doctors. Obamacare has broken nearly every promise its Democrat authors made to the American people, including the oft-repeated promise that if you liked your doctor and health care plan you could keep them, ‘period.’

Obamacare is broken – it always has been – which is why Republicans who campaigned for the Senate majority in 2014 promised voters that if they gave us the chance, we would send an Obamacare repeal bill to President Obama. Despite fierce opposition from Democrats and the president, Senate Republicans have now made good on that promise.

Now that the Senate has passed a repeal bill, the ball will soon be in the president’s court. He can either support this measure and help lift the burdens Obamacare has placed on the American people, or he can double down on his failed policies. If the president chooses the latter, it will be clear to the American people that the only thing standing in the way of an Obamacare repeal bill being signed into law is the current occupant of the White House.

The evidence to suggest repealing this fundamentally flawed law is necessary couldn’t be any clearer. Obamacare was supposed to lower health care premiums. It didn’t. It was supposed to reduce health care costs. It didn’t do that either. And it was supposed to protect the health care plans Americans wanted to keep, which couldn’t be further from the reality. Obamacare was sold to the American people as a health care solution, but it’s turned out to be yet another health care problem.

Since Obamacare was signed into law in 2010, I’ve heard from countless South Dakotans who have shared with me their personal stories about how this burdensome law is affecting their families. One person recently wrote to tell me that her and her husband’s health care plan is going up by more than \$8,000 next year. That’s a staggering amount of money. What family can afford such a significant increase in expenses from one year to the next? Sadly, that’s only one of many stories I’ve heard, and these stories aren’t unique to South Dakota.

It’s time to move away from the president’s broken health care law and toward the kind of health care reform Americans are actually looking for: an affordable, accountable, patient-focused system that gives individuals control of their health care decisions. It’s what the American people want, and it’s what they deserve.



## Fueled By South Dakota By Rep. Kristi Noem

It might surprise many of us, but there are a lot of people out in D.C. who don't seem to know the difference between South Dakota and North Dakota. I know my counterpart in North Dakota often gets the question: "Is that the state with Mount Rushmore?" No, that's South Dakota. For me, the question is: "Are you the state with all of that oil?" No, that's North Dakota, but while North Dakota has all that oil, South Dakota's corn and soybean production plays its own role in America's energy security.

Every year, South Dakota harvests more than 400 million bushels of corn and 100 million bushels of soybeans. These commodities provide a pathway toward North American energy independence that can help boost our economy and our national security.

Today, about one-third of the petroleum used in the United States is imported from foreign countries, according to the U.S. Department of Energy. Most of this petroleum is refined into gas or diesel. Especially with conflicts arising in energy-rich areas of our world, the need to decrease our reliance on foreign fuels grows every single day. Now is the time to double down on domestic energy production, but unfortunately, the Environmental Protection Agency (EPA) is looking to let off the gas.

In early 2014, the EPA proposed new Renewable Fuel Standard (RFS) volumes. These volume requirements, which impact corn-based ethanol and biodiesel alike, tell refineries how many gallons of renewable fuels should be blended into our overall supply. This gives both farmers and consumers more certainty and greater price stability.

The EPA's initial proposal was very disappointing, as the agency moved to significantly roll back our commitment to ethanol and biodiesel. Not only could this curb production, but the move would send the wrong message to investors, risk jobs, and threaten the creation of more developed biofuels.

I, along with a bipartisan group of 30 lawmakers, reached out to the EPA shortly after their announcement. It was important that they reverse course.

When the final numbers were announced in late November, the RFS remained beneath the levels I believe are appropriate. Nonetheless, the EPA did adjust the requirements at least slightly higher because of the pressure we put on them.

Especially at a time when the Middle East remains so volatile, our commitment to homegrown renewable fuels should not be in doubt. While the EPA is backing down, I am not. In recent weeks, I introduced an extension of the biodiesel tax credit. This legislation would ensure that domestically produced biodiesel was given a \$1-per-gallon tax credit through the end of 2016. The legislation has bipartisan support and I'm hopeful it can be wrapped into an end-of-the-year tax extenders package.

My number one responsibility is to keep the American people safe – protecting economic opportunities comes in at a close second. By throwing our support behind homegrown fuels rather than foreign oil, we are accomplishing both and creating a nation that is fueled by South Dakota in the process.

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## Record Warm Autumn

The climatological fall (September through November) of 2015 across central and northeast South Dakota was one of the warmest across the region since records began. In fact, Watertown had its warmest fall on record with 51.8 degrees, which is 7 degrees above normal. Aberdeen, Timber Lake, and Kennebec all had their second warmest fall on record. Sisseton and Mobridge were ranked third in the all-time warmest falls, while Pierre was the tenth warmest. You have to go back over 50 years to 1963 to find a fall comparable to this fall.

The fall of 2015 was also drier than normal across central and northeast South Dakota with Kennebec the only location with above normal precipitation. Precipitation amounts were anywhere from nearly an inch below normal at Pierre and Mobridge to nearly 3 inches below normal at Sisseton. Kennebec was nearly a half inch above normal.

Location	2015 Fall Temp	Normal Fall Temp	Dep from Normal	2015 Ranking	Record Warmest	Year
Watertown	51.8	44.8	+7.0	Warmest	51.8	2015
Aberdeen	51.0	44.5	+6.5	2nd	52.9	1931
Pierre	52.2	48.4	+3.8	10th	54.5	1963
Sisseton	51.5	45.6	+5.9	3rd	53.6	1963
Mobridge	52.3	46.6	+5.7	3rd	53.1	1963
Timber Lake	51.2	46.7	+4.5	2nd	52.0	1963
Kennebec	54.2	49.4	+4.8	2nd	54.6	1963

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## Groton Chamber Holiday Boxes are out about in Groton!

This Week (thru 12/04) – Dairy Queen

Next Week (thru 12/13) – Lori's Pharmacy

Stop by each participating businesses and register for \$25 Groton Chamber Bucks – or a prize supplied by the business. Prizes will be drawn weekly – starting over each week with entries!



Merry  
Christmas

## Today in Weather History

December 5, 1960: A storm dropped snow on the entire region from the morning of the 4th to the late afternoon of the 5th, with the greatest amounts in the western, central and north central parts of South Dakota. Five to 10 inches of snow fell in these areas. The heaviest snowfall amounts occurred in the extreme southwest part of the state, as well as the triangular area in the north central part of the state between Mobridge, Pierre, and Aberdeen. The snow, blown by winds of 30 to 40 mph, caused extensive drifting of streets and highways. A brief period of freezing rain preceded the snow and added to hazardous driving conditions on roads. Schools were closed for one to two days, with 27 towns reporting closed schools in the Aberdeen area alone. Telephone and power disruption was widespread in central and north central counties of the state, as poles and wires were broken by a combination of ice, snow, and wind. The storm produced mostly rain in the extreme eastern counties of South Dakota into west central Minnesota, with a narrow band of freezing rain preceding light snow immediately to the west. No serious automobile accidents or property damage was reported in this area of freezing rain and light snow.

December 5, 1976: Cold Canadian air moved across South Dakota during the day on Sunday, December 5th. Strong winds gusted to 63 mph at Philip and to 55 mph at Rapid City. One to two inches of snow fell over all of South Dakota; however, many counties in the southeast, south central, and east central parts of the state received amounts varying from three to five inches. After this storm, night time temperatures fell to below zero. Snowfall amounts included 2 inches at Pierre, Aberdeen, and Watertown; and 3 inches at Redfield and Clear Lake.

December 5, 1886: A southern storm dumped heavy snow up into far southwest Virginia. The storm dumped 11 inches in Montgomery Alabama and 22.5 inches in Knoxville, TN. It also dropped 25 inches in Rome, Georgia and 26 inches in Ashville, North Carolina.

