

# Groton Daily Independent

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**Friday, Feb. 10**

**Debate** at Harrisburg

**NO School** - Faculty Inservice

**Girls Basketball:** Hosts Redfield-Doland with JV game at 6:30 p.m. followed by varsity game.

**Senior Menu:** Hot roast beef combo, carrots, Mandarin Oranges, Peanut butter cookie.

**Saturday, Feb. 11**

**ACT Test:** in Aberdeen

**Robotics:** at Lead-Deadwood High School

**Wrestling:** at Howard High School at 10 a.m.

**Double Header at Moberg:** JV girls at 2 p.m., JV boys at 3 p.m., Varsity Girls at 4:30 p.m., Varsity Boys at 6 p.m.

**Sunday, Feb. 12**

**Catholic Parish:** Mass at St. Elizabeth Ann Seton Catholic Church at 9 a.m., then at St. Joseph in Turton at 11 a.m.

**United Methodist Parish:** Worship in Conde at 9 a.m., coffee fellowship time at 10 a.m. and worship in Groton at 11 a.m.

## Apts for Rent

**1 bedroom apartment for rent. Move in by Feb. 28th and get a FREE 32" Flat Screen TV! All utilities included except A/C, for \$600. Please call or text 239-849-7674 .**

**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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## PARTS COUNTER SALES

Self motivated individual needed to fill our Parts Counter Sales position. Duties include parts sales, display stocking, shipping and receiving. Sponsored training, excellent benefits package and the possibility for advancement. Contact Steve at 605-395-6421 or email resume to s.harry@harrysinc.com.

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Ferney, SD

57439



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flowers,  
silks,  
home  
decor*



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much  
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## Public notice bill defeated in committee

By Dana Hess

### For South Dakota Newspaper Association

PIERRE — A bill that would allow South Dakota's 17 largest cities to publish their public notices such as meeting minutes online instead of in the local newspaper was defeated in committee on Thursday.

HB1167 would have allowed cities with populations of more than 5,000 to publish their public notices on their websites, freeing them from the current requirement that notices be published in the local newspaper.

Rep. Greg Jamison, R-Sioux Falls, the bill's sponsor, said the state's larger cities are already posting their notices online, as well as broadcasting the meetings.

HB1167 "makes it so it doesn't have to be in the newspaper," Jamison said. "That's the big difference here."

Yvonne Taylor, representing the S.D. Municipal League, said the requirement for publication amounts to a \$2 million subsidy for newspapers. Taylor said the bill requires a public computer with Internet access be available in those communities that choose not to publish notices in the newspapers.

It also offers the option that notices could be mailed to those citizens who wish to receive them that way. Notices would still be provided to the newspaper, Taylor said. "If the newspaper wants to publish it, they sure can."

Speaking in opposition to the bill, David Bordewyk, executive director of the South Dakota Newspaper Association, called the idea that citizens would repeatedly check a city website for public notices "wishful thinking."

Citing readership surveys commissioned by SDNA, Bordewyk noted the results included high readership of South Dakota newspapers, including public notices.

## Valentines Day – Tuesday, Feb 14th

SHOW YOUR LOVED ONES  
HOW SPECIAL THEY ARE!

Fresh Flowers  
Plants  
Jewelry  
Gourmet Coffee  
Wine  
Truffles & Gourmet Treats  
Home Decor  
Gift Certificates



Free Delivery to  
Groton Schools on  
Feb 14th when  
ordered by  
Monday, Feb 13th!

Add on extra love to any order –  
¥25 – add a teddy bear, mylar  
balloon & a small box of truffles!

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"The cost savings here, I think, is a myth," Bordewyk said, noting that the cost of publishing public notices in a newspaper is generally less than one half of 1 percent of a city's budget.

After South Dakota newspapers publish a public notice, Bordewyk said, it is then posted on the internet at SDpublicnotices.com at no cost to taxpayers.

Justin Smith, an SDNA lobbyist, said that having a third party print the notices ensures that the government "cannot come back later and change them."

In his work as a lawyer, Smith said, he has at times needed to check on notices published as far back as the 1950s.

"There is forever a record of that information," Smith said. "1167 would destroy this permanent archive."

Patrick Weber, a policy adviser in the governor's office, said Gov. Dennis Daugaard opposes the legislation.

"Many South Dakotans depend on publication in the newspaper," Weber said.

Jamison called the process of publishing notices in the newspaper "outdated" and "silly." He said the bill was "about connecting with citizens in ways that they're accustomed to."

Rep. Karen Soli, D-Sioux Falls, moved to defer the legislation to the 41st day of the session, effectively killing the bill.

Soli said she admired that the bill gives governments local control but, "there are times that we need a broad approach that governs the whole state. I think the expense is negligible."

Rep. Lana Greenfield, R-Doland, envisioned confusion at nursing homes and care facilities where residents are loyal newspaper readers and would need to get public notices mailed to them.

"To me, that would be a total nightmare," Greenfield said.

An attempt to add large school districts to the bill failed.

The motion to move the bill to the 41st day passed on an 11-1 vote.



Call or Text Paul at 397-7460  
or Tina at 397-7285  
for membership information

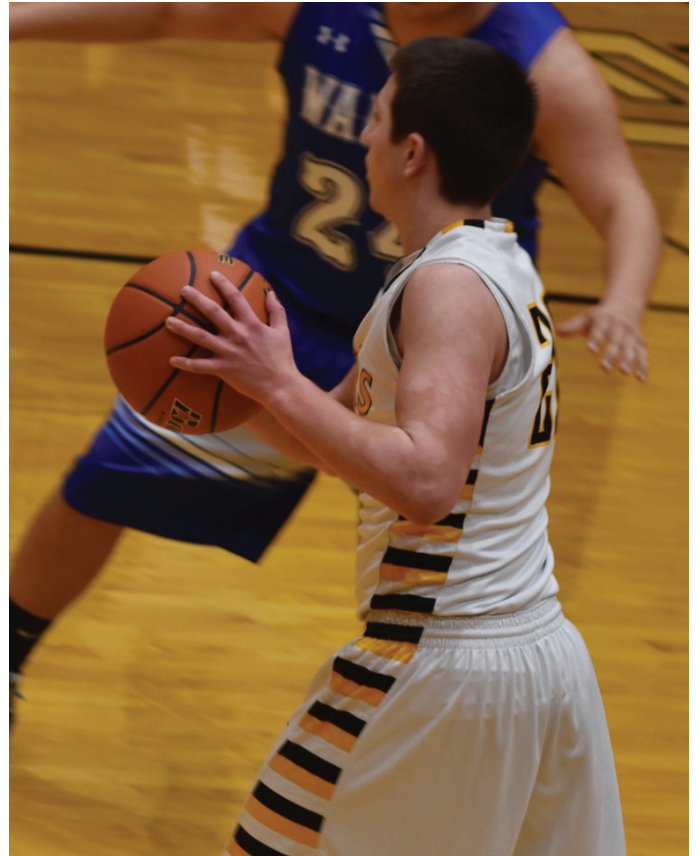
**GDI Living Fitness**  
25 Main St., Downtown Groton

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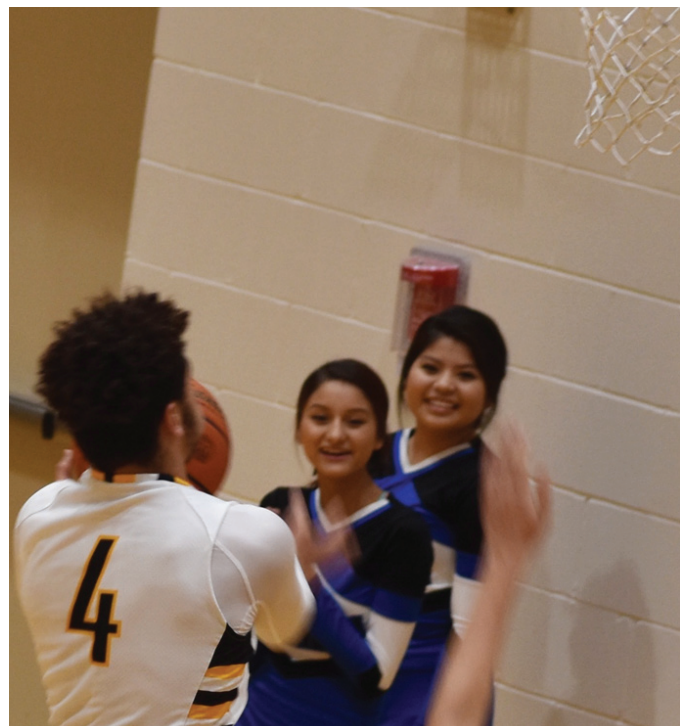
**Seric Shabazz**



**Brandon Keith**



**Brandon Keith**



**Bennett Shabazz**

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**Miranda Hanson**



**Jennie Doeden**



**Katie Koehler**



**Audrey Wanner**

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**Audrey Wanner**



**Jennie Doeden**



**Taylor Holm**

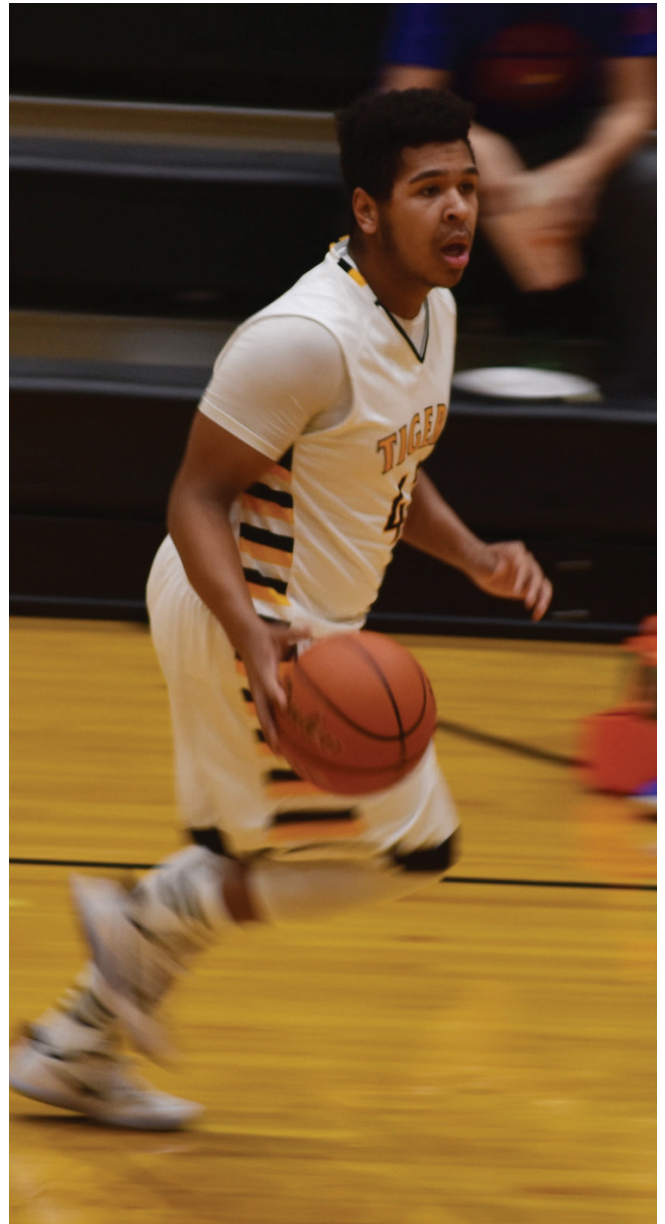
**Photos by  
Julianna Kosel**

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**Anthony Sippel**



**Bennett Shabazz**

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**Bennett Shabazz**



**Jonny Doeden**



**Treyton Diegel**



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**Sean Schuring**



**Marshall Lane (10) and Seric Shabazz**

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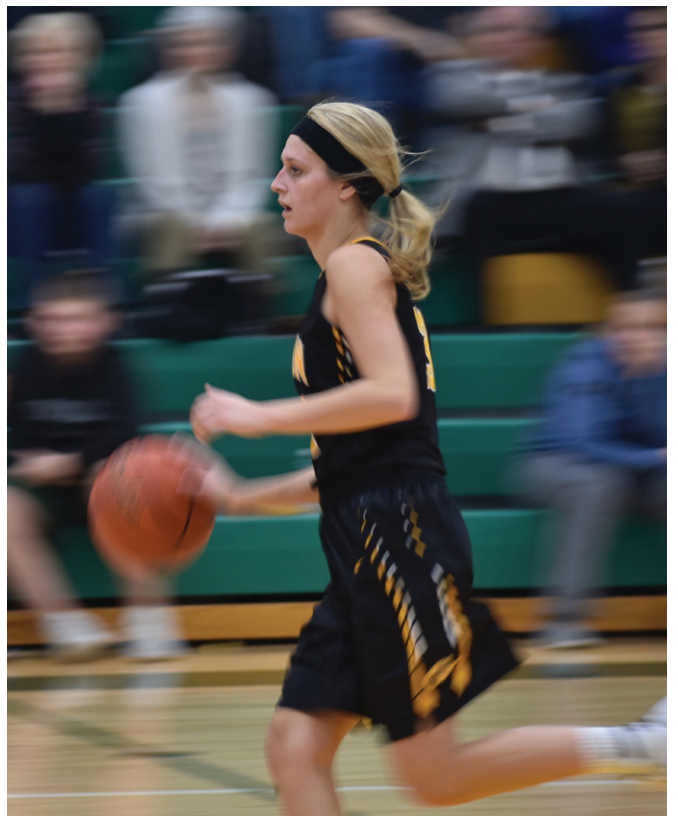
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**Jessica Bjerke**



**Miranda Hanson**



**Harleigh Stange**

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## Gov. Daugaard Signs More Bills Into Law

PIERRE, S.D. – In addition to the South Dakota Retirement System bills, Gov. Dennis Daugaard signed the following bills into law today:

HB 1008 – An Act to authorize the Board of Regents to purchase improved real property on behalf of South Dakota State University and to make an appropriation therefor.

HB 1009 – An Act to authorize the Board of Regents to accept a donation of land from Pennington County for the use and benefit of the South Dakota School of Mines and Technology.

HB 1011 – An Act to repeal certain provisions related to certification of financial good standing of utilities.

HB 1022 – An Act to revise and repeal certain provisions relating to education service agencies.

HB 1025 – An Act to revise certain provisions regarding background checks for applicants, licensees, vendors, and employees of the South Dakota Lottery.

HB 1033 – An Act to authorize criminal background checks for certain executive branch employees and state contractors and subcontractors.

HB 1039 – An Act to authorize certain rule making authority for the State Board of Finance.

HB 1042 – An Act to make an appropriation to reimburse certain health care professionals who have complied with the requirements of the recruitment assistance program or the rural health care facility recruitment assistance program and to declare an emergency.

HB 1049 – An Act to revise certain provisions regarding good cause for voluntarily leaving employment and to declare an emergency.

SB 4 – An Act to require the Board of Pharmacy to report to the Legislature regarding monitoring and use of opioids in the state.

SB 30 – An Act to revise certain provisions regarding high school equivalency testing.

SB 31 – An Act to revise certain administrative and advisory functions of the State Library and the State Library Board.

SB 45 – An Act to remove an outdated reference from the definition of an accredited prevention or treatment facility.

SB 57 – An Act to authorize the operation of a nursing home facility in Eagle Butte, South Dakota, and to declare an emergency.

SB 62 – An Act to correct the county boundary description for Mellette County.

## Gov. Dugaard Signs Retirement System Bills

PIERRE, S.D. – At his weekly press conference today, Gov. Dennis Dugaard announced that he has signed House Bill 1016, a retirement system measure, into law.

“HB 1016 is another measure to strengthen our state’s retirement system,” Gov. Dugaard said. “While other states adopt unreasonable earning assumptions or use outdated mortality tables, South Dakota thinks ahead about how to maintain the solvency and reliability of our retirement system. I applaud the SDRS Board for bringing this bill and our legislators for their favorable consideration.”

HB 1016 changes the method by which retirees’ cost of living adjustment is calculated. The bill requires cost of living adjustments to reflect what is affordable and needed based on actual earnings and inflation. The measure also requires more immediate attention to plan problems.

“Under current law a problem has to exist for several years in a row before the law requires the board to make a recommendation for change to improve the situation. The new law will require immediate recommendations if the plan is not 100 percent funded or if the contribution doesn’t meet the actuary is recommending,” said the Governor.

In addition to House Bill 1016, the Governor signed into law three other measures pertaining to the state’s retirement system:

HB 1017 – An Act to revise the definition of compensation for purposes of the South Dakota Retirement System, to provide a penalty for falsely reporting compensation, and to update references to the Internal Revenue Code.

HB 1018 – An Act to revise the computation of final average compensation for benefits relating to the South Dakota Retirement System.

HB 1019 – An Act to revise certain provisions relating to the salary of the executive director of the South Dakota Retirement System.

## Today in Weather History

February 10, 1993: Snow fell across all of South Dakota from the 10th to the 12th with over 8 inches occurring in south-central, west-central, and the southwest. Some reports included 13 inches at Harrington, 12 inches at Midland, 10.5 inches at Winner, 10 inches near Stephan, Ardmore, and Wagner, 8.5 inches near Lead and Milesville, and 8 inches at Mitchell and Usta.

February 10, 1996: Across central and northeast South Dakota as well as west central Minnesota, an intense area of low pressure and an Arctic high-pressure area created strong winds from 35 to 50 mph with gusts to around 65 mph through the afternoon and into the late evening. These high winds combined with the falling snow and the snow already on the ground to create blizzard conditions and slick roads across northeast South Dakota and west central Minnesota. Highway 12 from Webster to Summit was closed the evening of the 10th along with Interstate-29 from Summit to Sisseton. Hundreds of travelers were stranded at Summit for several hours until conditions improved. Some wind gusts included 61 mph at Mobridge and 66 mph at Pierre and Aberdeen.

February 10, 2013: A very strong low-pressure area moving across the region brought widespread heavy snow of 6 to as much as 19 inches. Along with the heavy snow came very strong winds of 30 to 50 mph causing widespread blowing and drifting snow. Roads, highways, along with Interstates 29 and 90 were closed for a time. Schools started late or were closed on Monday the 11th. Click [HERE](#) for more information about this blizzard.

1921: The town of Gardner, Georgia was devastated by a massive, estimated F4 tornado that caused an entire section of the small town to disappear. This tornado killed 31 people and injured 100.

1959: St. Louis, Missouri was hit by a massive F4 tornado that killed 21 and injured 345. Over 2000 buildings were damaged or destroyed, including the St. Louis Arena.

1981: A morning tornado at Bay Minette, AL struck the local middle school. The school's gymnasium was severely damaged, and 62 people were hurt, 44 of which were students.

2010: Cyclone Pat slams The Cook Islands with 125 mph winds, which destroyed about 80 percent of the island of Aitutaki.



**livestream**

**Upcoming Events**








**Friday at 8 p.m.**

**Girls' Basketball Ball  
hosts Redfield-Doland**

**gdilive.com**

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Today	Tonight	Saturday	Saturday Night	Sunday	Sunday Night	Monday
						
Partly Sunny	Mostly Cloudy	Patchy Fog then Mostly Cloudy	Slight Chance Rain/Snow then Partly Cloudy	Sunny	Mostly Clear	Sunny
High: 48 °F	Low: 28 °F	High: 40 °F	Low: 24 °F	High: 36 °F	Low: 21 °F	High: 39 °F

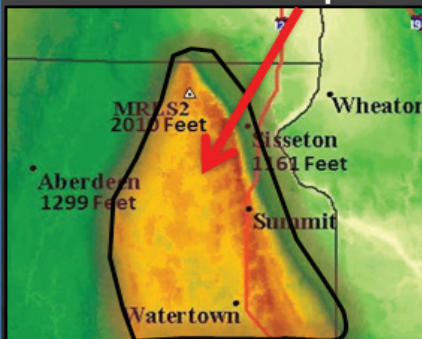


## Puddles Ahead!



### Windy

Strong S to SW winds this morning over E South Dakota, gusting 35 to near 45 mph



## WARMER

Near Record Temperatures over NE South Dakota

Highs in the mid 40s to low 50s

National Weather Service Aberdeen, SD

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



National Weather Service Aberdeen



@NWSAberdeen

Updated: 2/10/2017 4:43 AM Central

Published on: 02/10/2017 at 4:50AM

Windy conditions will remain across and east of the Prairie Coteau this morning, as low pressure shifts across the U.S. and Canadian border. Much warmer air surging into the Northern Plains will result in highs in the mid 40s to low 50s today. These temperatures will be near record values across northeastern South Dakota, and result in plenty of melting snow. Highs on Saturday will likely be around 10 degrees cooler than today.

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## Yesterday's Weather

**High Outside Temp: 26.4 F at 4:04 PM**

**Low Outside Temp: -5.4 F at 7:01 AM**

**High Gust: 36.0 Mph at 10:13 PM**

Rain: 0.00

## Today's Info

**Record High: 55° in 1918**

**Record Low: -27 in 1981**

**Average High: 26°F**

**Average Low: 5°F**

**Average Precip in Feb.: 0.16**

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

**Average Precip to date: 0.63**

**Precip Year to Date: 0.00**

**Sunset Tonight: 5:54 p.m.**

**Sunrise Tomorrow: 7:40 a.m.**



Weather Forecast for Fri, Feb 10, 2017, issued 4:40 AM EST  
DOC/NOAA/NWS/NCEP/Weather Prediction Center  
Prepared by McCreynolds based on WPC, SPC and NHC forecasts



## WHAT WE HAVE IN CHRIST

Looking at a gallon of water in a plastic container hardly suggests that it has any power. But if it seeps into the crack of a rock or a cement road and turns into ice, the rock and the road will split into pieces. If the water is turned into steam it can drive the pistons of a large engine and become a massive amount of power. Water has the potential to do many great things.

So do we.

When we become Christians, God empowers us to change our lives into something completely different and special. Paul in our Scripture for today teaches us that there are four things that Christ can do for us:

1. He gives us wisdom. By walking with Him and listening to Him, we hear the truth because He is the expert in living.
2. He is righteousness. Righteousness in Paul's writings always means a right relationship with God. We can never achieve a right relationship with God through ourselves or what we do – only through Christ.
3. He is holy. It is only through the presence of Christ in our lives that we can be or become all that God intends or expects us to be or become.
4. He is deliverance. Only Christ can deliver us from our past sin and present helplessness to sin. Only He can deliver us from our slavery to sin and set us free from self-destruction.

Prayer: Lord, help us to understand the goodness of Your grace and the power of Your presence in our lives. With You, all things are possible – most importantly salvation. In Jesus' Name, Amen.

Scripture for Today: 1 Corinthians 1:26-31



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News from the  Associated Press

## Thursday's Scores By The Associated Press

### BOYS' BASKETBALL

Aberdeen Christian 64, Eureka/Bowdle 23  
Brookings 59, Yankton 42  
Canistota 53, Menno 48  
Corsica/Stickney 84, Freeman 49  
Crow Creek 49, Lower Brule 45  
DeSmet 59, Deubrook 35  
Douglas 77, Hill City 58  
Elk Point-Jefferson 68, Lawton-Bronson, Iowa 58  
Elkton-Lake Benton 63, Dell Rapids St. Mary 42  
Harding County 50, Bison 48  
Herreid/Selby Area 75, Strasburg-Zeeland, N.D. 64  
Hot Springs 71, Red Cloud 68  
Hulett, Wyo. 55, Edgemont 36  
Huron 64, Rapid City Central 55  
Ipswich 68, Edmunds Central 32  
James Valley Christian 76, Sunshine Bible Academy 32  
Jones County 63, Dupree 60  
Kimball/White Lake 63, Burke/South Central 55  
Lemmon 60, Flasher, N.D. 55  
McCook Central/Montrose 38, Howard 31  
McLaughlin 69, Cheyenne-Eagle Butte 52  
Mitchell Christian 53, Hanson 42  
Mt. Vernon/Plankinton 78, Ethan 48  
Oakes, N.D. 67, Leola/Frederick 62, OT  
Philip 64, Newell 40  
Platte-Geddes 50, Colome 47  
Potter County 61, Faulkton 47  
Rapid City Christian 53, Faith 51  
Sioux Falls O'Gorman 56, Sioux Falls Roosevelt 31  
St. Francis Indian 71, Todd County 69  
Vermillion 65, West Central 37  
Western Christian, Hull, Iowa 79, Sioux Falls Christian 68  
Dakota Plains Invitational  
Santee, Neb. 80, Oelrichs 75

### GIRLS' BASKETBALL

Baltic 70, Tri-Valley 67  
Colman-Egan 51, Arlington 45  
Edgemont 61, Hulett, Wyo. 46  
Eureka/Bowdle 44, Aberdeen Christian 40  
Florence/Henry 52, Wilmot 37  
Gayville-Volin 48, Mitchell Christian 33  
Hamlin 59, Redfield/Doland 33  
Hitchcock-Tulare 51, Iroquois 12  
Lower Brule 49, Crow Creek 47

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McCook Central/Montrose 70, Howard 42  
McIntosh 61, Wakpala 34  
Milbank Area 68, Britton-Hecla 62  
Miller 51, Wessington Springs 27  
Philip 55, Newell 25  
Pine Ridge 58, Little Wound 57  
Scotland 49, Bridgewater-Emery 48  
Sioux Falls Roosevelt 42, Sioux Falls O’Gorman 36  
Sturgis Brown 62, Douglas 45  
Sunshine Bible Academy 42, James Valley Christian 26  
Tiospa Zina Tribal 62, Deuel 48  
Wall 52, Harding County 31  
Watertown 51, Mitchell 30  
Waubay/Summit 48, Great Plains Lutheran 36  
Webster 54, Sisseton 26  
Winner 54, Platte-Geddes 49  
Yankton 46, Aberdeen Central 36  
Dakota Plains Invitational  
Flandreau Indian 66, Takini 17  
Santee, Neb. 59, Freeman Academy/Marion 53

## Senators back bill aimed at improving rural telecom service

PORTLAND, Maine (AP) — Maine Sen. Angus King is co-sponsoring a bill aimed at improving the quality of rural communications.

King, an independent, says persistent dropped calls are a major problem in rural communities around the country. He cites a 2012 test call project that found nearly one in five calls to rural areas delayed, incomplete, or of poor quality.

King is sponsoring the bill with Democratic Minnesota Sen. Amy Klobuchar, Republican South Dakota Sen. John Thune and Democratic Montana Sen. Jon Tester. The senators say it would address long-standing issues with call completion failures that are faced by rural telecommunications customers.

The senators say the problem of rural communications service is a public safety hazard as well as a burden for families and businesses.

## Daugaard threatens veto of concealed gun legislation

By JAMES NORD, Associated Press

PIERRE, S.D. (AP) — Gov. Dennis Daugaard on Thursday threatened to veto bills that would allow guns in the state Capitol and let people carry concealed handguns without a permit if the proposals are approved by the Legislature.

The Republican governor praised South Dakota’s “reasonable” gun laws, saying that some states are much more restrictive. Daugaard’s position is a steep obstacle for lawmakers pushing the bills.

“I really feel that our process is not burdensome,” Daugaard said of the state’s permit requirements. “It’s doing an important job, and our laws are very reasonable.”

In explaining his opposition, Daugaard also cited the 125 people last year in Minnehaha County, the state’s most populous, who were denied permits, including for drug offenses, previous weapons violations and domestic violence arrests. They shouldn’t be able to carry a concealed weapon, he said.

It is a misdemeanor under state law for someone to carry a concealed pistol or to have one concealed in a vehicle without a permit.