December 5, 1953: A tornado outbreak occurred over northeastern Louisiana, southeastern Arkansas and western Mississippi on this day. At least four confirmed tornadoes touched down. The strongest tornado was rated F5 as it destroyed the town of Vicksburg, Mississippi. This tornado first touched down just west of the Mississippi River in East Madison Parish in Louisiana. The tornado crossed the Mississippi River and tore through the downtown area of Vicksburg. On the ground for seven miles, this tornado caused 38 deaths, 270 injuries, and cost an estimated \$25 million in damages in 1953. Estimated cost adjusted for inflation in 2013 Dollars would be over \$200 million. The NWS Office in Jackson, Mississippi has an interactive track map of this event which includes photos and personal accounts.





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## Yesterday's Weather

**High:** 41.3 at 3:52 PM

**Low:** 12.2 at 1:55 AM

**High Gust:** 40 at 7:34 PM

Precip: 0.00

## Today's Info

**Record High:** 57° in 1939

**Record Low:** -25° in 2005

**Average High:** 29°F

**Average Low:** 9°F

**Average Precip in Dec.:** 0.09

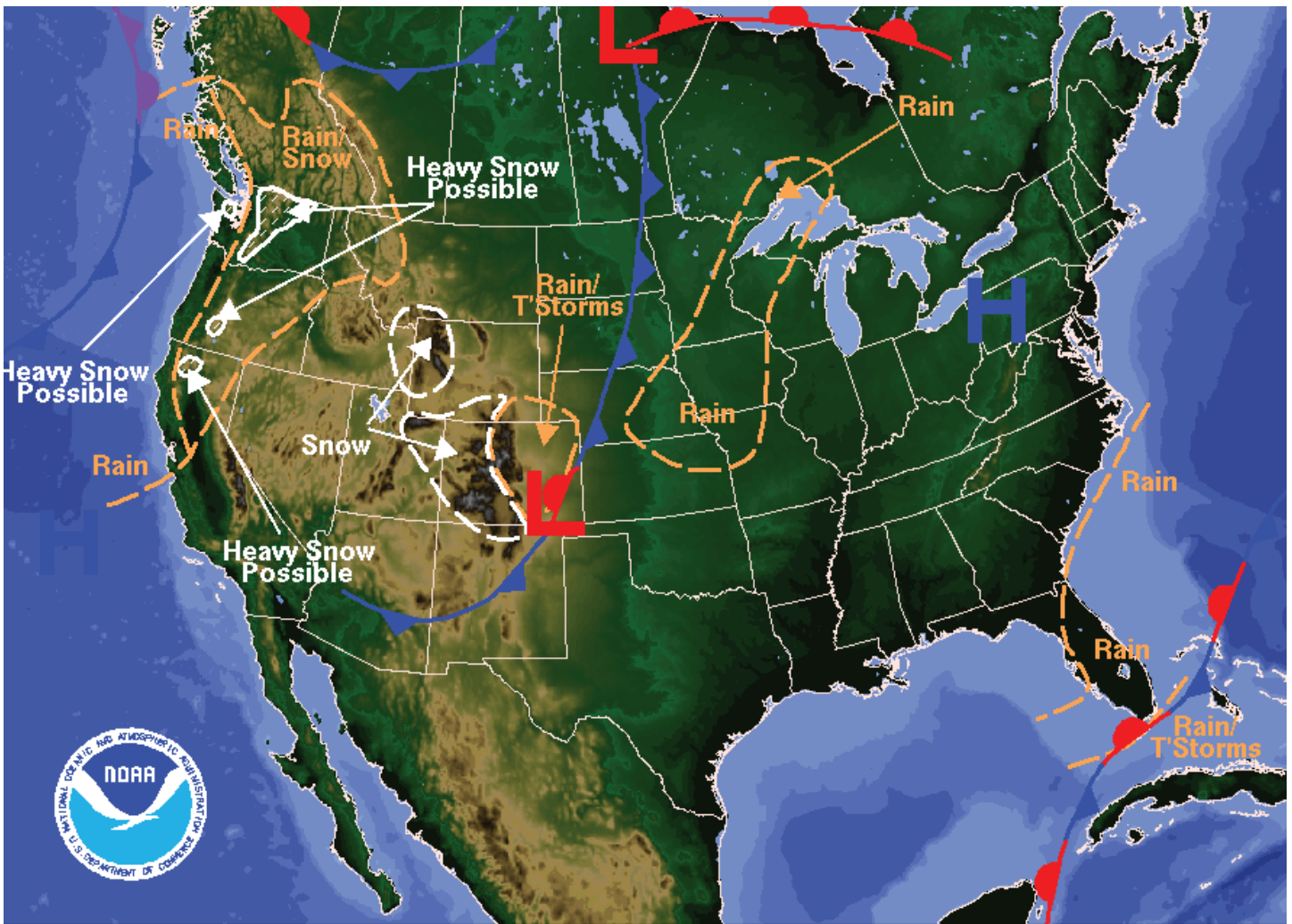
**Precip to date in Dec.:** 0.52

**Average Precip to date:** 21.29

**Precip Year to Date:** 20.34

**Sunset Tonight:** 4:50 p.m.

**Sunrise Tomorrow:** 7:58 a.m.



Weather Forecast for Sat, Dec 05, 2015, issued 3:43 AM EST  
DOC/NOAA/NWS/NCEP/Weather Prediction Center  
Prepared by Fanning based on WPC, SPC and NHC forecasts



## PRAYER DOES WORK!

"Jeb," asked Steve, "do you ever pray?"

"Pray?" thought Jeb. "Nope. I don't pray and I don't carry a rabbit's foot. Neither one works."

David had a different opinion. "The Lord has heard my cry for mercy; the Lord accepts my prayer."

Do you remember the prayer of Noah? God spoke to him and told him that He would destroy the world with a flood. During their conversation, God advised him to build an ark that would save him and his family. He listened to God and when the flood came, they were saved.

Moses prayed and asked God to part the waters of the Red Sea. God answered his prayer, the seas were parted and God saved His people from destruction by the enemy.

Samson prayed one last time for enough strength to accomplish one last task. God granted him that request.

Solomon prayed for God to grant him wisdom. And we see the answer to that prayer on the pages of the Bible and in the lives of the people he ruled.

Elijah was hungry. He asked God for food and God heard his prayer and gave him food for his body.

Daniel was thrown into a den filled with hungry lions. He asked God to protect him and He sealed their mouths.

Hezekiah was on his death bed when he asked God to extend his life. God responded and he lived for fifteen more years.

A thief prayed on a cross and God saved him.

**Prayer:** Your Word, Lord, assures us that You not only hear our prayers, but will answer them. Teach us to pray! In Jesus' Name, Amen.

**Scripture for Today:** Psalm 6:9 The Lord has heard my cry for mercy; the Lord accepts my prayer.

## News from the Associated Press

### **Regents approve 2 new business minors at USD**

SPEARFISH, S.D. (AP) — The South Dakota Board of Regents has approved two new business minors at the University of South Dakota.

The minors in business analytics and operations management were created to meet emerging employment trends. They'll be available at USD starting next fall.

The minor in business analytics will focus on the use of computational technology and data to improve business decision making and operational effectiveness. The operations management minor will emphasize lean management, project management and supply chain management as they are applied to business and industry.

Federal labor department projections through 2022 identify a 7 percent job growth for operations managers. Strong national job growth of 16 percent to 32 percent is estimated for business analysts.

### **Gov. Dennis Daugaard to outline his budget plan in Pierre**

PIERRE, S.D. (AP) — Gov. Dennis Daugaard is set to outline his key priorities for the 2016 legislative session.

The governor's budget address is scheduled for Tuesday. He will outline his spending plans to state lawmakers in the chamber of the House of Representatives at the state Capitol in Pierre.

The 2016 legislative session is scheduled to begin on Jan. 12.

Lawmakers are set to wrap up their man run in the middle of March and return for consideration of gubernatorial vetoes at the end of that month.

### **Wade Sundell takes season saddle bronc lead**

**KEITH FREEMAN, Associated Press**

LAS VEGAS (AP) — Wade Sundell took the lead in the saddle bronc season standings with a second-place ride Friday night in the second round of the National Finals Rodeo.

Sundell, from Coleman, Oklahoma, scored 82.5 points on Tip Off after winning the opening round. He leads the standings with \$151,641 and tops all NFR competitors with \$56,962.