Bills that would allow what’s known as constitutional carry haven’t yet had a hearing this session. A similar proposal passed through the House in 2015, but died in a Senate committee.

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Republican Rep. Lynne DiSanto, who is sponsoring constitutional carry legislation, said she believes this year's Legislature is more conservative, a benefit for gun bills.

"I would say the Legislature is prepared to come back on 'Veto Day' and override that veto," DiSanto said. "He can go ahead and veto it, and we'll be back to see him again in March."

Twelve states currently allow the practice, according to a spokesman for the NRA Institute for Legislative Action.

At the end of December, there were roughly 96,000 active regular and enhanced permits issued in South Dakota, according to the Secretary of State's office. In 2016, 1,460 new enhanced permits were issued.

The bill allowing people who have an enhanced permit to bring concealed pistols into the Capitol passed through the state House this week. The measure would require people to register in advance with security.

Similar legislation has failed in the past.

The bill, which would also include qualified law enforcement officers and qualified retired officers, must pass the Senate.

Senate Majority Leader Blake Curd said he thinks the bill probably has a better chance of passing this session because it contains the enhanced permit requirement.

House Republican Leader Lee Qualm, the bill's main sponsor, said he would continue pushing for the bill despite the governor's opposition. He said an override attempt is a possibility.

There are no metal detectors or other security checks at the Capitol entrances to enforce the current prohibition on most people carrying guns in the building. The South Dakota Highway Patrol, which provides security at the Capitol, opposes the bill.

Daugaard said he's satisfied that the patrol is doing a good job protecting people in the building.

A House lawmaker whose committee was debating the measure this week hit a panic button just to see how quickly authorities would respond.

Highway Patrol Superintendent Col. Craig Price said in a statement that the Capitol protective services division was notified within 25 seconds of the alarm being pressed. A supervisor then looked at the video monitoring system and saw that an armed plainclothes state trooper was already in the room. A uniformed officer responded to verify there was no emergency.

## Daugaard signs bill to keep retirement system sustainable

PIERRE, S.D. (AP) — Gov. Dennis Daugaard has signed into law a measure meant to make sure the state's retirement system is solvent into the future.

The Republican governor on Thursday signed the bill, which ties cost-of-living adjustments for recipients more closely to actual earnings and inflation.

The law also requires more immediate attention if there are problems with the retirement plan. Daugaard says it's another measure to strengthen the South Dakota Retirement System.

The governor also signed several other measures dealing with the public employee retirement system.

## Deputy, dispatcher commended for baby delivery

By DANIELLE FERGUSON, Argus Leader

DELL RAPIDS, S.D. (AP) — Chansey Ford never thought she'd deliver a baby.

But that's exactly how the Minnehaha County Sheriff's Office deputy spent her last night on the over-night shift.

Ford was near Dell Rapids the night of Jan. 12, when she was dispatched to a home outside of Crooks for a baby who wasn't going to wait for a hospital to come into the world.

She got to the Schneiderman family home and thought she was at the wrong address. Dallas and Janna Schneiderman's three other children had no idea their newest sibling was about to be born in the home's only bathroom.

Ford walked in and saw the top of Pippon Marie's head.

Dallas had been on the phone with Metro Communications dispatcher Jason Harris, who coached the

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frazzled father on how to keep Janna safe and calm.

Ford helped bring out Pippon Schneiderman and suctioned out her nose and mouth. She and Dallas used a shoelace for the umbilical cord.

Ford held Pippon until medics arrived.

The Argus Leader (<http://argusne.ws/2lwvjT5>) reports Harris and Ford both received recognition for their actions in delivering Pippon.

Harris won a Stork Award from Metro Communications and Ford received a Division Commendation from the sheriff's office. Both received stork pins.

Harris has been with Metro Communications for more than three years. He's taken a few pregnancy calls, but none where the baby was coming this quickly and this far out of city limits.

Paul Niedringhaus, director of Metro Communications, said he plans on using Harris' call for future trainings because of his calm nature and technique in coaching Dallas through the initial stages of the birth.

"It's a very rare call," he said.

But he felt prepared.

"We do a lot of training," he said.

Ford said this was easily the most amazing and the scariest thing she's done in her eight years in law enforcement.

"I thought, 'Delivering a baby? That'll never happen,'" she said. "I started shaking after."

She called the next day to check in on the family. She and Harris got to meet Pippon at the awards ceremony at the Law Enforcement Center Jan. 30.

"We're so thankful for their help," Dallas Schneiderman said, standing next to Janna and a content Pippon.

Information from: Argus Leader, <http://www.argusleader.com>

## South Dakota 911 board withholds payments to company

PIERRE, S.D. (AP) — A South Dakota board has voted to withhold payments to the company upgrading the state's 911 emergency system because of recurring bugs.

The state's 911 Coordination Board sent a letter to NextGen Communications Inc. (Comtech) of Annapolis, Maryland, Thursday saying the monthly payments of \$259,000 wouldn't be sent until the company fixes the issues.

The South Dakota Department of Public Safety says the company started upgrading the system in 2015 and has collected \$7.4 million for design, construction and maintenance.

The department says while there are issues in some areas, the 911 system is still functional statewide.

A company official did not immediately return requests for comment.

The new technology is meant to make it easier for call centers to share information and will eventually let people send texts for an emergency response if they can't call 911.

## Mentoring program resulting in friendships

By SARA BERTSCH, Daily Republic

MITCHELL, S.D. (AP) — Playing tic-tac-toe while waiting for their food at Perkins is a favorite activity of 13-year-old Carissa Vobr and her mentor, Jean Turner.

The duo makes a trip to Perkins at least once a month and it's become a sort-of tradition for them in the past three years, when they first became matched through the Big Friend-Little Friend mentoring program.

The Daily Republic (<http://bit.ly/2kTDQlq>) reports that the mentoring program is one-of-a-kind in the Mitchell area and matches adults with at-risk children in the community to build confidence and social skills. The program interviews mentors and mentees and then, based on their compatibility, makes a match.

Once Carissa and Turner were matched in March nearly three years ago, the first time they "hung out" was at Perkins. And it was here where they discovered their love for tic-tac-toe.

"And if you give Carissa the option of a million things to do, she will pick Perkins every single time,"

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Turner said Thursday night.

Carissa and Turner are one of 45 matches within the program, according to Big Friend-Little Friend Executive Director Jean Haley.

The program began in April 2010, Haley said, when she looked at area kids and the choices they were making. That confirmed the community needed a mentorship program. She researched other communities in South Dakota and noticed Mitchell was one of the only communities its size that didn't have a mentoring program.

So she kicked off the program, and in the first year had five matches. Now it's grown exponentially, and Haley said they've had nearly 50 matches.

Of the current matches, Haley said five have been together for more than five years, and another six that have been together for at least two years.

Carissa is the second match that Turner has had since joining the program six years ago. And she still keeps in contact with her first match, who is now in high school and "grew out" of the program.

With her two successful matches, Turner said, it makes such a difference in both her and her mentees' lives.

"There are so many kids that need that role model in their life," Turner said. "Their parents might be busy and working a couple jobs and if you have the time to give back, it's just a really fulfilling thing to do."

All of the mentors are volunteers, Haley said, and the group reaches out to service groups, churches and anybody willing to volunteer with Big Friend-Little Friend.

But even with all of the recruitment efforts, Haley said Big Friend-Little Friend always needs more volunteers — specifically men.

Right now, according to Haley, there are six boys that are waiting for a mentor and some have been waiting "quite a while."

"It is extremely rewarding," Haley said. "I always tell the mentors that you are spending time with them now, but the time you're spending will impact that child's life forever. The kids aren't going to realize the impact that their mentors have made until they are adults and they start to look back and think 'Wow.'"

Every month, Big Friend-Little Friend puts on an activity for the matches, and on Thursday the group got together for a pool party at the Comfort Inn in Mitchell. It was extra special, Haley said, because Thursday was National Thank Your Mentor Day. So the "littles" spent time filling out thank-you cards for their "bigs."

On top of the monthly event, the group is also gearing up for its annual fundraiser Saturday called the Winter Escape, which takes place 6 p.m. at the Village Bowl. The event will include dinner, bowling, casino play, raffles, auctions and a chicken drop contest, Haley said. All of the money raised is used for activities throughout the year for matches. General admission tickets can be purchased for \$20 before Jan. 21 and are \$25 at the door.

"It's the mentor spending one-on-one time with them but we also do the match activities and give kids the opportunity to be with other kids and have fun and kind of forget about the other stuff that they're trying to deal with in their life," Haley said.

Haley said typically matches are required to spend an hour together once per week, but oftentimes the mentors spend multiple hours together in the community. The duo can do whatever, whether that's going to the park, ice skating or catching a movie, Haley said.

This is where the "matching process" is very important, Haley said, so they can find common interests between the "big" and the "little."

For Todd Stickler and his "little," Miles Hughes, they couldn't have had a better match. The two have been paired for a little more than a year, and they've had a lot of fun, according to Stickler and Hughes.

For 12-year-old Miles, his favorite activity is to go to the Recreation Center in Mitchell and shoot hoops.

"He always wants to (play) basketball," Stickler said with a laugh. "And he beats me — half the time at least, if I cheat."

Stickler and Miles have also built shelves, cabinets and other items. As an electrician, Stickler has also spent time showing Hughes some wiring.

For Miles, this is not his first mentor. He's been involved with the program for several years and has been

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matched several times, but he's had the most fun with his first match and now with Stickler.

"It's made it better," Miles said about the impact Big Friend-Little Friend has had on his life.

And Stickler agrees.

Stickler first joined the program a year ago and was matched immediately with Miles. He learned about the program through Haley at church. Stickler said his children are now grown up and live far away, along with his grandkids, so this provided the perfect opportunity to spend time with someone else.

"It's just as much fun for the mentor as it is for the little friend. You get a good match and you like things you can do together," Stickler said. "I've told that to Miles, but that's the best thing of my life and he's right up there."

Information from: The Daily Republic, <http://www.mitchellrepublic.com>

## Ex-Bennett County state's attorney charged with tax evasion

SIOUX FALLS, S.D. (AP) — The former state's attorney for Bennett County has been charged in federal court with evading business taxes.

Kenneth Orrock, 48, was charged with willful failure to collect and pay over tax in 2015 as owner of the Black Hills Patrol security agency, The Rapid City Journal (<http://bit.ly/2lrRN6P>) reported. The newspaper said Orrock was expected to plead guilty on Friday.

A plea deal signed by Orrock said he has agreed to pay the IRS more than \$280,000 in restitution. The amount includes Black Hills Patrol taxes he failed to pay, the employer's portion of taxes from 2011 to 2015, and what he taxed employees from the first quarter of 2011 to the third quarter of 2015.

Orrock faces up to five years in prison and a fine of \$250,000. His attorney declined to comment to the Associated Press on Thursday.

Court documents said Orrock failed to pay more than \$17,000 in employees' taxes, including federal income tax and Social Security, during the last quarter of 2015, even after he collected taxes from his employees.

A statement signed by Orrock said he also didn't file the Employer's Quarterly Federal Tax Return, which kept the IRS from discovering his lack payments.

"Instead of paying over the taxes, Orrock used at least a portion of the withholdings for his own personal use, including payments for private school tuition," the statement said.

Shea Jones, special agent in charge of IRS criminal investigations, said in a statement that business owners are responsible for withholding income taxes for their employees and remitting those taxes to the IRS.

"IRS Criminal Investigation vigorously pursues anyone who collects taxes and fails to timely remit those taxes," Jones said.

Information from: Rapid City Journal, <http://www.rapidcityjournal.com>

## Hacking increase sparks more cyber security programs

By MEGAN RAPOSA, Argus Leader

MADISON, S.D. (AP) — Cyber security is a lot like the common cold.

There's no cure for either, but there are ways to combat both.

"Security is all about layers," said Sam Coome, a 23-year-old Dakota State University graduate student.

At a time when Russian hackers, WikiLeaks and threats of cyber warfare make national headlines daily, those layers of security are critical.

And the nation's next line of defense against cyberattacks could include Coome and his classmates on this small-town campus about an hour northwest of Sioux Falls.

The Argus Leader (<http://argusne.ws/2kTSI3v>) reports that enrollment in DSU's cyber security program has more than doubled in the last five years while other South Dakota colleges struggled to maintain numbers.

The national headlines piquing even more interest and giving students a greater sense of purpose in

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their studies.

"The wheels in their heads are turning," Pauli said. "And (they're) saying, 'Geez, I could find myself in the middle of one of these situations in the not too distant future.'"

DSU students learn how to think like hackers in an environment not found in many schools nationwide, which in turn teaches them to keep hackers out.

It's a skill that's seen increasing demand from not only government agencies like the National Security Agency, but also from businesses of all sizes in all industries.

"I think almost everyone here recognizes the importance of what we're learning," said Joshua Klosterman, who will graduate from DSU this spring with a network security and administration degree.

DSU wasn't always the regional hub for all things cyber security. The school started in 1881 as a teacher's college.

About a century later, the university found itself struggling to differentiate from other teacher colleges in the state. The legislature had attempted to close the college, and enrollment was dropping.

Then-Gov. Bill Janklow recognized DSU's struggles, and he also saw that technology was the way of the future as companies like Citibank moved to the region.

Janklow worked with the Board of Regents to change the mission of DSU, and in 1984, state legislators gave DSU the mission of specializing in computer-related programs.

Today, DSU one of four universities in the nation with a regional resource center through the NSA. It was also the first college to ever have an articulation agreement with the NSA, and its cyber operations major is designated among only about a dozen in the country as a Center of Academic Excellence.

DSU students go on to work for the National Security Agency, Johns Hopkins Applied Physics Lab and Navy SPAWAR (Space and Naval Warfare System Command).

"There's a lot of job security here," said Andrew Kramer, a 26-year-old DSU graduate student.