Cody DeMoss of Heflin, Louisiana, was second with \$141,666. He was fifth with a 75 on Nod Big with Four Aces. NFR rookie CoBurn Bradshaw of Beaver, Utah, won the round with an 83 on Curly Bill.

In steer wrestling, Hunter Cure of Holliday, Texas, took the season lead, tying for first with five-time champion Luke Branquinho of Los Alamos, California, in 3.5 seconds. Branquinho has won a record 23 NFR steer wrestling rounds.

Cure has earned \$125,874. Ty Erickson of Helena, Montana, was second with \$122,203, and Branquinho jumped from eighth to third with \$109,672.

"Both Luke and I needed to make some adjustments on our start to get our horses to get us to a steer a little bit faster tonight," Cure said. "And I feel like he and I were able to do that."

In bull riding, Clayton Foltyn of Winnie, Texas, was the lone rider to cover his bull, scoring a 76.5 on Thunderstruck and winning all of the money for the event, \$84,615.

Defending champion Sage Kimzey of Strong City, Oklahoma leads with \$184,601. Parker Breeding of Edgar, Montana, was second with \$158,477.

In team roping, header Derrick Begay of Seba Dalkai, Arizona, and heeler Clay O'Brien Cooper of Gardnerville, Nevada, won the round with a 3.9. They are each second in the standings with \$131,099 for Begay and \$132,219 for Cooper.

This is the 29th NFR for Cooper, who is competing without longtime heeler Jake Barnes, who suffered a severe head injury and broken leg when his horse fell on him while preparing for the NFR.

"This one's for Jake." Cooper said. "It's a bummer that he had an accident. Jake's in all of our hearts

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anyway, because of the kind of person he is and the career that he's had. Jake's going to be OK. It could have been worse, and he'll bounce back."

The defending champion team of header Clay Tryan of Billings, Montana, and heeler Jade Corkill, of Fallon, Nevada, didn't record a time the round, but hold the lead with \$151,497 each.

In bareback, Steven Peebles of Redmond, Oregon, won the round with an 84.5 on Beaver Fever. He entered the NFR in 14th place and has jumped to third with \$125,729. Four-time world champion Kaycee Feild of Spanish Fork, Utah, was second with an 83 on Rylee Raisin Cain and leads the standings with \$158,290.

In tie-down roping, Marty Yates of Stephenville, Texas, and Hunter Herrin of Apache, Oklahoma, moved closer to first in the world standings by tying for first at 7.5. Yates is third in the standings with \$132,762, and Herrin fifth with \$127,293. Defending three-time champion Tuf Cooper of Decatur, Texas, leads with \$140,803.

In barrel racing, Lisa Lockhart of Oelrichs, South Dakota, took over the lead from Callie DuPerier of Boerne, Texas, by finishing fourth in 13.99. Lockhart has earned \$193,251. Michele McLeod of Whitesboro, Texas, won the round in 13.89.

In all-around, Trevor Brazile of Decatur, Texas, leads with \$328,473 in earnings in steer roping, tie-down roping and team roping. Tuf Cooper is second with \$150,687 in steer and tie-down roping.

## 3 finalists for UW president announced; all higher ed execs

**BOB MOEN, Associated Press**

CHEYENNE, Wyo. (AP) — The University of Wyoming Board of Trustees has selected three finalists — all currently with institutions outside the state — for president of the state's only public four-year university.

The candidates announced Friday are Jeremy Haefner, senior vice president for academic affairs and provost at the Rochester Institute of Technology in Henrietta, New York; Duane Nellis, president of Texas Tech University in Lubbock, Texas; and Laurie Nichols, provost and executive vice president for academic affairs at South Dakota State University in Brookings, South Dakota.

"I find all three of them to be quality people that I think could lead the University of Wyoming," said trustee Dave Bostrom, who chaired one of the two search committees.

Each of the candidates is scheduled to make public appearances on campus, beginning Monday with Nellis. Nichols is set to visit on Wednesday, and Haefner on Dec. 14.

Public meetings will be held for the finalists to visit with faculty, students, staff and community members. In addition, the Board of Trustees will accept public comment until Dec. 15 and conduct closed interviews with each candidate.

Trustees have scheduled a special meeting on Dec. 18.

The trustees released the names after a closed-door meeting on Friday. Until now, the university had conducted its search for a replacement for outgoing president Dick McGinity in secret.

The original timeline set by the trustees for selecting a new president was early next year. But with other colleges across the country looking to fill positions, the UW search has been expedited.

"If we get it done in a shorter time period, we don't have the risk of losing qualified applicants who make a decision to go elsewhere," Bostrom said.

If a decision is made before Jan. 1, the new president will be UW's third in as many years.

McGinity was appointed to the job of administering the university with about 13,400 students in January 2014. He replaced Bob Sternberg, who resigned in November 2013 after less than five months on the job amid many complaints from faculty and others about changes Sternberg made among top administrators.

## Police: Casino robbery suspect arrested in North Carolina

SIoux FALLS, S.D. (AP) — Authorities say a 49-year-old man charged in a warrant with a Rapid City casino robbery has been arrested in North Carolina.

Rapid City police say Ronald Swallow was picked up in Sampson County, North Carolina, on suspicion of robbing a Jackson Boulevard casino on Sept. 21. Police say he was extradited back to South Dakota on a charge of first-degree robbery and is also being questioned in two additional casino robberies. It was not

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immediately clear if Swallow had an attorney.

Rapid City detectives interviewed Swallow on Thursday after his extradition as part of their investigation into the Aug. 10 robbery on Patrick Street and the Aug. 14 robbery on Mount Rushmore Road.

## South Dakota agency denies bias against Native Americans

REGINA GARCIA CANO, Associated Press

SIOUX FALLS, S.D. (AP) — South Dakota's Department of Social Services is denying claims of racial discrimination against Native Americans who applied for jobs at its office on the Pine Ridge Indian Reservation.

The state agency says in its response to a lawsuit brought by the Justice Department last month that it was unaware of the race of the applicants because it doesn't request that information from job candidates. It also argues that those who applied specifically for a position as an employment specialist and were rejected did not meet all the job requirements.

Federal officials "cannot establish that any failure to hire was a pretext for race discrimination," attorneys for the state agency wrote in a response filed in federal court in Rapid City. On Thursday the court ordered both parties to meet by Jan. 4 to discuss the case.

The lawsuit argues that over the course of two years beginning in 2010, the state agency posted 18 specialist vacancies for its office on the Pine Ridge Indian Reservation, receiving about 40 percent of its applications from Native Americans. Federal authorities say the department hired 11 people who are white and only one Native American, and removed six other openings entirely.

"In some cases, DSS passed over a well-qualified Native American candidate in favor of a white applicant with lesser qualifications," the lawsuit states. "In others, DSS closed vacancy announcements rather than select a well-qualified Native American candidate."

The lawsuit cites the case of Cedric Goodman, a Native American who applied for the job of employment specialist in October 2010. Goodman has bachelor's degrees in Human Services and Business Administration.

The Justice Department says in the lawsuit that the Department of Social Services interviewed six applicants, including five Native Americans. The lawsuit says none of the six were hired, and when the agency sought applicants again for the same job, it hired a white candidate who "was a 2010 college graduate with limited work experience mostly centered in a retail and office environment."

In its response, the agency denies that the woman hired had limited work experience, and also denies "knowing the candidate's race at the time of her hire."

The lawsuit seeks compensation including back pay for Goodman and other Native American applicants, and asks that Goodman be placed in the next available employment specialist position. Additionally, the Justice Department asks the court to order the state agency to adopt a selection process that complies with federal law.

## 2 people arrested after entering Yankton High School

YANKTON, S.D. (AP) — Police officers were stationed at school buildings in Yankton after two people were arrested at the high school.

Superintendent Wayne Kindle tells KELO-TV that the students, ages 18 and 19, entered the high school without permission Thursday afternoon. They were arrested on charges of trespassing, disrupting school and possession of firearms on school grounds.

Kindle says the two never made threats, and students were never in danger.

Authorities later pulled over their vehicle on State Highway 50 for additional questioning. Inside the vehicle, officers found a rifle and shotgun.

## Late-night scare leads to evacuation of Aberdeen airport

ABERDEEN, S.D. (AP) — A late-night scare at the Aberdeen Regional Airport led to the facility being evacuated and an incoming plane being held on a taxiway for 1 ½ hours.

Police say a man entered the airport about 10 p.m. Thursday, put a suitcase in a corner and immediately left.

Authorities searched the suitcase and found nothing suspicious or harmful. They later determined that the man had a Friday morning flight and was not a security risk. No charges are anticipated.

## **AP: Railroads beat back new safety rules after derailments**

**MATTHEW BROWN, Associated Press**

**MICHAEL KUNZELMAN, Associated Press**

A pair of train derailments in 2012 that killed two people in Maryland and triggered a fiery explosion in Ohio exposed a little-known and unsettling truth about railroads in the U.S. and Canada: No rules govern when rail becomes too worn down to be used for hauling hazardous chemicals, thousands of tons of freight or myriad other products on almost 170,000 miles of track.

U.S. transportation officials moved to establish universal standards for when such steel gets replaced, but resistance from major freight railroads killed that bid, according to Associated Press interviews with U.S. and Canadian transportation officials, industry representatives and safety investigators.

Now, following yet another major accident linked to worn-out rails — 27 tanker cars carrying crude oil that derailed and exploded in West Virginia earlier this year — regulators are reviving the prospect of new rules for worn rails and vowing they won't allow the industry to sideline their efforts.

"We try to look at absolutely every place where we can affect and improve safety," said Federal Railroad Administrator Sarah Feinberg. "Track generally is the place that we're focusing at the moment, and it's clearly overdue. Rail head wear is one place in particular that we feel like needs to be addressed as soon as possible."

An official announcement on the agency's intentions to revisit rail wear is expected by the end of the year.

In the meantime, federal regulators haven't taken the positive steps that they need to, said Ronald Goldman, an attorney for the families of the two 19-year-old women who died in a 2012 derailment outside Baltimore.

"It's a lack of will, not a lack of ability, in my opinion," he added.

Industry supporters argue that the seven major freight railroads in the U.S. and Canada are in the best position to know what is going on with their lines, including when they need to be replaced or have the maximum speeds for trains traveling on them lowered. They also note a long-term decline in accidents that has reduced the frequency of derailments by more than 40 percent since 2000.

All sides agree it's difficult to pinpoint how many accidents are tied to worn rail. Since 2000, U.S. officials blamed rail wear as the direct cause of 111 derailments causing \$11 million in damage.

That's less than 1 percent of all accidents, yet it masks a broader safety dilemma: Years of massive loads rolling over a rail will exacerbate defects in the steel, such as cracks or fractures. Investigators ultimately list the defect as the cause of a derailment, but it might never have been a problem if the rail had not been worn down.

"Rail defects are internal and rail wear is external, and when external meets internal, that's when problems may arise," said John Zuspan of Track Guy Consultants, a Pennsylvania firm that offers track inspections, safety training and other services for railroads.

Two accident causes in particular have the strongest correlation with worn-out rails: "detail fractures" that result from fatigued metal, and "vertical splits" in the head of the rail, where it makes contact with a train's wheels, according to the FRA.

Those problems caused a combined 1,200 derailments with \$300 million in damages, three deaths and 29 people injured in the U.S. between 2000 and the present, according to accident records reviewed by the AP.

Among them was the July 2012 derailment of a Norfolk Southern Railway train hauling ethanol and other products through Columbus, Ohio. Seventeen cars derailed, including three hauling highly flammable ethanol that exploded into flames, triggering an evacuation of surrounding neighborhoods.

A month later, another accident occurred involving a CSX Transportation train hauling coal over a bridge along Main Street in Ellicott City, Maryland, outside Baltimore. Twenty-one cars derailed when the com-

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pany's worn-down rail split beneath the weight of the coal cars. The two college students sitting on the bridge died, crushed by thousands of pounds of spilled coal.

The victims' families reached a settlement with CSX last year for undisclosed terms. Goldman, the families' attorney, said he pressed federal officials for a forum that would allow his clients to testify about the issue, but "nothing really happened."

A month after the CSX derailment, federal regulators asked the Rail Safety Advisory Committee — a panel created by the Railroad Administration to include the industry and others in fashioning safety rules — to craft new standards to reduce the risks of worn-down rail. The committee set up a 116-person working group to tackle the problem, made up of industry representatives, government officials, consultants, researchers and railroad worker unions.

The group included 55 representatives from the major freight railroads and their industry organization, the Association of American Railroads. The FRA had 14 seats at the table and their counterparts from Transport Canada had five.

Following several meetings in 2012 and 2013, the group — which required consensus before recommending action — agreed on voluntary guidance for companies to manage rail wear, but no new regulations.

"There was certainly a lot of pushback and a lot of political pressure put on FRA not to adopt regulations for rail wear," said Richard Inclima, director of safety for the union that represents track inspectors and a member of the working group. "Rail wear limits were on the table. The industry raised a lot of arguments against rail wear limits."

"The industry doesn't want to be regulated," he added. "That's no secret."

The railroads' opposition was confirmed by others involved with the group's work including from the National Transportation Safety Board, the FRA and Transport Canada.

Association of American Railroads spokesman Ed Greenberg said the railroads were "unaware of any science-based data supporting rail wear limits."

NTSB investigator Richard Hipskind, who took part in the Ellicott City and Columbus accident investigations and later served on the rail wear working group, said more research would be needed to establish universal standards.

Railroads have their own internal standards for rail wear, and have replaced more than 30,000 miles of rail since 2010, according to reports submitted by the major railroads to the U.S Surface Transportation Board, a semiautonomous agency under the umbrella of the U.S. Department of Transportation.

Standards vary among railroads and are complicated by differences in how much weight a given line bears, whether it's in a wet or dry climate, and if the line goes through mountains or involves lots of turns. Those variables can make the difference between well-worn rail that's still safe and routes that poses a heightened safety hazard, according to industry experts and safety officials.

Greenberg said the industry takes an aggressive approach to identifying and removing defective or worn sections of rail.

"Each railroad has its distinct operating environment and operating conditions that would be factored into this," Greenberg said. He added that the industry was now interested in "renewed dialogue" with the FRA on the topic.

The AP requested details on rail wear standards from each of the seven major freight railroads — BNSF Railway, Union Pacific, Canadian Pacific, CSX, Canadian National, Norfolk Southern and Kansas City Southern. They either refused the request or referred questions to the railroad association, which also declined to release the standards.

Public attention to train derailments increased sharply after July 2013, when an out-of-control oil train derailed and exploded in Lac-Mégantic, Quebec, killing 47 people. One of the most significant changes to emerge from that and other accidents involving crude and ethanol was a mandate for companies to phase out or upgrade tens of thousands of tank cars that are prone to rupture.

Those are important changes, said James Horbay, a rail safety engineer with Transport Canada. But what causes trains to come off the tracks in the first place needs to be resolved, he said.

"If you crash an airplane, are you going to say, 'Let's build an airplane that's not going to fall apart when

it hits the ground?" he asked. "Whether rail wear is something that should be looked at is a good question to ask. You're going right to the cause now."

## **APNewsBreak: Kim Kardashian West, Kanye West welcome son** **SANDY COHEN, AP Entertainment Writer**

LOS ANGELES (AP) — The newest member of the Kardashian clan has arrived.

Kim Kardashian West and husband Kanye West welcomed a baby boy early Saturday in Los Angeles. A representative for the couple confirms to The Associated Press that mom and baby are doing well. This is the second child for the superstar couple: Daughter North was born in 2013.

## **Woman at center of FBI investigation of terror attack**

**AMANDA LEE MYERS, Associated Press**

**MICHAEL R. BLOOD, Associated Press**

SAN BERNARDINO, Calif. (AP) — The Pakistani woman who joined her U.S.-born husband in killing 14 people in a commando-style assault on his co-workers is now at the center of a massive FBI terrorism investigation, yet she remains shrouded in mystery.