Josh Pauli, who has taught cyber operations for the last decade and spent 13 years total as a DSU professor, often jokingly shares the same observation.

"DSU is better known in Baltimore and in Washington D.C. than in South Dakota," Pauli said.

The two programs at the heart of DSU's rise into the world of cyber security are cyber operations, and network security and administration.

It's rare to find programs like these in the nation, much less the region, Pauli said, especially for undergraduates.

"There's probably only five or six programs in the nation that are designated by the NSA in Cyber Operations," Pauli said.

Students practice both offensive and defensive security. They work in a "hacking lab" to learn how hackers think, which helps them learn how to defend against attacks.

Some students even get a security clearance allowing them to work directly with the NSA through internships, meaning they're seeing firsthand responses to news like Russian hacks.

"They would be right there in the thick of things," Pauli said.

DSU is also working to create a secure facility on campus that would allow student collaboration with the NSA to take place closer to home, Pauli said. That facility would need the go-ahead from the NSA and the Department of Defense before moving forward.

Not all DSU students aspire to federal government jobs. Kramer, who's in the second year of his Masters of Science in Applied Computer Science, plans to stay in South Dakota as a teacher.

Kramer knew he had a future in cyber security long before hacking was making headlines.

The northern California native started learning to program at age 11, and at age 15 he had hacked into the website of a local internet service provider.

Not wanting to cause any trouble, Kramer brought his findings to the company, saying he'd found a weakness in their website. He was worried he'd be facing charges, but instead, the company thanked him.

"I quickly realized it was something that I could turn into a career," he said.

Kramer said it's a common misconception that people treat computer hacking like "magic."

"It may appear very technically advanced ... but at its core it's just understanding the rules that a system

follows and working around them in ways that aren't expected," Kramer said.

That kind of problem solving is exactly what keeps Dylan Johnson, a senior cyber operations major, engaged in cyber security.

Johnson's reaction to hacking headlines is one of both intrigue and inspiration. He and his friends often have discussions on the ethics of international cyberattacks and what it might look like if international laws pertaining to cyber security were ever implemented.

To catch the "bad guys" in cyberattacks, one has to understand how they operate, Kramer said.

And while the hundreds of DSU students in cyber security are learning to operate like the bad guys, they're ultimate goal is to help the good guys stay safe.

"I really want to make sure," Klosterman said. "Wherever I'm working, I can effect as much good change in the world as possible."

Information from: Argus Leader, <http://www.argusleader.com>

## Tribe files legal challenge to stall Dakota Access pipeline

By **JAMES MacPHERSON** and **BLAKE NICHOLSON**, Associated Press

CANNON BALL, N.D. (AP) — Construction crews have resumed work on the final segment of the Dakota Access pipeline, and the developer of the long-delayed project said Thursday that the full system could be operational within three months.

Meanwhile, an American Indian tribe filed a legal challenge to block the work and protect its water supply.

The Army granted Energy Transfer Partners formal permission Wednesday to lay pipe under a North Dakota reservoir, clearing the way for completion of the 1,200-mile pipeline. Company spokeswoman Vicki Granado confirmed early Thursday that construction began "immediately after receiving the easement."

Workers had already drilled entry and exit holes for the segment, and oil had been put in the pipeline leading up to Lake Oahe in anticipation of finishing the project.

"The estimate is 60 days to complete the drill and another 23 days to fill the line to Patoka," Granado said, referring to the shipping point in Illinois that is the pipeline's destination.

Work was stalled for months due to opposition by the Standing Rock Sioux and Cheyenne River Sioux tribes. Both tribes argue that the pipeline threatens their water supply and cultural sites.

In a statement, Cheyenne River Sioux Chairman Harold Frazier said the water "is our life. It must be protected at all costs."

The Cheyenne River reservation in South Dakota borders the Standing Rock reservation, which straddles the North Dakota-South Dakota border. The last piece of the pipeline is to pass under the lake on the Missouri River, which marks the eastern border of both reservations.

A separate court battle unfolded between the developer and the Army Corps of Engineers, which oversees the federal land where the last segment is now being laid. President Donald Trump last month instructed the Corps to advance pipeline construction.

The Cheyenne River Sioux on Thursday asked a federal judge to stop the work while a lawsuit filed earlier by the tribes proceeds. Attorney Nicole Ducheneaux said in court documents that the pipeline "will desecrate the waters" that the Cheyenne River Sioux rely on.

Energy Transfer Partners, which maintains the pipeline is safe, did not immediately respond in court to the filing. U.S. District Judge James Boasberg said he would hear arguments from attorneys on Monday.

The tribes' lawsuit, filed last summer, has been on hold while the dispute over the final pipeline segment played out. The Cheyenne River Sioux on Thursday told the judge that they also want to make a claim on freedom-of-religion grounds.

"The sanctity of these waters is a central tenet of their religion, and the placement of the pipeline itself, apart from any rupture and oil spill, is a desecration of these waters," Ducheneaux wrote.

Standing Rock Sioux attorney Jan Hasselman has said that tribe will also try to block the construction in court, with likely arguments that further study is necessary to preserve tribal treaty rights.

An assessment conducted last year determined that building the final segment of the pipeline would not have a significant effect on the environment. However, the Army decided in December that further study



was warranted to address tribal concerns.

The Corps launched an environmental study on Jan. 18, but Trump signed an executive action six days later telling the Corps to allow the company to proceed with construction. Legal experts have disagreed on whether the Army can change its mind simply because of the change in White House administrations.

Standing Rock Sioux Chairman Dave Archambault said in a statement late Wednesday that the tribe is prepared to keep up the battle in the courts, "to fight against an administration that seeks to dismiss not only our treaty rights and status as sovereign nations, but the safe drinking water of millions of Americans."

An encampment near the construction drew thousands of protesters last year in support of the tribes, leading to occasional clashes with law enforcement and hundreds of arrests.

Law enforcement officers who have maintained a presence in the area for months were on heightened alert Thursday for protests, though none was immediately reported.

Officers and National Guard soldiers were stationed on the hills near the camp and at a blockaded bridge on a nearby highway. Energy Transfer Partners has its own security at the drilling area.

In a statement Wednesday, North Dakota Gov. Doug Burgum urged "cooperation and restraint" from all parties and requested federal law enforcement assistance to keep the peace during construction.

Protesters rallied in several U.S. cities Wednesday. Joye Braun and Payu Harris, two pipeline opponents who have been at the North Dakota protest encampment, said in an interview at a nearby casino that there's frustration but also resolve in the wake of the Army's decision.

"The goal is still prayerful, nonviolent direct action," Braun said.

Blake Nicholson reported from Bismarck, North Dakota. Follow him on Twitter at: <http://twitter.com/NicholsonBlake>.

## Abandoned pipe yard could come back to life

By LAUREN DONOVAN, Bismarck Tribune

GASCOYNE, N.D. (AP) — About 230 miles worth of heavy steel pipe in a vast laydown yard near Gascoyne hasn't been moved an inch since it was unloaded in 2011. Now, years later, pipe for the abandoned Keystone XL project may be deployed across hundreds of miles.

The green-coated pipe owned by TransCanada was brought in to carry tar sand oil, and the original route out of Alberta just misses the far corner of southwestern North Dakota as it comes down through Montana into South Dakota to connect to the mainline in Kansas.

The pipe is stacked near the BNSF Railway loop between the ghost town of Gascoyne and the busier grain elevator town of Scranton, gathering dust, snow and tumbleweeds. It looked like it would either rust there indefinitely or be sold off after the Obama administration denied a permit two years ago.

It's a desolate place. Deer paw for food around the edges of the yard, manned by one security guard lonelier than the proverbial Maytag repairman, whose main job is keeping hunters and trespassers off the property.

Now with the election of President Donald Trump, the 800,000-barrel project has new life after TransCanada on Thursday submitted a new application at his invitation.

"We welcome TransCanada's reapplication for a presidential permit to build the Keystone XL Pipeline," said Republican Sen. John Hoeven. "It will create jobs and economic growth, while also making our country safer by helping us to be more energy secure."

The Bismarck Tribune (<http://bit.ly/2kTxbba>) reports that locals have gotten used to the sight of the massive pipe yard alongside Highway 12 and some even use the word "eyesore" to describe it.

Nearby, Scranton Equity manager John Truetken said he doesn't expect a lot of business for the fuel and farm services company if the pipe yard is ever activated for construction. He said news that the pipeline could be restarted wasn't a surprise.

"I figured it would either happen, or they'd haul it out to somewhere else. I don't know if it will happen that soon," said Truetken, adding it could generate a little fuel and convenience store business for the

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co-op, though it didn't generate much when the pipe came into the yard six years ago.

"But I don't think it will really have a lot of effect on us," he said.

In Bowman — about 20 miles west of the pipe yard and 50 miles to where the pipeline would pass close to Baker, Montana — the town's mayor Lyn James said she isn't sure how much impact pipeline construction would have on her community.

She said it could provide some employment for oilfield and oil company service workers, who've been laid off in the Bakken boom downturn.

Bowman County is in a longstanding oil production region and pipelines are a common sideline of drilling, while major transport lines have come under scrutiny and protest amid concerns about climate change and environmental consequences.

Bowman County Emergency Management, along with surrounding counties in Montana and South Dakota, started a working plan to deal with any protest after watching one against the Dakota Access Pipeline near the Standing Rock Sioux Reservation, James said.

"Prior to the Dakota Access, we would have never thought it could happen here, but now we don't know," James said. "It's sad that it happens, but it is reality."

The Keystone XL was also opposed for two years, though on a much smaller scale, in a Native American spirit protest camp in South Dakota that was the basis for the camps near Standing Rock.

South of Bowman, Buffalo, South Dakota, rancher Bret Clanton said he's not looking forward to a day when the pipeline cuts through 3 miles of his cattle ranch land. It changes the ground forever and affects the property value, he said.

Threatened with eminent domain, he said he and his neighbors joined to get the best deal they could with TransCanada in 2007 to 2008 for a perpetual easement, though it was for far less than Dakota Access paid to build through private property.

"They should build it, or get the hell out of here," Clanton said. "It's dragged on and on and on. I never thought it was dead, but a lot of things have changed. There's not \$100 barrel oil anymore and their funding has kind of dried up."

Clanton said he dreads the day construction comes through his land, along with more than 2 miles of access road, forever changing his ranch.

"I didn't put it out of my mind; it was a sleeping giant. If I needed a reminder, I'd just drive up to Gascoyne to see that pile of pipe," he said.

To the east, in Hettinger, economic development director Jim Goplin said he thinks the resurrection of the Keystone XL will be good for the country's energy independence, but perhaps not so much for the local economy. He said local unemployment is already very low and available motel rooms are fairly well blocked out.

"Who knows?" Goplin says. "There could be some jobs. But we don't have a lot of motel rooms and they're probably not going to drive this far."

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Information from: Bismarck Tribune, <http://www.bismarcktribune.com>

## SD lawmakers deny state-funded preschool pilot program

PIERRE, S.D. (AP) — South Dakota legislators have rejected two bills that could have nudged the state toward funding preschool.

The Senate Education Committee voted 6-1 down party lines Thursday to throw out two bills that would start an early learning advisory council and establish a state-funded preschool pilot program. South Dakota is one of six states that don't fund preschool education.

The Argus Leader reports (<http://argusne.ws/2kTlhhu>) that opponents say the programs were an attempt to remove the responsibilities of parents and argued the answer shouldn't be to "throw dollars at a problem."

Sponsor Sen. Billie Sutton, a Democrat from Burke, shared research showing money spent on early education would have a good return on investment and researching the needs of 3- and 4-year-olds in

South Dakota could bring in more federal grant funding.

Information from: Argus Leader, <http://www.argusleader.com>

## Federal lawsuit faults FAA for 2014 South Dakota plane crash

SIOUX FALLS, S.D. (AP) — The widow of a South Dakota man who was killed in a plane crash in 2014 is blaming the Federal Aviation Administration for the accident.

Natalie Rau says in a federal lawsuit that the FAA failed to ensure that a South Dakota wind farm had lighted turbines and the agency neglected to diagram the farm on aeronautical charts. She's seeking unspecified damages.

Rau's husband, Logan, of Java, was a passenger on the single-engine Piper that went down after colliding with a turbine while attempting a nighttime descent into the Highmore airport. All four people aboard the plane were killed.

The lawsuit says the FAA's aeronautical charts were not up to date at the time of the crash. Government attorneys did not immediately respond to an email request for comment.

## Excerpts from recent South Dakota editorials

By The Associated Press

Rapid City Journal, Rapid City, Feb. 9

Lawmakers unfairly target state's cities

Once again, a handful of lawmakers have sponsored a bill that would deprive the public of easy access to the permanent records of city government's official actions.

House Bill 1167 allows municipal governments in communities of 5,000 or more residents to no longer publish legal notices, minutes of city council meetings, delinquent property tax rolls and other information required by state law in the local newspaper.

Instead, the legislation allows Rapid City, Sturgis, Belle Fourche, Spearfish, Pierre, Sioux Falls and other cities to post the information on the website of their choosing, which likely would be municipal websites maintained by their city employees.

If this legislation — which targets only 17 cities — passes it would replace the current system where public records are published in the local newspaper as well as on the South Dakota Newspaper Association website, which assures taxpayers those records will be available and not altered in the future.

In Rapid City, it would mean the same elected representatives who now meet with city department heads in private meetings before City Council and committee meetings to fine-tune agendas could do the same with meeting minutes already posted on their websites. Who would know the difference if there was no other published record?

There are other problems with HB 1167 that should concern taxpayers and those who desire open and transparent government.

First, government websites are often extremely difficult to navigate as there is no incentive to make them user-friendly. Secondly, not everyone in Pennington, Butte, Meade, Lawrence and likely every other county in the state has internet service. Some people don't want it and it might not be available to others, especially in far-flung western counties. The legislation's remedy for that is to require local libraries to allow residents to use their computers for no charge, which is not much of an option if you live 50 or more miles away from the nearest library as many do in western South Dakota.