The FBI acknowledges knowing little about Tashfeen Malik. Those who attended mosque with her husband, Syed Farook, said they know nearly nothing of her. Even Farook's mother, who lived with the couple and their 6-month-old daughter, knows little, according to attorneys for Farook's family.

The lawyers on Friday described the 27-year-old as "just a housewife" who was quiet like her husband and strictly followed Muslim custom. She wore traditional clothing that covered her face so her male relatives didn't even know what she looked like, according to the lawyers who represent Farook's mother and three siblings.

Authorities say she ditched the Muslim garb for a combat-style outfit Wednesday, when she and Farook attacked a training session and holiday luncheon in San Bernardino. A few hours later, they were killed in a shootout with police.

The FBI announced Friday it is investigating the mass shooting as an act of terrorism. If proven to be terrorism, it would be the deadliest attack by Islamic extremists on American soil since Sept. 11, 2001. A U.S. law enforcement official said Malik used a Facebook alias to pledge her allegiance to the Islamic State group and its leader just before the shootings.

FBI Director James Comey would not discuss whether anyone affiliated with IS communicated back, but he said there was no indication yet that the plot was directed by any other foreign terror group.

"The investigation so far has developed indications of radicalization by the killers and of potential inspiration by foreign terrorist organizations," Comey said. He cautioned that the investigation has not yet shown evidence the couple was part of a larger group.

Despite signs of the couple's radicalization, there "is a lot of evidence that doesn't quite make sense" at this early stage, he said.

The Farook family attorneys, Chesley and Mohammad Abuershaid, said none of his relatives had any indication either Farook or his wife held extremist views.

"If the most evidence there is to any affiliation is a Facebook account under another person's name ... then that's hardly anything at all," Chesley said.

He and Abuershaid said the family was shocked by the attack and mourns for the victims. They cautioned against rushing to judgment on their motivations.

David Bowdich, head of the FBI's Los Angeles office, said "a number of pieces of evidence" point to terrorism and that the agency was focused on that idea "for good reason." He would not elaborate.

Bowdich said investigators were looking carefully to determine if there is a connection to IS.

In Pakistan, a relative of Malik says she apparently became a more zealous follower of the Muslim faith about three years ago.

Hifza Batool told The Associated Press on Saturday that other relatives have said that Malik, who was her



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step-niece, used to wear Western clothes but began wearing the hijab head covering or the all-covering burqa donned by the most conservative Muslim women about three years ago.

"I recently heard it from relatives that she has become a religious person and she often tells people to live according to the teachings of Islam," said Batool, 35, a private school teacher who lives in Karor Lal Esam, about 450 kilometers (280 miles) southwest of the Pakistani capital of Islamabad.

A Facebook official said Malik praised Islamic State in a post at 11 a.m. Wednesday, around the time the couple stormed a social service center where Farook's co-workers from San Bernardino County's health department had gathered.

An Islamic State-affiliated news service called Malik and Farook "supporters" of their Islamist cause but stopped short of claiming responsibility for the attack.

The U.S. official who revealed the Facebook post was not authorized to discuss the case publicly and spoke on condition of anonymity. The Facebook official, who also spoke on condition of anonymity because the person was not allowed under corporate policy to be quoted by name, said the company discovered Wednesday's post the next day, removed the profile from public view and reported its contents to law enforcement.

Farook and Malik rented a townhome in Redlands, a few miles from the attack scene, where investigators said they found an arsenal of ammunition and homemade bombs.

On Friday morning, the property's owner allowed reporters inside. The surreal scene — reporters walking among baby items, handling family photos and looking at dirty dishes in a sink — was broadcast live on cable TV.

While it appeared unseemly, Bowdich said the FBI had finished investigating the home. Among things authorities had found were two cellphones that had been crushed in an apparent attempt to destroy the information inside. Investigators were trying to retrieve the data.

"We hope that will take us to their motivation," Bowdich said.

Until Friday, federal and local law enforcement officials said terrorism was a possibility but that the violence could have stemmed from a workplace grudge. The Farook family attorneys said he told relatives he had been teased at work about his beard.

They described Malik as a devoted home-keeper who closely followed religious traditions. They said Farook's mother never saw any of the weapons or bombs authorities found. The FBI questioned her Wednesday night and, according to the attorneys, said they would not release her until Farook's siblings came for questioning.

The couple's orphaned daughter is in the care of child protective services and the family will try to recover her next week.

Farook had no criminal record, and neither he nor his wife was under scrutiny by local or federal law enforcement before the attack, authorities said.

Malik, 27, reportedly moved from her home country of Pakistan to Saudi Arabia and eventually came to the U.S. in 2014 on a fiancée visa. However, Saudi authorities say there is no record of her ever being a resident there.

Farook, a restaurant inspector for the county, was born in Chicago to Pakistani parents and raised in Southern California.

Farook went to the Dar Al Uloom Al Islamiyah of America mosque in San Bernardino every day but abruptly stopped coming three weeks ago. While many members said they knew Farook and described him as quiet and very studious, "no one knows anything about his wife," said Mahmood Nadvi, son of the mosque's founder.

Nadvi said FBI agents have questioned the mosque's leaders about the couple.

Law enforcement officials have long warned that Americans acting in sympathy with Islamic extremists — though not on direct orders — could launch an attack inside the U.S. Using slick propaganda, the Islamic State in particular has urged sympathizers worldwide to commit violence in their countries.

Others have done so. In May, just before he attacked a gathering in Texas of people drawing cartoons of the Prophet Muhammad, a Phoenix man tweeted his hope that Allah would view him as a holy warrior.

Two weeks ago, with Americans on edge over the Islamic State attacks in Paris that left 130 people dead, Comey said that U.S. authorities had no specific or credible intelligence pointing to an attack on American soil.

Since March 2014, 71 people have been charged in the U.S. in connection with supporting IS, including 56 this year, according to a recent report from the George Washington University Program on Extremism. Though most are men, "women are taking an increasingly prominent role in the jihadist world," the report said.

## Chicago cops' versions of teen's killing at odds with video

**SOPHIA TAREEN, Associated Press**

CHICAGO (AP) — Chicago police officers who watched one of their own shoot a black teenager 16 times filed reports depicting a version of events that contrasted sharply with what was captured on the dashcam footage that has sparked protests and cost the police commissioner his job.

The city released hundreds of pages of documents late Friday pertaining to the October 2014 killing of 17-year-old Laquan McDonald by a white police officer, Jason Van Dyke. He was charged with first-degree murder late last month, only hours before the department released the video under a court order and after keeping it from the public for more than a year.

The video shows McDonald veering away from officers on a four-lane street when Van Dyke opened fire from close range and continued shooting after the teen had crumpled to the ground and was barely moving.

In newly-released police reports, however, several officers, including Van Dyke, described McDonald as aggressively approaching officers while armed with a knife.

Van Dyke told an investigator that McDonald was "swinging the knife in an aggressive, exaggerated manner" and that McDonald "raised the knife across chest" and pointed it at Van Dyke, according to one police report. Multiple officers reported that even after McDonald was down, he kept trying to get up with the knife in his hand.

"In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald, to stop the attack," one report reads. "McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it."

Van Dyke told an investigator that he feared that McDonald would rush him with the knife or throw it at him. He also noted a 2012 Chicago Police Department warning about a weapon that was a knife but was capable of firing a bullet, hence making it firearm, according to the reports.

The officers' portrayal of the incident, recorded in hundreds of pages of handwritten and typed reports, prompted police supervisors to rule at the time that McDonald's death was a justifiable homicide and within the bounds of the department's use of force guidelines. It's not clear who wrote some of the police reports.

The release of the reports comes amid mounting questions about the Chicago Police Department's handling of the incident, while activists allege that police and city officials tried to cover it up. The U.S. attorney's office is investigating the issue, and a number of officials have called for a broader intervention by the U.S. Justice Department.

Chicago police spokesman Anthony Guglielmi said in a statement late Friday that the city's Independent Police Review Authority, not the Police Department, conducts all investigations of officer-involved shootings and that the agency was given the case report and videos. The authority, which did not return a message left Friday, has not released its report on the McDonald shooting.

"If the criminal investigation concludes that any officer participated in any wrongdoing, we will take swift action," Guglielmi said in an emailed statement.

City officials fought in court for months to keep the video from being released publicly, before deciding in November not to fight a judge's order.

Messages left for Mayor Rahm Emanuel's spokeswoman, Cook County State's Attorney Anita Alvarez' spokeswoman and a police union weren't immediately returned.

Another contradiction that emerged with the release of the reports is whether McDonald's knife was folded when officers recovered it at the scene.

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When announcing charges against Van Dyke, Alvarez said McDonald's knife was folded. But one of the police reports said the knife's "blade was in the open position."

One of the reports noted what it called McDonald's "irrational behavior," such as ignoring verbal directions and "growling" and making noises. PCP, a hallucinogenic drug, was found in McDonald's system, according to Alvarez and the medical examiner's report that was among the documents.

The release of the footage, which doesn't have sound, triggered protests and calls for public officials to resign, including Emanuel. Illinois Attorney General Lisa Madigan has called for an overall federal investigation of police department practices, which Democratic presidential candidates and local Illinois politicians have echoed. Emanuel has also since announced the expansion a body camera program and formed a task force.

Chicago authorities have not been able to explain why the footage released to the public, including from other squad cars on scene, doesn't have audio when department technologies allow for it. Acting Superintendent John Escalante said Friday that he issued a reminder to all officers to check that equipment works each time they get into police cars.

## Messy midway: Paris draft climate deal ready, long way to go

**KARL RITTER, Associated Press**

LE BOURGET, Paris (AP) — Negotiators adopted a draft climate agreement Saturday that was cluttered with brackets and competing options, leaving ministers with the job of untangling key sticking points in what is envisioned to become a lasting, universal pact to fight global warming.

As the U.N. talks outside Paris reached their midway point, the draft agreement was sent on to environment and foreign ministers who will work on it next week.

"We would have wished to be further along than we are at this point, but the text being forwarded so far reflects our key priorities," said Maldives delegate Thoriq Ibrahim, who chairs an alliance of small island nations on the front lines of climate change.

A host of disagreements remains, almost all related to defining the obligations and expectations of rich and poor countries, as well as those who don't fit neatly into either category.

Though 184 countries have already submitted national plans to reduce climate-warming greenhouse gas emissions, how to anchor those pledges in a legally binding deal remains to be worked out.

China's chief negotiator Su Wei told reporters Saturday that "all the provisions, starting from the preamble to the final clauses, would be legally binding."

That contrasts with the U.S. position, which is for some parts to be legally binding, but not countries' pledges to limit the greenhouse gas emissions. Binding emissions cuts would likely require the Obama administration to send the deal to the Republican-controlled Congress, where it would likely be struck down.

After the news conference, Su indicated the issue was still up for negotiation.

"We have to further discuss ... try to find some proper solution," he said.

Jake Schmidt of the Natural Resource Defense Council, a New York-based environmental group, said the issue could be resolved by avoiding words like "shall" in key paragraphs about emissions targets.

The Paris accord is meant to be a turning point in the world's efforts to fight climate change. Since they started in 1992, the U.N. talks have not been able to stop the rise in emissions, mostly from the burning of fossil fuels, blamed for warming the planet.

Previous agreements only required rich countries to reduce their emissions. The new agreement would apply to all countries, but many developing nations are resisting language that would indicate a shift in responsibilities.

The U.S. and other developed countries have traditionally been the only ones expected to provide financing to help poor countries deal with rising seas and other impacts of climate change. They want the new agreement to expand the donor base to include the most advanced developing countries.

Major developing countries including India and China are pushing back, amid worries that wealthy countries are trying to dodge their responsibilities.

The developing bloc says the parts of world that industrialized first — the U.S., Canada, Europe, Japan, Australia and New Zealand — have a historical responsibility to address climate change.

## United Auto Workers win vote at Volkswagen's lone US plant

**ERIK SCHELZIG, Associated Press**

CHATTANOOGA, Tenn. (AP) — The United Auto Workers union has gained a significant first victory at a foreign-owned automaker in the South, easily winning a vote by skilled-trades workers at Volkswagen's lone U.S. factory to have the UAW negotiate their collective bargaining agreements.

The workers who repair and maintain machinery and robots at the German automaker's plant in Chattanooga voted 108-44 for UAW representation over two days ending Friday.

Volkswagen objected to the new vote favoring the UAW to represent just 162 skilled-trades workers, arguing that all of the plant's 1,400 blue-collar workers should have a say over union issues. The German automaker said it plans to appeal the ruling allowing the vote to the full National Labor Relations Board.

"We believe that a union of only maintenance employees fractures our workforce and does not take into account the overwhelming community of interest shared between our maintenance and production employees," the company said in a statement.

The vote comes nearly 20 months after the union was narrowly defeated in an election involving all hourly employees at the plant. The UAW has been thwarted for decades in attempts to represent workers outside of General Motors, Ford and Fiat Chrysler.

Ray Curry, the director of the UAW's Southern region, said the overwhelming union victory should persuade Volkswagen to drop its legal challenge.

"We urge Volkswagen to respect the decision of its employees and recognize the local union as the representative of the skilled trades unit," he said at a news conference Friday punctuated by beeping car and truck horns of union supporters celebrating.

The American Council of Employees, a rival labor group at the Volkswagen plant, in a letter to workers before the vote criticized the move to organize the smaller group of workers. The group said the effort would serve to "subdivide maintenance workers with no concern for how this might negatively impact employees' long-term interests."

The group also criticized the union for seeking the vote amid the automaker's efforts to cope with its diesel emissions cheating scandal that contributed to a 60 percent drop in sales of the Chattanooga-made Passat in November.

"Volkswagen and our facility are in the midst of a crisis," the letter said. "We need unity now more than ever."

Mike Cantrell, the president of UAW Local 42 in Chattanooga, said the vote was announced weeks before cheating revelations surfaced.

"The timing of the skilled trades election is unrelated to the Volkswagen emissions scandal," he said.

Volkswagen also argued that the formation of the small bargaining unit goes against its hopes of creating a German-style works council at the plant to represent both hourly and salaried employees. The union disagreed, saying the move by the skilled-trades workers was just a first step.

"We have said from the beginning of Local 42 that there are multiple paths to reach collective bargaining," Cantrell said. "And we believe these paths will give all of us a voice at Volkswagen in due time."

## Weeks of violence dampen Christmas spirit at Bethlehem hotel

**DANIELLA CHESLOW, Associated Press**

BETHLEHEM, West Bank (AP) — With Christmas only weeks away and the latest Israeli-Palestinian violence showing no signs of abating, gloom has descended on the century-old Jacir Palace hotel in Bethlehem, famed for its soaring stone archways and wrought iron balconies.

The traditional Christmas party has been nixed and reservations are down 50 percent. Empty tear gas canisters litter the street in front of the hotel and charred stains mark spots where protesters burned tires.

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After almost three months of absorbing stones and rubber bullets, nearly every front window of the hotel is cracked. When Palestinian youths clash with Israeli troops outside, guests are forced to use the back entrance to dodge plumes of smoke and tear gas.

"We have had tremendous difficulty," said Johnny Kattan, Jacir's maintenance manager. "But we've seen worse times."

Much of Bethlehem is in a similar funk.

Christmas Eve is a major event for the biblical town, drawing thousands of foreign tourists each year and giving a huge jolt to local businesses. This year, the holiday spirit will be harder to find.

Italian tenor Andrea Bocelli, scheduled to perform in December, has called off his visit. Sellers of olive wood souvenirs say they have nearly no customers, and Bethlehem hotel owners are struggling to fill their beds, especially after 11 new hotels opened in the last three years.

Mayor Vera Baboun said the city would only decorate Manger Square, home to the church that hosts the traditional birthplace of Jesus, and two nearby streets, instead of all of downtown.

"Every year, when we light the tree, usually there is a huge display of fireworks, but this year we will ring church bells instead," said Baboun. The bells, she added, will remind everyone "that we exist despite all the catastrophes."