Then there is the inherent unfairness of legislation that singles out the state's largest communities. Why are the bill's nine sponsors — including Rep. Tim Goodwin who represents a portion of Pennington County — not including the vast majority of communities in the legislation? Could it be that rural lawmakers see the value of public notices being published in their newspapers?

A justification for the legislation is that it will save money for the 17 communities even though the cost

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of legal advertising is apparently not an issue for the rest of the state.

This, however, is entirely misleading. Rapid City, for example, has an annual budget of around \$158 million. The money it pays to publish legal advertising in the Rapid City Journal represents less than 1 percent of that figure.

This legislation is not about money. Rather, it is an effort to enable local governments to become less transparent and less accountable, the very concerns that led to the passage of Initiated Measure 22.

This legislation will do nothing to improve the performance of government or the quality of our lives. In fact, it does just the opposite. Instead of having legal notices and other public information delivered to our doorsteps and into the hands of residents across the state and elected officials knowing that, it will be more difficult to obtain information that is exclusively maintained by those in power.

As they have done in the past with similar legislation, lawmakers should reject this bill. The publication of public records in local newspapers has not harmed taxpayers nor caused financial harm to city governments. In other words, it serves no purpose beyond whatever motivates the bill's sponsors.

If HB 1167 is passed, however, it will be a significant step toward making it more difficult to monitor government, a key part of the democratic process.

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American News, Aberdeen, Feb. 9

Panic at the Legislature, and other notes

There are several issues — and one incident — that have caught our attention in the state Legislature over the past couple of weeks.

Here's a roundup.

Bills, bills, bills: The 92nd South Dakota Legislature made (dubious?) history: Lawmakers this session are dealing with the fewest number of bills ever.

By Feb. 2, the deadline for lawmakers to file new bills, the total was only 388.

Compare that to 419 bills that were filed last year — also a record low, according to the Legislative Research Council.

In some ways, that's good news. We'd rather see fewer silly bills for bills' sake. Also tells us maybe there isn't so much that needs fixing?

Another way to look at it is that there was not one overarching theme the Legislature had to deal with this year: No double-digit budget cuts, no increases in education spending.

Heck, there was plenty enough free time for lawmakers to spend dismantling ethics measures passed by voters.

Another abortion hoop: Another session, another incremental step to stigmatize abortion.

And to be clear, Senate Bill 102 does not criminalize abortion. But its assumptions about women seeking abortions are leading to another hoop, another lecture, that must be endured.

The bill would require that the name and telephone number of an organization fighting to end sex trafficking be given in writing to any woman seeking an abortion in South Dakota. The message would say: "If someone is sexually abusing you or causing you to exchange sex for something of value, and you want help, call 911, or the telephone number provided on this notice."

This comment assumes some percentage of women exercising their legal right to an abortion have somehow been coerced or forced into it. It is another method to shame women, to guilt them, to mark them as something "other" because of their legal choice.

Maybe it's just another pause in the process, a hope that this will be the five-seconds that causes the woman to give up.

We believe in reducing the need for abortions, and in fighting sex trafficking. The overlap in this bill is distasteful.

Causing a panic: Not only do South Dakota lawmakers think they know better than voters (again, see ethics measure repeal), at least one of them thinks the law doesn't apply to him in the first place.

Meet Sen. Larry Rhoden, R-Union Center, who pressed a panic button Monday in the Capitol just to see

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how fast South Dakota Highway Patrol would respond.

Again: He pressed a panic button to see how fast police would respond.

Rhoden's misadventure was meant to show why it is necessary for legislation that would allow most people at the Capitol to carry guns using an enhanced pistol permit. He says Highway Patrol didn't respond fast enough.

In an effort to show why he needs to carry a gun, Larry Rhoden broke the law: False reporting to authorities is a misdemeanor in South Dakota.

You can't make this stuff up.

If it were you who hit a panic button falsely, or called 911, or pulled a fire alarm, or yelled "fire!" in a crowded theater, what do you think would happen?

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The Daily Republic, Mitchell, Feb. 8

A beautiful facility that may never would have been

Three strong verbs were stamped on the front page of Wednesday's edition of The Daily Republic.

"Awesome," "amazing" and "awe-inspiring."

Those were just some of the descriptions by local residents given to Mitchell School District's new performing arts center, which held its soft opening Tuesday night during the annual Palace City Jazz Festival.

We couldn't agree more.

It's hard to immediately grasp the fact that this facility is right here in Mitchell, and we're sure the roughly 500 people who attended Tuesday night's event feel the same.

For decades, Mitchell residents will have a state-of-the-art performing arts center to utilize and take pride in. Students and teachers will have more room for practice and improving their talents.

This project took significant work, and we commend all who helped construct, design and plan the \$15.3 million center.

And, quite frankly, we're happy this project was not eligible to be referred to Mitchell voters, as some in the community wanted it to be.

It was not referable because the school district issued \$13.9 million in capital outlay certificates to fund the project, and the issue of certificates did not exceed 1.5 percent of the district's total assessed valuation.

Had it been referable, students, faculty and community members would have never stepped through its doors Tuesday night as it would not have passed.

We know this because of history. In the late 1980s, the district attempted to raise taxes on two separate occasions through the sale of bonds to finance two new elementary schools. Both projects failed because they did not exceed 60 percent of the vote that was required.

Later, L.B. Williams Elementary was built with the cooperation of Dakota Wesleyan University, and the city became involved with the construction of Gertie Belle Rogers Elementary. It took until 1994, finally, to get students into the new buildings.

There's no question the price tag for the new performing arts center was heavy, but it was well worth every dime spent. Our community needed this. We need to continue moving forward with community assets that make our city an attractive place to live and visit.

And, sometimes, people need to just see a facility in person before they realize its value and to realize how "awesome," "amazing" and "awe-inspiring" it can be.

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## A guide to fast-moving events on Dakota Access pipeline

By DOUG GLASS, Associated Press

Developments on the Dakota Access pipeline have unfolded swiftly in recent weeks, with many of them propelled by the transition from President Barack Obama's administration to Donald Trump's. Here's a look at what happened involving the \$3.8 billion pipeline — and what's yet to come:

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## THE BASICS

A company called Energy Transfer Partners has been working for months on the 1,200-mile project as a way to get oil from North Dakota's rich Bakken fields across four states to a shipping point in Illinois. The Dallas-based builder met stiff opposition from the Standing Rock Sioux, whose reservation on the North Dakota-South Dakota border lies near the pipeline's path.

The tribe has argued that the pipeline, which would run under a Missouri River reservoir, threatens its water supply. The company insists the system will be safe. Thousands of people gathered from around the country to support the tribe and protest the project. Clashes between those demonstrators and law enforcement in North Dakota were violent at times, and nearly 700 people were arrested.

## THE RECENT ROLLER-COASTER RIDE

Opponents won a big victory in the waning days of the Obama administration in December. Federal agencies that have authority over the Missouri River said they would not give permission for pipe to be laid under that reservoir — Lake Oahe — until an environmental study was done. That stood to delay the project by as much as two years.

Energy Transfer Partners and allies cried foul, calling the move political. Trump had long signaled his support for the pipeline, and soon after taking office ordered that the decision be reconsidered.

## SO WHAT JUST HAPPENED?

Just two weeks after Trump's directive, the Army Corps of Engineers granted permission late Wednesday for Energy Transfer Partners to proceed with construction of the final segment under the lake. The company started drilling immediately, with the expectation that it will take about two months to finish the pipeline and another to fill it with oil.

Pipeline opponents aren't going away just yet. On Thursday, the Cheyenne River Sioux of South Dakota — which earlier joined Standing Rock's lawsuit — asked a federal judge to stop the work. The tribe says the Army Corps should be required to complete the environmental study.

Opponents' prospects on the legal front aren't clear. Legal experts are split on whether they could successfully challenge the reversal on the Lake Oahe segment as arbitrary. But tribes can also press claims under old treaties from the mid-19th century that call on the federal government to consider a tribe's welfare when making decisions affecting the tribe.

## PROTEST PRESENCE

The Standing Rock opposition captured the world's attention for months in 2016, and a protest encampment swelled in size. But only a skeleton of that camp remains after winter drove some away, and the Standing Rock Sioux asked the remainder to leave. Fewer than 300 are estimated to be there now, and they are being warned to leave ahead of spring floods that happen every year when the landscape thaws.

That doesn't mean opposition will be confined to the courtroom. Several demonstrations were held around the country Wednesday, and some protesters say they are planning to continue actions in North Dakota.

## State panel advances bill adding requirement for food stamps

PIERRE, S.D. (AP) — A House panel has approved a bill that would impose a new requirement for some single parents who are seeking food stamps.

The Health and Human Services Committee voted unanimously Thursday to approve the bill.

It would require Supplemental Nutrition Assistance Program participants to cooperate with child support enforcement to get or enforce a child support order as a condition of eligibility for food stamps.

Sponsor Rep. Kent Peterson says the cooperation from a parent with primary custody of a child means completing an application, providing information about the absent parent and routine communication with the state to help collect money for the child.

He says it would help children receive all the financial support available to them. Sister Kathleen Bierne, an opponent, says the cooperation should be encouraged, not mandated.

## Man accused of assaulting, kidnapping woman in Sioux Falls

SIoux FALLS, S.D. (AP) — A man accused of forcing a woman into a vehicle and leading police on a chase through two South Dakota counties could face kidnapping and aggravated assault charges.

Sioux Falls police say a citizen called officers Wednesday to report a man had assaulted a woman and forced her into a silver sedan.

Police say an officer saw the vehicle driving recklessly and started to follow it in Minnehaha County.

The Argus Leader (<http://argusne.ws/2kqcX5n>) reports speeds reached more than 100 mph and the driver headed into Lincoln County. Officers used road spikes to deflate his tires west of Canton and the man was taken into custody.

Authorities haven't said whether the man and woman knew each other.

Information from: Argus Leader, <http://www.argusleader.com>

## 10 Things to Know for Today

By The Associated Press

Your daily look at late-breaking news, upcoming events and the stories that will be talked about today:

### 1. US APPEALS COURT REJECTION LEAVES TRUMP TRAVEL BAN ON HOLD

The legal fight over President Donald Trump's ban on travelers from seven predominantly Muslim nations could shift to the U.S. Supreme Court.

### 2. [a href='https://apnews.com/515798dbf6c545beb7f19711e092c1e0/Trump-reaffirms-one-China-policy-in-call-with-Xi-Jinping'](https://apnews.com/515798dbf6c545beb7f19711e092c1e0/Trump-reaffirms-one-China-policy-in-call-with-Xi-Jinping) TRUMP DEALS A VICTORY TO BEIJING/a

The president reaffirms America's long-standing "one China" policy in a call with Chinese President Xi Jinping.

### 3. [a href='https://apnews.com/63532785991845eb936a3d77136726e9/Trump-s-health-secretary-pick-confirmed-narrowly-for-Cabinet'](https://apnews.com/63532785991845eb936a3d77136726e9/Trump-s-health-secretary-pick-confirmed-narrowly-for-Cabinet) WHICH PICK IS CONFIRMED NARROWLY FOR CABINET/a

President Donald Trump's choice for health secretary, Rep. Tom Price, is the latest of a handful of Cabinet nominees to squeeze through to confirmation by a bitterly-divided, partisan U.S. Senate.

### 4. A CONGRESSMAN'S LESS THAN WARM WELCOME HOME

Republican U.S. Rep. Jason Chaffetz is greeted with boos and grilled by hundreds of constituents on everything from investigating President Donald Trump's tax returns to Planned Parenthood.

### 5. WHAT IRANIANS ARE CELEBRATING

The 38th anniversary of the 1979 revolution is being commemorated with massive rallies.

### 6. WHERE THE OLYMPIC GLOW IS FADING FAST

Rio de Janeiro pulled off last year's Summer Games, fending off dire forecasts, but a harsh reality has since set in as Brazil plunged into its deepest recession in memory.

### 7. HOW OHIO TRIED TO KEEP EXECUTIONS GOING

It asked seven other states for a lethal injection drug in an unsuccessful attempt to continue putting inmates to death, according to a court filing.

### 8. A RACE TO SAVE BEACHED WHALES

New Zealanders are rushing to keep about 400 alive after they were stranded.

### 9. WHY THIS IS A BIG WEEKEND FOR LATE-NIGHT TV

John Oliver returns to HBO and Alec Baldwin guest hosts on "Saturday Night Live."

### 10. [a href='https://apnews.com/6d0f5535923847a1992158f056e8ccac/James-Corden-says-he-won-t-sing-as-Grammy-host'](https://apnews.com/6d0f5535923847a1992158f056e8ccac/James-Corden-says-he-won-t-sing-as-Grammy-host) WHO WILL BE THE NEW GRAMMYS HOST/a

LL Cool J has hosted the Grammys for years, but a new host awaits: British funnyman and "Carpool Karaoke" king James Corden.

## Appeals court rejection leaves Trump travel ban on hold

By SUDHIN THANAWALA, Associated Press

SAN FRANCISCO (AP) — The legal fight over President Donald Trump's ban on travelers from seven predominantly Muslim nations is on hold after the 9th U.S. Circuit Court of Appeals declined to block a lower-court ruling that suspended the ban, allowing previously barred travelers to continue coming to the United States.

In a rebuke to the Trump administration Thursday, the three federal appellate judges sided with the states of Washington and Minnesota on nearly every matter, rejecting nearly all of the administration's arguments in favor of reinstating the ban, meaning the case could now shift to the U.S. Supreme Court.

They judges also did not shy away from the larger constitutional questions raised by the order, rejecting the administration's claim of presidential authority, questioning its motives and concluding that the order was unlikely to survive legal challenges.

Moments after the ruling, Trump tweeted, "SEE YOU IN COURT," adding that "THE SECURITY OF OUR NATION IS AT STAKE!"