The latest wave of violence, which erupted in mid-September, has killed 19 Israelis, mostly in Palestinian stabbings and shooting attacks. At least 106 Palestinians, including 71 said by Israel to be attackers, have been killed. The rest died in clashes with Israeli forces.

Israel blames the violence on incitement by Palestinian leaders and on social media sites. Palestinians say the attacks stem from a lack of hope for gaining independence after years of failed peace efforts.

In October, 27-year-old Moataz Zawahra, one of Jacir's waiters, was shot and killed by Israeli troops at the hotel's entrance. The Israeli military says he threw a firebomb at the soldiers; his colleagues say they did not see him attacking troops. He was off duty when he was shot.

On Friday, Palestinian youths dragged metal garbage cans across the street in front of Jacir, hurled rocks at the Israeli guard tower and set tires on fire so the grey smoke would help hide them.

As the troops fired the first round of tear gas and the acrid smell reached the courtyard lobby, Kattan paced the reception area, checking to make sure no guests were nearby and that the staff had followed his instructions.

"Everyone knows what to do," Kattan said. "It has become routine."

He went through the motions of calling the Palestinian police, which he said would not arrive. Then he went on lunch break.

Outside, 19-year-old protester Ahmad Sarahat from Bethlehem covered his mouth with the sleeve of his sweatshirt to shield himself from the tear gas. "We want them to leave," said Sarahat, pointing at the Israeli watchtower. "We are not afraid."

Kattan and others at the hotel hope it will weather the storm, as it has so many times in the past.

Built as a palace in 1910 by Mayor Suleiman Jacir who used French architectural blueprints and local pink and white stone, the estate was once surrounded by olive groves. The nearest structure was Rachel's Tomb, a shrine Jews revere as the burial place of the biblical matriarch and where once a mosque stood, Muslims say.

After the Jacir family went bankrupt, the palace became a prison, then British military headquarters and a school, according to Nada Atrash, a Bethlehem architect. In 1948, when Israel was formed, Palestinian refugees streamed into a refugee camp behind the palace; today it's a maze of concrete homes, with laundry lines stretched across the narrow streets.

After Israel and the Palestinians signed the Oslo Peace Accords in 1993, Palestinian businessmen invested \$50 million to transform it into a hotel. The late Palestinian leader Yasser Arafat laid the hotel cornerstone in 1998. The Denham, England-based InterContinental Hotels Group signed a 15-year contract with the local investors.

"Everything looked nice and beautiful and everybody thought now this is time to make some money," said Kattan.

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The optimism was short-lived. Doors to the 250-room hotel opened in May 2000 but shut within months as the second intifada, or Palestinian uprising, began. Israeli troops used the hotel as a military base, sandbagging the windows and surrounding Rachel's Tomb with concrete slabs to prevent Palestinian gunmen from attacking Jewish visitors.

The hotel reopened in 2005 as tourism began to recover but the last two years have been a challenge. In 2014, roughly 4,500 foreign tourists visited Bethlehem on Christmas Eve, half the number from the year before because of a summer war between Israel and Hamas.

Kattan, the manager, said he is grateful for the timing of the current protests at least — it's too cold to use the pool now and most of the clashes happen in the afternoon, when guests are out sightseeing.

The hotel staff do their best, he said. All the steel shutters on the front windows close at first signs of skirmishes and the guests are escorted out of the airy courtyard that quickly fills up with tear gas. The guestrooms are in the back of the property, far from the melee. No guests have been hurt in clashes, he said.

In a blow, the InterContinental Hotels Group did not renew its contract with Jacir Palace last year. Pascal Gauvin, InterContinental's Chief Operating Officer of India, Middle East and Africa, said they had no choice because the hotel was not able to operate normally "most of the time, due to the volatility in the region."

Still, a week ago, the staff strung boughs of holly across the courtyard. Kattan said they expected a full house for Christmas Eve, in part due to generous discounts.

Maria Uribe, a tour guide from Richmond, California, was dining at the hotel last Saturday with her group of 11 visitors who are following in the footsteps of Jesus in the Holy Land.

"We feel safe," Uribe said. "The people are very kind."

## **Social media, the new megaphone for violent perpetrators**

**BRANDON BAILEY, AP Technology Writers**

**MICHAEL LIEDTKE, AP Technology Writers**

PALO ALTO, California (AP) — Tashfeen Malik, the woman involved in this week's Southern California mass shooting, has another claim to notoriety: She's the latest in a growing line of extremists and disturbed killers who have used social media to punctuate their horrific violence.

A Facebook official said Friday that Malik, using an alias, praised the Islamic State group in a Facebook post shortly before — or during — the attack. Malik's posting echoes similar bids for attention by violent perpetrators, including a disgruntled Virginia broadcaster who recorded himself shooting two co-workers and then posted the video online and a Florida man who killed his wife and shared a photo of her body on social media.

Facebook, Twitter, YouTube and other social media companies do their best to block or remove posts that glorify violence. But experts say it's an uphill battle, and the advent of new services that let people stream live video from any event will only make the task more challenging.

"Now everyone has the opportunity to talk to a larger audience," said Karen North, a professor of digital social media at the University of Southern California's Annenberg School. "If you commit an act and you want people to know about it, you now have a way to promote it."

Social media didn't invent extremist violence. But the Islamic State and similar groups have become deft at using social media to spread their message, both to recruit followers and to threaten their perceived enemies. "They can rapidly and easily identify others who share their beliefs," said Marcus Thomas, a former assistant director of the FBI's operational technology division.

Like many young adults, the 27-year-old Malik and her 28-year-old husband, Syed Farook, seemed comfortable with social media. A U.S. intelligence official said Farook had been in contact with known Islamic extremists online. But there is no sign anyone from the Islamic State communicated with Malik or provided any guidance for the attack on a San Bernardino social service center, which left 14 people dead and 21 wounded.

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YouTube, Twitter and other online services use automated software to help detect posts that violate their terms of service, including those that depict or encourage violence. They also encourage users to report such material, so it can be reviewed and removed.

Facebook declined comment Friday. But the page containing statements posted by the woman involved in this week's San Bernardino shootings was taken down. Malik and her husband, Syed Farook, died hours after the attack in a gun battle with police.

The social network has done "a fairly good job of making sure that users understand" that posts or videos glorifying violence will be taken down, said Stephen Balkam, head of the nonprofit Family Online Safety Institute, which works with Facebook and other sites to promote safe practices for children.

Still, he cautioned: "All the policies in the world won't help" unless companies also devote staff and resources to enforcing them. Even then, he said, it's not always easy to determine whether taking something down is the right thing to do.

Two years ago, Balkam publicly criticized Facebook when the giant social network reversed its own decision to take down a graphic video of a masked man beheading a woman. In that case, Facebook said it decided to allow the video because users were sharing it as a way of condemning the violence attributed to Mexican drug gangs. But the company eventually concluded the post was too offensive and removed it again.

Another problem: Violent posts can resurface even after they are taken down. When a fired TV reporter with a grudge killed two former co-workers in Virginia over the summer, he videotaped his own actions and then uploaded the clip to Facebook. The company took it down, but not before someone else had copied it and re-posted it on other sites, North said.

Facebook explicitly bans content being shared by "dangerous organizations" engaged in terrorist activity or organized crime. But even that requires a judgment call, because not everyone around the world defines terrorism in the same way, said David Greene, civil liberties director for the Electronic Frontier Foundation, a digital rights group.

"Most of these areas are more gray than black or white, and that can put these companies in a very difficult position," Greene said.

Lawmakers in the U.S. Senate recently considered a bill that would require social media companies to report any "terrorist activity" they found on their site to government authorities. Opponents questioned whether private companies were qualified to decide what constitutes terrorist activity. Tech representatives also warned the bill would have resulted in excessive reports to law enforcement and an overload of unhelpful data. The provision was later dropped.

Given the pervasiveness of social media, it's perhaps no surprise that some criminals have posted evidence of their own acts. Authorities say teenagers in Illinois, Michigan and California have posted clips of themselves committing rape and assault — apparently to brag to their friends. Law enforcement officials say Florida resident Derek Medina posted a photo of his wife's body on Facebook with a note accusing her of abusing him. He was convicted of second-degree murder this year.

Dealing with these problems is inherent for any social network, said Brian Blau, a tech analyst with Gartner. "They are in the business of connecting people and, unfortunately, there are a lot of terrible people in the world."

And with the advent of live-streaming apps like Meerkat and Twitter's Periscope service, safety advocates like Balkam worry that someone will use them to broadcast violence as it occurs. Facebook is also testing a similar service, which lets anyone broadcast live smartphone video to the world.

That will up the ante for social media companies, which will need to expand their systems for users to report violent content as it's streaming, as well as their ability to respond.

"We're talking in real time, stuff that you broadcast will have to be reported and taken down in a matter of seconds or minutes," Balkam said.

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## Univision asks court to dismiss \$500M Trump lawsuit

LARRY NEUMEISTER, Associated Press

NEW YORK (AP) — Univision struck back Friday at Republican presidential candidate Donald Trump's \$500 million lawsuit claiming that it unjustly broke a contract to broadcast beauty pageants, citing his "disgraceful allegations" about Mexican immigrants.

Univision lawyers filed papers in Manhattan federal court asking a judge to toss out the lawsuit Trump filed in July.

The lawyers said Trump destroyed the value of Univision's rights to broadcast the Miss USA and Miss Universe pageants when he announced June 16 that he was running for president.

"Trump offended millions during that announcement when he made disgraceful allegations about Mexican immigrants, whom, he claims, 'Mexico sends' across the border to America," the lawyers wrote.

They said his remarks "outraged Mexican Americans, Mexican immigrants, Hispanics, and other Americans of all backgrounds," prompting at least 20 companies and the city of New York to terminate business relationships with Trump and his brand in the weeks after the announcement.

Trump's lawsuit claimed breach of contract, defamation and First Amendment violations.

Matthew Maron, an attorney for Trump, said Univision's attempt to dismiss the suit is "laughable."

"Univision can try to distract the court and the public from the real issues in dispute all it wants. The fact remains that Univision willfully breached their contract, acted in bad faith and caused my clients to suffer significant damages," Maron said. "For this, Univision will pay in the end."

Univision lawyers noted that the network was the leading media company serving Hispanic America when Trump delivered "extreme and controversial opinions on race and national origin."

"Through his diatribe, Trump destroyed the value of those broadcast rights, and neither Trump nor Miss Universe did anything to repair the damage in the aftermath of his speech," Univision's lawyers said in a document signed by attorney Randy M. Mastro.

In January, Univision signed a five-year license agreement for the exclusive right to air the Miss USA and Miss Universe pageants in Spanish in the United States.

Univision's lawyers said Trump worsened the damage caused by his initial remarks about Hispanics by saying in the days afterward that his statements were "totally accurate."

Univision announced on June 25 that it was ending its business relationship with the pageants.

"By the end of June, it was clear that Trump's anti-Mexican and anti-immigrant views would be a focal point of his campaign and that the damage done to Univision's programming deal was irrevocable," the lawyers wrote. "Trump shocked the nation's conscience by accusing almost every Mexican immigrant (and many Univision viewers) of being criminals and rapists — then promising to become president of the United States on the strength of that indictment."

## Today in History The Associated Press

### Today in History

Today is Saturday, Dec. 5, the 339th day of 2015. There are 26 days left in the year.

### Today's Highlight in History:

On Dec. 5, 1945, five U.S. Navy torpedo bombers mysteriously disappeared after taking off from Fort Lauderdale, Florida, on a training mission (designated as Flight 19) with the loss of all 14 crew members; "The Lost Squadron," as it came to be known, later contributed to the legend of the Bermuda Triangle.

### On this date:

In 1782, the eighth president of the United States, Martin Van Buren, was born in Kinderhook, New York; he was the first chief executive to be born after American independence.

In 1791, composer Wolfgang Amadeus Mozart died in Vienna, Austria, at age 35.

In 1831, former President John Quincy Adams took his seat as a member of the U.S. House of Representatives.



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In 1848, President James K. Polk triggered the Gold Rush of '49 by confirming that gold had been discovered in California.

In 1932, German physicist Albert Einstein was granted a visa, making it possible for him to travel to the United States.

In 1933, national Prohibition came to an end as Utah became the 36th state to ratify the 21st Amendment to the Constitution, repealing the 18th Amendment.

In 1955, the American Federation of Labor and the Congress of Industrial Organizations merged to form the AFL-CIO under its first president, George Meany.

In 1962, the United States and the Soviet Union announced a bilateral space agreement on exchanging weather data from satellites, mapping Earth's geomagnetic field and cooperating in the experimental relay of communications.

In 1979, feminist Sonia Johnson was formally excommunicated by the Mormon Church because of her outspoken support for the proposed Equal Rights Amendment to the Constitution.

In 1984, the action comedy "Beverly Hills Cop," starring Eddie Murphy, was released by Paramount Pictures.

In 1994, Republicans chose Newt Gingrich to be the first GOP speaker of the House in four decades.

In 2013, Nelson Mandela, the anti-apartheid leader who became South Africa's first black president and was a global symbol of sacrifice and reconciliation, died at age 95.

**Ten years ago:** The trial of Saddam Hussein resumed in Baghdad with gruesome testimony from witnesses who offered accounts of killings and torture. French engineer Bernard Planche was kidnapped in Baghdad (he was later freed). Secretary of State Condoleezza Rice denied the United States was engaged in torture or lesser forms of cruel treatment against terror suspects. ABC News named Elizabeth Vargas and Bob Woodruff co-anchors of "World News Tonight," replacing the late Peter Jennings. Edward L. Masry, the personal-injury lawyer portrayed by Albert Finney in the Oscar-winning movie "Erin Brockovich," died in Thousand Oaks, California, at age 73.

**Five years ago:** On the eve of talks with six world powers, Iran announced that it had produced its first batch of locally mined uranium ore for enrichment. The Kennedy Center Honors paid tribute to Paul McCartney, Oprah Winfrey, Merle Haggard, Broadway composer Jerry Herman and dancer Bill T. Jones. Serbia celebrated its first Davis Cup title, becoming only the second unseeded nation to win the trophy when Viktor Troicki beat Michael Llodra 6-2, 6-2, 6-3 to complete a 3-2 comeback win over France. Football player-turned-sportscaster Don Meredith, 72, died in Santa Fe, New Mexico.

**One year ago:** President Barack Obama announced his choice of Ashton Carter to be the new U.S. secretary of defense. NASA's newest space vehicle, Orion, accomplished its first test flight, shooting out more than 3,600 miles from Earth for a hyperfast, hot return. Rolling Stone magazine issued an apology casting doubt on its story of a young woman who said she'd been gang-raped at a fraternity party at the University of Virginia, saying it had since learned of "discrepancies" in her account.

**Today's Birthdays:** Singer Little Richard is 83. Author Joan Didion is 81. Author Calvin Trillin is 80. Actor Jeroen Krabbe (yeh-ROHN' krah-BAY') is 71. Opera singer Jose Carreras is 69. Pop singer Jim Messina is 68. College Football Hall of Famer and former NFL quarterback Jim Plunkett is 68. World Golf Hall of Famer Lanny Wadkins is 66. Actress Morgan Brittany is 64. Actor Brian Backer is 59. Pro and College Football Hall of Famer Art Monk is 58. Country singer Ty England is 52. Rock singer-musician John Rzeznik (REZ'-nihk) (The Goo Goo Dolls) is 50. Country singer Gary Allan is 48. Comedian-actress Margaret Cho is 47. Writer-director Morgan J. Freeman is 46. Actress Alex Kapp Horner is 46. Rock musician Regina Zernay (Cowboy Mouth) is 43. Actress Paula Patton is 40. Actress Amy Acker is 39. Actor Nick Stahl is 36. Rhythm-and-blues singer Keri Hilson is 33. Actor Gabriel Luna is 33. Actor Frankie Muniz is 30. Actor Ross Bagley is 27.

**Thought for Today:** "Talent hits a target no one else can hit; Genius hits a target no one else can see." — Arthur Schopenhauer, German philosopher (1788-1860).