But it is unclear what Trump's next move will be. The Justice Department said it is reviewing the decision and considering its options. It was the first day on the job for new Attorney General Jeff Sessions.

The lower court action so far is temporary and hasn't resolved broader questions about the legality of Trump's order. While the ban is on hold, refugees and people from seven majority-Muslim nations identified in the president's Jan. 27 executive order can continue traveling to the U.S.

The appellate judges noted compelling public interests on both sides.

"On the one hand, the public has a powerful interest in national security and in the ability of an elected president to enact policies. And on the other, the public also has an interest in free flow of travel, in avoiding separation of families, and in freedom from discrimination."

The administration could appeal the ruling to a larger 9th Circuit panel or bypass that step and go straight to the U.S. Supreme Court. That could put the decision over whether to keep the temporary restraining order suspending the ban in the hands of a divided court that has a vacancy. Trump's nominee, Neil Gorsuch, cannot be confirmed in time to take part in any consideration of the ban, which would expire in 90 days unless it is changed.

The ban also faces dozens of other lawsuits, some filed by would-be refugees directly affected by it.

Stephen Vladeck, a professor at the University of Texas School of Law, said two footnotes near the end of the opinion struck him as most significant because they challenged the government's assertion that national security was at stake. Without evidence of the threat migrants would pose to security, the court couldn't balance that assertion against harm they would suffer if not allowed to enter the country.

"It's not enough for the president to simply proclaim that the executive order is necessary to protect national security," Vladeck said, paraphrasing the ruling. "He needs to give us at least some basis for agreeing with him."

The 9th Circuit judges rejected the administration's argument that courts did not have the authority to review the president's immigration and national security decisions. They said the administration failed to show that the order met constitutional requirements to provide notice or a hearing before restricting travel. And they said the administration presented no evidence that any foreigner from the seven countries was responsible for a terrorist attack in the U.S.

"Despite the district court's and our own repeated invitations to explain the urgent need for the Executive Order to be placed immediately into effect, the Government submitted no evidence to rebut the States' argument that the district court's order merely returned the nation temporarily to the position it has occupied for many previous years," the panel wrote.

Last week, U.S. District Judge James Robart in Seattle issued a temporary restraining order halting the ban after Washington state and Minnesota sued. The ban temporarily suspended the nation's refugee program and immigration from countries that have raised terrorism concerns.

Asked to respond to Trump's tweet, Washington Attorney General Bob Ferguson said, "We have seen



him in court twice and we're two for two, that's number one. And in my view, the future of the constitution is at stake."

Justice Department lawyers appealed to the 9th Circuit after Robart's ruling, arguing that the president has the constitutional power to restrict entry to the United States and that the courts cannot second-guess his determination that such a step was needed to prevent terrorism.

The states said Trump's travel ban harmed individuals, businesses and universities. Citing Trump's campaign promise to stop Muslims from entering the U.S., they said the ban unconstitutionally blocked entry to people based on religion.

The appeals court sided with the administration on just one issue. The states had argued that 9th Circuit precedent prohibits review of temporary restraining orders. The panel said that the intense public interest and uncertainty over how long the court case might take made it appropriate for the court to consider the federal government's appeal.

Jessica Levinson, a professor at Loyola Law School, said the ruling was thoughtful and supported by a great deal of legal precedent. More important, though, it was unanimous even though the panel included judges appointed by Democratic and Republican presidents.

"It's a very important message that judges are not just politicians in robes and not just political hacks," Levinson said.

After the ban was put on hold, the State Department quickly said people from the seven countries — Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen — with valid visas could travel to the U.S.

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Associated Press writers Brian Melley in Los Angeles, Gene Johnson and Martha Bellisle in Seattle, Rachel La Corte in Olympia, Washington, and Eric Tucker in Washington, D.C., contributed to this report.

## Trump reaffirms 'one China' policy in call with Xi Jinping

By **NOMAAN MERCHANT** and **CHRISTOPHER BODEEN**, Associated Press

BEIJING (AP) — President Donald Trump reaffirmed Washington's long-standing "one China" policy in a call with Beijing's leader, a move that could ease anger in China over his earlier suggestions that he might use Taiwan as leverage in negotiations over trade, security and other sensitive issues.

More than two months after deviating from decades of American diplomacy regarding Taiwan by accepting a phone call from the self-governing island's president, Trump appeared to be trying to reassure Beijing he would not seek to upend relations between the world's two-largest economies.

"This is an important step," said Bonnie Glaser, senior adviser on Asia at the Center for Strategic and International Studies in Washington, D.C. "This will now pave the way for the engagement of the U.S. and Chinese governments on a wide range of issues."

The policy in place since 1979 requires Washington to maintain only unofficial ties with Taiwan, the self-governing island that China claims as its own territory. China views any hint of official U.S. recognition of the island as anathema to China's revival as a great Asian power.

The long-awaited call between Chinese President Xi Jinping and Trump came Thursday evening, Washington time, the White House and China's state broadcaster CCTV said.

The two leaders discussed "numerous" topics at length and Trump agreed to honor the "one China" policy, the White House said — though it said Trump did so "at the request of President Xi." It described the call as "extremely cordial" and said the two leaders had invited each other to visit their respective countries and looked forward to further discussions.

Xi "praised" Trump's affirmation of relations, CCTV reported, and said China was willing to work with the U.S. to bring "more fruitful gains for the benefit of our two peoples and those in every country."

Some had questioned why Trump took so long to call Xi, given that he'd already spoken with more than a dozen world leaders. Chinese observers also noted that Trump broke with his predecessors in not extending good wishes on the Lunar New Year holiday last month. His belated greeting on Wednesday was praised by China.

At a briefing with reporters Friday, Chinese Foreign Ministry spokesman Lu Kang declined to respond

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specifically to repeated questions on whether Trump's affirmation of the "one China" policy was a condition Beijing set for the call. Lu said Beijing's "one China" principle was the foundation of the two countries' relationship.

Commenting on Trump's call with Xi, Taiwan's presidential spokesman Alex Huang said the island's administration regards the U.S. as its most important ally and is grateful for Washington's expression of support for Taiwan in recent days.

Trump's move comes at a time of uncertainty in U.S.-China relations. Trump has accused Beijing of cheating in trade, criticized China's military buildup in the South China Sea and said the country is doing too little to pressure North Korea over its nuclear and missile programs. He has accused China of manipulating its currency to keep its exports inexpensive and threatened a 45 percent tax on Chinese imports, potentially setting off a trade war.

Underscoring the uncertainties, Thursday's call between the leaders came as the U.S. Pacific Command reported a Chinese KJ-200 early warning aircraft and a U.S. Navy patrol plane had an "unsafe" encounter over the South China Sea this week, without elaborating.

The Chinese defense ministry has not commented, but Beijing routinely complains about U.S. military surveillance missions near China.

Beijing has been particularly concerned about how Washington would treat the question of Taiwan after Trump upset decades of diplomatic precedent by talking by phone with Taiwanese President Tsai Ing-wen shortly after being elected.

In December, Trump said in an interview that he didn't feel "bound" by existing policy on China and Taiwan unless the U.S. could gain concessions from Beijing in trade and other areas. Since switching diplomatic recognition from the island to Beijing in 1979, Washington has maintained robust unofficial relations with Taiwan and provides it with arms to guard against China's threat to use force to reunify with it.

Trump may have been convinced by a senior member of his Cabinet that the "one China" policy could not be used as a bargaining chip, said Glaser of the CSIS think tank.

Taiwan should also be relieved that it "will not be used as a bargaining chip" in negotiations between Washington and Beijing, she said.

Trump's statement marks a victory for China's public and private efforts to work with Trump and his team, but the White House may have been saying that "we are expecting that you be nice to us as well," said Dali Yang, professor of political science at the University of Chicago.

China's leadership has refrained from attacking Trump since he took office and responded warmly to his delayed Lunar New Year greeting. "China's patience in this regard has paid off," Yang said.

Yang also pointed to Trump's meeting before his inauguration with Jack Ma, one of China's best-known businessmen who founded online shopping giant Alibaba Group, and the visit of Ivanka Trump, the president's eldest daughter, to a Lunar New Year celebration hosted by the Chinese Embassy in Washington, D.C.

While China will be happy with Trump's public acknowledgement on the policy, suspicion will remain, he said.

The call shows how Trump has matured in his appreciation of the importance of China-U.S. relations, said Zhao Kejin, a professor of international relations at Beijing's prestigious Tsinghua University.

"For China, any card can be played except the card of Taiwan. I don't see Trump's expression on the issue as unusual since violating the 'one China' policy would harm U.S. interests," Zhao said.

In the end, Trump's toying with changes to Washington's China policy cost him both credibility and momentum in resolving outstanding trade issues between the sides, said the former chairman of the American Chamber of Commerce in China.

"Threats concerning fundamental, core interests are counterproductive from the get-go," said James Zimmerman, a lawyer who has been in China since 1998.

"The end result is that Trump just confirmed to the world that he is a paper tiger, a 'zhilao hu' - someone that seems threatening but is wholly ineffectual and unable to stomach a challenge."

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Associated Press writers Gillian Wong and Gerry Shih and researcher Yu Bing contributed to this report.

## Ivanka Trump navigating Washington social, political worlds

By CATHERINE LUCEY, Associated Press

WASHINGTON (AP) — With her move to Washington, Ivanka Trump isn't just taking on a new city; she's navigating a different world.

A few weeks into her father's administration, the first daughter is settling into a life that might look familiar to a certain type of urban mom. She's been visiting her kids' new schools, taking spin classes at Flywheel and hitting local restaurants for date nights. But because she is Ivanka Trump there's more to it. She's also welcomed Microsoft founder Bill Gates to her home, and hosted other dinners with CEOs and thought leaders — all part of her effort to plot out a policy agenda around women in the workplace.

Her early moves are playing out under intense scrutiny, including Trump's attempt to untangle herself from her old life as chief executive of a fashion brand.

She was publicly silent this week as she found herself at the center of the latest debate over ethics and Trump family business conflicts. A person close to her said she was not involved in her father's decision to fire off a tweet slamming Nordstrom for dropping her fashion line, a move that looked to some like a dad defending his daughter, and to others like the president ripping a private enterprise for the financial benefit of a family member.

Ivanka Trump stayed mum because she takes seriously her pledge to separate herself from her business, according to the person, who spoke on condition of anonymity to share private conversations.

Trump aide Kellyanne Conway stirred up the controversy further Thursday when she offered her support by telling people to "go buy Ivanka's stuff," boasting in a television interview that she was giving the brand "a free commercial here." Conway's comments endorsing a product from the White House riled ethics experts and got her "counseled" by the White House.

Before moving to D.C., Ivanka Trump officially stepped away from executive roles at the Trump organization and with her own lifestyle brand. But she retains ownership of her brand and is receiving fixed payments, rather than profits, from the Trump Organization.

For now, it's Trump's husband, Jared Kushner, who has the official White House position. But Ivanka Trump has been in the White House for meetings, and escorted her father to Dover Air Force Base to greet the remains of a fallen soldier. She also has close ties with a White House aide who is helping her work on policy.

But the easiest way to track Ivanka Trump's comings and goings is on social media.

Her posts on Instagram have been steady since moving to Washington, including a recent snap of herself with her youngest son as she takes a phone call at the White House. But the mother of three young children has kept a relatively low profile socially thus far.

She has been settling her kids in their new home in the tony Kalorama neighborhood and into private schools. Activities have included jogging in Rock Creek Park and out to dinner at the upscale eatery RPM Italian with Kushner. In some of her first outings about town, she took daughter Arabella to an event at the Chinese Embassy to celebrate the Chinese New Year and took son Joseph out for bagels.

But Trump is also seriously pursuing a key policy interest — developing policies to support women in the work place.

To that end, Trump is working closely with Dina Powell, a former Goldman Sachs partner who joined the administration as an assistant to the president and senior counselor for economic initiatives. Trump has had sit-downs recently with Gates and Priscilla Chan, wife of Facebook founder Mark Zuckerberg, according to a person familiar with her schedule who requested anonymity to discuss private meetings. She also chatted privately with Brian Krzanich, the CEO of Intel, after he visited the White House this week.

Women's issues were also on the agenda at a recent White House meeting with business leaders at Ivanka Trump's urging.

On the social side, Trump has pushed back against the suggestion that she would serve as a fill-in for first lady Melania Trump, who has not yet moved to Washington. But she is undoubtedly getting a lot of invites.

"My feeling is she, more than anybody else, has the potential to be the ambassador from the Trump

White House to the Washington scene," said longtime Washington Post writer Sally Quinn, who is also a D.C. hostess.

Quinn noted that with Ivanka Trump's close relationship to her father and her husband's job as adviser to the president, "they are probably the two most powerful people in Washington. From that perspective, she would be the person people would most want to be around."

## Resort deal revamp tests Trump pledge on foreign projects

By JEFF HORWITZ, Associated Press

WASHINGTON (AP) — To quiet concerns over foreign influence, President Donald Trump promised no new international business deals while in office. Instead, Trump's business is returning to a very old one.

The Trump family's re-engagement in a Dominican resort deal signed a decade ago surfaced unexpectedly last week, when Eric Trump, an executive vice president, was photographed touring the property Feb. 2 with developers Ricardo and Fernando Hazoury.

In a press release, the Hazoury brothers called their relationship with Eric Trump "incredibly strong." But the relationship has been rocky: Eric Trump accused the brothers of "textbook fraud" in a 2012 lawsuit over allegedly hidden property sales.

A firm plan for further Trump-licensed development at Cap Cana, a luxury beachfront resort just minutes from one of the Dominican Republic's largest airports, isn't yet in place. But the prospect for a resumption of the 2007 licensing deal would test the limits of Donald Trump's pledge to halt new international Trump-branded projects during his presidency.

The renewed pursuit of the project shows that the company believes it has latitude to carry on significant new activity overseas, despite the president's pledge to avoid new foreign development deals.

"No new foreign deals will be made whatsoever during the duration of President Trump's presidency," Trump lawyer Sheri Dillon of Morgan, Lewis & Bockius LLC said last month at a news conference. Under the self-imposed rules she described, new domestic deals will be allowed, but they will go through what she described as a vigorous vetting process.

Trump Organization general counsel Alan Garten said the deal in the Dominican Republic was never dead even though nothing new has been built or announced in a decade. Garten noted that Trump listed the deal on his 2015 government financial disclosure but said it was not listed on last year's filings because of what he described as a lack of reportable assets associated with the venture.

The effort to grandfather such branding deals demonstrates the flimsiness of Trump's pledge, said Richard Painter, who served as the ethics lawyer for the White House during the George W. Bush administration.

"They can take the tiniest little past involvement in something and then extend it into an enormous new deal," Painter said. "There's no way to distinguish between new business and old business."

The deal with the Hazourys contemplated multiple stages of Trump-themed projects at Cap Cana, a master-planned resort town minutes from the busy Punta Cana International Airport. The project is twice the size of Manhattan, and Trump's part began with the sale of 68 multimillion-dollar home sites known as "The Trump Farallons." Trump-branded hotel, condominium and golf course projects were supposed to follow. At a lavish party in Cap Cana in 2007, Trump "congratulated fortunate buyers on their investment," according to a press release by Cap Cana.

Trump's deal never progressed beyond the initial sale of Trump-branded vacant lots. Though he described himself as a Cap Cana project developer in public statements, Trump invested no money, and the project stalled during the 2008 financial crisis. Further damaging the deal's prospects, the developer wasn't paying Trump the licensing fees on empty lots that had already sold.

After hiring an outside auditor, Trump sued in 2012, alleging that the Hazourys had hid many of the land sales and kept the proceeds. In an affidavit, Eric Trump called the sales reports the Cap Cana developers had provided to the Trump Organization "an outright lie."

Before the case could go to trial, the Trump Organization and Cap Cana reached a confidential settle-

ment in 2013.

During the following three years, neither the Trumps nor the Hazourys announced further cooperation, and Trump's name largely disappeared from marketing materials. The exclusive real estate brokerage for the project dropped Trump's name from "The Farallons."

Garten said that, despite Cap Cana's failure to deliver on its side of the contract and Trump's demand that the project stop using his name during the litigation, Trump never canceled the underlying deal. The ultimate settlement of Trump's suit against Cap Cana was amicable, he said, and further talks occurred well before last November's U.S. election.

The only contract for the current venture was the one from 2007, which required the Hazourys to complete construction of all components by 2011. Other parts of the overall Cap Cana project have come to fruition — including an Eden Roc hotel, two golf courses and an expansive marina — but the properties sold in the Trump Farallons have been gradually overtaken by the jungle.

"We may not be able to work it out," Garten said. Recent developments involving Cap Cana — including a previously unreported settlement between developers and holders of defaulted bonds — persuaded the Trump Organization to revisit its licensing deal. Garten said the company also believed that re-engaging on the project might be good for people who own the still-undeveloped Trump Farallon lots.

"We feel that we owe an obligation to the buyers to do what we can," he said.

Representatives of Cap Cana did not respond to requests for comment.

William Ganz III, a Baltimore real estate agent who purchased one of the sites and built around 70 percent of a lavish villa before the Trump Farallons' distress, said Eric Trump's visit had caught him and other property owners by surprise since they were unaware of an ongoing relationship.

Ganz, who is looking for investors to help him finish the villa he started, said the Cap Cana developers' renewed interest in Trump-branded development was only logical given Trump's victory in the presidential campaign.

"Obviously it would make sense to restart that conversation now that Trump's in the limelight," he said. "It would be foolish not to try to make things start to happen."

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Associated Press writer Ezekiel LopezBlanco in Santo Domingo, Dominican Republic, contributed to this report.

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Have a tip? Contact The Associated Press securely at <https://www.ap.org/tips>

## Trump's health secretary pick confirmed narrowly for Cabinet

By ALAN FRAM, Associated Press

WASHINGTON (AP) — Rep. Tom Price, President Donald Trump's choice to be health secretary, is the latest of a handful of Cabinet nominees to eke out a confirmation victory in a bitterly divided Senate.

Following the pattern of strictly party-line votes on two previous nominees — Attorney General-designate Sen. Jeff Sessions and Betsy DeVos for Education secretary — the Georgia congressman was approved early Friday on a 52-47 vote. Former Exxon-Mobil CEO Rex Tillerson fared somewhat better than Sessions and DeVos, but still won confirmation for secretary of state by only a 56-43 margin.

Two other controversial Trump selections are set for votes Monday. By a 53-46 margin, the Senate ended procedural hurdles to financier Steven Mnuchin's nomination to be Treasury secretary. Final approval for Mnuchin and for physician David Shulkin to be veterans affairs secretary was set for Monday.

Minority Democrats have used Senate rules, where possible, to delay elevation of some Trump's nominees. And following Price's confirmation to head the Department of Health and Human Services, Senate Minority Leader Chuck Schumer said: "The Republicans launch their first assault in their war on seniors."

Democrats prolonged the debate on the 62-year-old Price until nearly 2 a.m. EST Friday, in arguments tinged with bitter accusations, reflecting the raw feelings enveloping Washington early in Trump's presidency.

Just four of 31 votes for then-President Barack Obama's Cabinet vacancies drew at least 40 "no" votes,

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as did only two of 34 votes for Cabinet positions under President George W. Bush.

No. 2 Senate GOP leader John Cornyn of Texas said Democrats' "obstruction" of Cabinet nominees was a rejection of Trump's Election Day victory and threatened "the stability of the government and that peaceful transition of power" from President Barack Obama.

Republicans see Price, an orthopedic surgeon and seven-term House veteran, as a knowledgeable leader who will help scuttle Obama's health care overhaul, partly by issuing regulations weakening the law. Democrats describe an ideologue with a shady history of trading health care stocks and whose policies will snatch insurance coverage from Americans.

"He seems to have no higher priority than to terminate health coverage for millions of people," said Sen. Jeanne Shaheen, D-N.H. She said his preference for limiting women's access to free birth control was "not only wrong, it's arrogant."

Senate Majority Leader Mitch McConnell, R-Ky., said Price "knows more about health care policy than just about anyone." He said Price would help "bring stability to health care markets that Obamacare has harmed."

Price's nomination is part of a larger clash in which Republicans want to quickly enact priorities long blocked by Obama. Democrats, with few tools as Congress' minority, are making a show of resistance, stretching some floor debates to the maximum 30 hours Senate rules allow.

The high stakes plus Trump's belligerent style have fed the combativeness. They've also produced remarkable scenes, including Democratic boycotts of hearings, Republicans suspending committee rules to approve nominees and GOP senators voting to bar Sen. Elizabeth Warren, D-Mass., from joining a debate.

Sen. Orrin Hatch, R-Utah, accused Democrats of opposing Trump's nominees with "apocalyptic visions of a future world gone mad." He wondered how Democrats kept "their outrage settings turned to 11 without getting completely exhausted."

Sen. Patty Murray, D-Wash., said Trump was shaping a Cabinet that "benefits those at the top and their allies, but really hurts the workers and families."

Until recently chairman of the House Budget Committee, Price has proposed repealing Obama's health law and replacing it with tax credits, health savings accounts and high-risk pools for sick, costly consumers. Democrats say those ideas are inadequate and would leave people unprotected against significant health expenses.

Republicans have yet to produce a replacement plan and have differed over when they will do so.

Price has supported ending federal payments to Planned Parenthood, and paring Medicaid and giving states more power to shape the health care program for the poor. He'd reshape Medicare's guaranteed health coverage for the elderly into a program offering subsidies for people to buy policies.

Democrats have accused Price of lying about his acquisition of discounted shares of an Australian biotech company and benefiting from insider information. They've also asserted he pushed legislation to help a medical implant maker whose stock he'd purchased.

Price has said he's done nothing wrong. It's illegal for members of Congress to engage in insider trading.

By 53-46, the Senate ended procedural hurdles to financier Steven Mnuchin's nomination to be Treasury secretary. Final approval for Mnuchin and for physician David Shulkin to be veterans affairs secretary was set for Monday.

The Senate has approved the previous three consecutive Cabinet nominees along mostly party lines.

Sessions, an Alabama Republican, became attorney general by 52-47 after Warren was punished for reading a 1986 letter by Coretta Scott King criticizing him. DeVos was approved as education secretary, rescued by Vice President Mike Pence's tie breaker in a 51-50 vote.

That contrasts with the past four decades, when Senate records show most Cabinet selections have been approved overwhelmingly.

During that period, no secretary of state nominee received fewer than 85 votes. The closest tally for health secretary was the 65-31 roll call for Obama's 2009 pick, Kathleen Sibelius.

Just four of 31 votes for Obama Cabinet vacancies drew at least 40 "no" votes, as did only two of 34 votes for Cabinet positions under President George W. Bush.

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Aretha is retiring: Singer plans 1 more album

NEW YORK (AP) — At 74, the Queen of Soul has decided to take it a little easier.

Aretha Franklin is planning to retire this year, she told Detroit TV station WDIV Local 4, the city's NBC affiliate. The singer says she will make one more album, with several tracks produced by Stevie Wonder, and will otherwise limit herself to "some select things, many one a month, for six months out of the year" as she devotes more time to her grandchildren. She also says 2017 will be her "last year in concert."

"This will be my last year," Franklin said. "I will be recording, but this will be my last year in concert. This is it."

On Thursday, a representative for Franklin confirmed her remarks made to WDIV.

Franklin, whose many hits include "Respect" and "Think," added that she did not want to do "just nothing." But she said that she is otherwise "very satisfied" with her career and is ready to step back. She has had health problems in recent years, including surgery in 2010 for undisclosed reasons that left many fearing her life was in danger.

"I feel very, very enriched and satisfied with respect to where my career came from, and where it is now," Franklin said.

But she hasn't convinced longtime friend Clive Davis, who executive produced many of her albums.

"I don't believe her," Davis said in an interview Thursday while promoting his annual pre-Grammy Awards party in Beverly Hills, California.

"I think that what she might have meant was that she doesn't plan an extensive tour -- still not flying and still traveling by bus, it's just hard to stay on that bus," the music mogul said. "Aretha is still magical in person and still has the God-given voice that she has. I don't believe that she's retiring. I just believe that she's cutting back, judiciously."

Her presumed last album would be a kind of homecoming. Franklin and Wonder, a fellow Detroit hero, have known each other for decades. In the 1970s, she had a hit with a cover of "Until You Come Back to Me (That's What I'm Gonna Do)," which Wonder helped write.

## A divided, testy Senate confirms Trump health secretary

By ALAN FRAM, Associated Press

WASHINGTON (AP) — Republicans won Senate confirmation of President Donald Trump's choice for health secretary early Friday in the testy chamber's fourth consecutive brawl over Cabinet picks.

Senators approved Rep. Tom Price, R-Ga., to head the Health and Human Services Department by a strictly party-line 52-47 vote in the dead of night. A debate that Democrats prolonged until nearly 2 a.m. EST Friday was dotted with bitter accusations, reflecting the raw feelings enveloping Washington early in Trump's presidency.

No. 2 Senate GOP leader John Cornyn of Texas said Democrats' "obstruction" of Cabinet nominees was a rejection of Trump's Election Day victory and threatened "the stability of the government and that peaceful transition of power" from President Barack Obama.

Citing Price's long-time support for revamping the Medicare program for the elderly, Senate Minority Leader Chuck Schumer, D-N.Y., said that with Price's confirmation, "The Republicans launch their first assault in their war on seniors." Trump has said he won't cut Medicare.

Republicans see Price, an orthopedic surgeon and seven-term House veteran, as a knowledgeable leader who will help scuttle Obama's health care overhaul, partly by issuing regulations weakening the law. Democrats describe an ideologue with a shady history of trading health care stocks and whose policies will snatch insurance coverage from Americans.

"He seems to have no higher priority than to terminate health coverage for millions of people," said Sen. Jeanne Shaheen, D-N.H. She said his preference for limiting women's access to free birth control was "not only wrong, it's arrogant."

Senate Majority Leader Mitch McConnell, R-Ky., said Price, 62, "knows more about health care policy

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than just about anyone." He said Price would help "bring stability to health care markets that Obamacare has harmed."

Price's nomination is part of a larger clash in which Republicans want to quickly enact priorities long blocked by Obama. Democrats, with few tools as Congress' minority, are making a show of resistance, stretching some floor debates to the maximum 30 hours Senate rules allow.

The high stakes plus Trump's belligerent style have fed the combativeness. They've also produced remarkable scenes, including Democratic boycotts of hearings, Republicans suspending committee rules to approve nominees and GOP senators voting to bar Sen. Elizabeth Warren, D-Mass., from joining a debate.

Sen. Orrin Hatch, R-Utah, accused Democrats of opposing Trump's nominees with "apocalyptic visions of a future world gone mad." He wondered how Democrats kept "their outrage settings turned to 11 without getting completely exhausted."

Sen. Patty Murray, D-Wash., said Trump was shaping a Cabinet that "benefits those at the top and their allies, but really hurts the workers and families."

Until recently chairman of the House Budget Committee, Price has proposed repealing Obama's health law and replacing it with tax credits, health savings accounts and high-risk pools for sick, costly consumers. Democrats say those ideas are inadequate and would leave people unprotected against significant health expenses.

Republicans have yet to produce a replacement plan and have differed over when they will do so.

Price has supported ending federal payments to Planned Parenthood, and paring Medicaid and giving states more power to shape the health care program for the poor. He'd reshape Medicare's guaranteed health coverage for the elderly into a program offering subsidies for people to buy policies.

Democrats have accused Price of lying about his acquisition of discounted shares of an Australian biotech company and benefiting from insider information. They've also asserted he pushed legislation to help a medical implant maker whose stock he'd purchased.

Price has said he's done nothing wrong. It's illegal for members of Congress to engage in insider trading.

By 53-46, the Senate ended procedural hurdles to financier Steven Mnuchin's nomination to be Treasury secretary. Final approval for Mnuchin and for physician David Shulkin to be veterans affairs secretary was set for Monday.

The Senate has approved the previous three consecutive Cabinet nominees along mostly party lines.

Sen. Jeff Sessions, R-Ala., became attorney general by 52-47 after Warren was punished for reading a 1986 letter by Coretta Scott King criticizing him. Betsy DeVos was approved as education secretary, rescued by Vice President Mike Pence's tie breaker in a 51-50 vote, and Rex Tillerson won approval 56-43 as secretary of state.

That contrasts with the past four decades, when Senate records show most Cabinet selections have been approved overwhelmingly.

During that period, no secretary of state nominee received fewer than 85 votes. The closest tally for health secretary was the 65-31 roll call for Obama's 2009 pick, Kathleen Sibelius.

Just four of 31 votes for Obama Cabinet vacancies drew at least 40 "no" votes, as did only two of 34 votes for Cabinet positions under President George W. Bush.

## Rio is stuck with big bills and vacant venues after Olympics

By **STEPHEN WADE, AP Sports Writer**

RIO DE JANEIRO (AP) — Rio de Janeiro pulled off last year's Olympics, keeping crime at bay and fending off dire forecasts of corruption, environmental degradation, and cost overruns.

Six months after South America's first games, the flood gates have burst open.

Rio organizers still owe creditors about \$40 million. Four of the new arenas in the main Olympic Park have failed to find private-sector management, and ownership has passed to the federal government. Another new arena will be run by the cash-strapped city with Brazil stuck in its deepest recession in decades.

The historic Maracana stadium, site of the opening and closing ceremony, has been vandalized as stadium operators, the Rio state government, and Olympic organizers have fought over \$1 million in unpaid



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electricity bills. The electric utility reacted by cutting off all power to the city landmark.

There are few players for a new \$20 million Olympic golf course, and little money for upkeep. Deodoro, the second-largest cluster of Olympic venues, is closed and searching for a management company.

The state of Rio de Janeiro is months late paying teachers, hospital workers, and pensions. The state also reports record-breaking crime in 2016 in almost all categories from homicides to robbery.

"During the Olympics, the city was really trying hard to keep things together," said Oliver Stuenkel, a Brazilian who teaches international relations at the Getulio Vargas Foundation, a Brazilian university. "But the minute the Olympics were over, the whole thing disintegrated."

## BETTER IMAGE, OR WORSE?

The Olympics — and to a lesser extent the 2014 World Cup — showcased the reality of Rio, a city romanticized for its sprawling beaches, annual Carnival celebration, and sensual lifestyle.

It also exposed the city's crime, environmental contamination, and corruption.

Some building projects connected to the Olympics and World Cup have been tied to a probe which has led to the jailing of dozens of politicians and businessmen for receiving kickbacks in Brazil's largest corruption scandal.

Three politicians who were instrumental in landing and organizing the Olympics — former Brazilian President Luiz Inacio Lula da Silva, former Rio governor Sergio Cabral, and former Rio Mayor Eduardo — have been under investigation. Cabral, an early promoter of the Olympics and World Cup, has been jailed on corruption charges.

"The Olympics gave people a better sense of the difficulties Brazil faces," Stuenkel said. "Maybe not a better or worse image, but more rounded."

## UNPAID BILLS

Sidney Levy, the chief executive officer of the Rio organizing committee, tried to run the games with only private money, and almost succeeded. His \$3 billion operating budget — the budget for running the games, not building the infrastructure — was frugal by Olympic standards. At the last minute, he had to ask for a 250-million-real bailout — \$80 million — from the city of Rio and the federal government to run the Paralympics.

Eventually, he got only 100 million reals (\$30 million), and the shortfall has left organizers owing creditors millions.

Today, Levy says he's nearly a forgotten man.

"I could call the president of the country, and the call was taken," Levy said. "But try it today. I could call the IOC and everybody. But now people have other things to handle. We are no longer a priority."

Levy said organizers probably lost about \$200 million in income during the run-up to the games as sponsors backed out of expensive deals as the recession kicked in.

Levy said he has not asked the IOC to help pay debts, but acknowledged the Olympic body came up with millions in advance money several times during the run-up to the games.

"The whole thing was too painful," Levy told The Associated Press. "We never really enjoyed the games, ourselves; 2016 was just extremely hard. It's like we were climbing Everest, and ice is falling on your lips, and you are not seeing."

## WHITE ELEPHANTS

The Olympic Park is a ghost town; sleek sports arenas without events, deserted before they were even broken in, and well-tended flower gardens, free from pedestrian wear-and-tear.

"The arenas are beautiful," Wagner Tolvai said, walking inside the park with his girlfriend Patricia Silva. "But it's all abandoned, everything has stopped. Nobody is here."

He likened the 2.5 billion real (\$800 million) park to a new shopping mall "without stores, or customers." The park is only open on weekends, and there's not much to do but walk, pedal a bike, or look for shade.

Four permanent arenas are being run by the federal government. Among them is the Olympic tennis

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center, which was used earlier this month for a one-day beach volleyball tournament. This in a city with endless sand and beaches.

Two temporary venues for swimming and handball have yet to be dismantled. The exterior of the swimming venue is falling apart and many translucent tapestries that covered the outside of the building are frayed or falling to the ground.

The warm-up pool, which was covered during the games, is filled with muddy, stagnant water.

Away from the park, the famous Maracana stadium has drawn the most attention. It was renovated for the 2014 World Cup at a cost of about \$500 million. It was largely abandoned after the Olympics and Paralympics, and then hit by vandals who ripped out thousands of seats and stole televisions.

"The Maracana is the biggest symbol of the way the games were managed," said Mauricio Santoro, a political scientist at Rio de Janeiro State University. "The vast majority of people in Rio will never go to the golf course, or the Olympic venues. But the Maracana is different. It's the jewel of the crown."

Up the road from the Olympic Park, the \$1 billion Athletes Village — it housed about 10,000 athletes — is fenced off and empty. The developer says it has sold only 260 of the 3,604 apartments — about 7 percent.

Rio's Globo newspaper reported that new Rio Mayor Marcelo Crivella is arranging low-cost loans for public employees to buy the units.

## SUBWAY AND BUSES

Transportation projects driven by the Olympics look better than the sports venues.

The games led to a subway line extension, though at the reportedly inflated price of \$3 billion. They also produced a high-speed bus network, a light-rail line, and a pedestrian-friendly, renovated port area. Rio's international airport also got a makeover.

People using the new subway line have benefited, though city traffic is still badly snarled.

But many of the improvements benefit mostly the wealthy south and west of the city.

"The gains were unevenly spread across the city," Stuenkel, the political scientist said.

## TOKYO 2020 ADVICE

Levy, the CEO, said Tokyo's 2020 Olympics will face completely different challenges.

"They have a society that works pretty well already," he said. "They don't have to prove anything to anybody."

Tokyo will face higher costs than Rio, and organizers are already looking for places to cut.

Levy suggested reining in sports federations, which all want five-star treatment. He used an example from the equestrian events.

"They wanted 15 horse ambulances," Levy said. "We offered nine. In the end, the right number was four. The magic of the games doesn't come from these things."

Stephen Wade on Twitter: <http://twitter.com/StephenWade> . His work can be found at <http://bigstory.ap.org/content/stephen-wade>

## Federal appeals court refuses to reinstate Trump travel ban

By SUDHIN THANAWALA, Associated Press

SAN FRANCISCO (AP) — A federal appeals court refused Thursday to reinstate President Donald Trump's ban on travelers from seven predominantly Muslim nations, unanimously rejecting the administration's claim of presidential authority, questioning its motives and concluding that the order was unlikely to survive legal challenges.

The three judges of the San Francisco-based 9th U.S. Circuit Court of Appeals said the argument that the ban targets Muslims raised "serious allegations" and presented "significant constitutional questions," and they agreed that courts could consider statements by Trump and his advisers about wishing to enact such a ban.

Moments after the ruling, Trump tweeted, "SEE YOU IN COURT," adding that "THE SECURITY OF OUR

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NATION IS AT STAKE!"

In response, Washington Gov. Jay Inslee, a Democrat who leads one of the states that challenged the ban, said: "Mr. President, we just saw you in court, and we beat you."

The panel declined to block a lower-court ruling that suspended the ban and allowed previously barred travelers to enter the U.S. But it did not shy away from the larger constitutional questions raised by the order.

The judges sided with the states on every issue except for one technical matter. They rejected the administration's argument that courts did not have the authority to review the president's immigration and national security decisions. They said the administration failed to show that the order met constitutional requirements to provide notice or a hearing before restricting travel. And they said the administration presented no evidence that any foreigner from the seven countries was responsible for a terrorist attack in the U.S.

"Despite the district court's and our own repeated invitations to explain the urgent need for the Executive Order to be placed immediately into effect, the Government submitted no evidence to rebut the States' argument that the district court's order merely returned the nation temporarily to the position it has occupied for many previous years," the panel wrote.

The court battle is far from over. An appeal to the U.S. Supreme Court seems likely. That could put the decision in the hands of a divided court that has a vacancy. Trump's nominee, Neil Gorsuch, is unlikely to be confirmed in time to take part in any consideration of the ban, which was set to expire in 90 days unless it is changed.

The appellate judges noted compelling public interests on both sides.

"On the one hand, the public has a powerful interest in national security and in the ability of an elected president to enact policies. And on the other, the public also has an interest in free flow of travel, in avoiding separation of families, and in freedom from discrimination."

The Justice Department said it was "reviewing the decision and considering its options." It's the first day on the job for new Attorney General Jeff Sessions, who was sworn in at the White House earlier Thursday by Vice President Mike Pence.

Last week, U.S. District Judge James Robart in Seattle issued a temporary restraining order halting the ban after Washington state and Minnesota sued. The ban temporarily suspended the nation's refugee program and immigration from countries that have raised terrorism concerns.

Justice Department lawyers appealed to the 9th Circuit, arguing that the president has the constitutional power to restrict entry to the United States and that the courts cannot second-guess his determination that such a step was needed to prevent terrorism.

The states said Trump's travel ban harmed individuals, businesses and universities. Citing Trump's campaign promise to stop Muslims from entering the U.S., they said the ban unconstitutionally blocked entry to people based on religion.

The appeals court sided with the administration on just one issue. The states had argued that 9th Circuit precedent prohibits review of temporary restraining orders. The panel said that due to the intense public interest at stake and the uncertainty of how long it would take to obtain a further ruling from the lower court, it was appropriate to consider the federal government's appeal.

Josh Blackman, a professor at South Texas College of Law in Houston, said the "million-dollar question" is whether the Trump administration would appeal to the Supreme Court.

That could run the risk of having only eight justices to hear the case, which could produce a tie and leave the lower-court ruling in place.

"There's a distinct risk in moving this too quickly," Blackman said. "But we're not in a normal time, and Donald Trump is very rash. He may trump, pardon the figure of speech, the normal rule."

Jessica Levinson, a professor at Loyola Law School, said the ruling was thoughtful and supported by a great deal of legal precedent. More important, it was unanimous despite the fact that the panel included judges appointed by Democratic and Republican presidents.

"It's a very important message that judges are not just politicians in robes and not just political hacks," Levinson said. "The role of the judge is to transcend politics. That's why they're appointed for life, so they don't worry about what's popular. They worry about what's legally correct."

After the ban was put on hold, the State Department quickly said people from the seven countries — Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen — with valid visas could travel to the U.S. The decision led to tearful reunions at airports around the country.

Associated Press writers Brian Melley in Los Angeles, Gene Johnson and Martha Bellisle in Seattle, Rachel La Corte in Olympia, Washington, and Eric Tucker in Washington, D.C., contributed to this report.

## Phoenix immigrant deported to Mexico amid protests

By **ASTRID GALVAN** and **JACQUES BILLEAUD**, Associated Press

PHOENIX (AP) — An immigrant mother in Phoenix granted leniency during the Obama administration was deported to Mexico Thursday in what activists said was an early example of how President Donald Trump plans to carry through on his vow to crack down on illegal immigration.

The case of Guadalupe Garcia de Rayos became a rallying cry for immigrant groups who believe Trump's approach to immigration will unfairly tear apart countless families.

Her arrest prompted a raucous demonstration in downtown Phoenix late Wednesday as protesters blocked enforcement vans from leaving a U.S. immigration office. Seven people were arrested.

Garcia de Rayos said on Thursday evening that she didn't regret her decision to report to Immigration and Customs Enforcement despite knowing she'd risk getting arrested.

Garcia de Rayos spoke from the Kino Border Initiative, a soup kitchen and shelter in Nogales, Mexico, where many migrants go after being deported. Her U.S.-citizen children were by her side, their first time in Mexico, their mother said.

"I'm doing this for my kids so they have a better life. I will keep fighting so they can keep studying in their home country," she said. "We're a united family. We're a family who goes to church on Sundays, we work in advocacy. We're active."

Garcia de Rayos was deported around 10 a.m. from a Nogales border crossing and ICE worked with Mexican consular officials to repatriate her, agency spokeswoman Yasmeen Pitts O'Keefe said in a statement. She said her case underwent a thorough review that determined the 35-year-old mother of two children with U.S. citizenship had no "legal basis to remain in the U.S."

"ICE will continue to focus on identifying and removing individuals with felony convictions who have final orders of removal issued by the nation's immigration courts," Pitts O'Keefe said.

Garcia de Rayos says she's not sure what comes next for her but that her parents, who live in the Mexican state of Guanajuato, are headed to Nogales to reunite with her. Her attorney, Ray Ybarra Maldonado, said there aren't many legal avenues for her to come back to the U.S.

"Getting back to the U.S., legally, there's really no route for her. There's no avenue for her. There's no application she can submit. There's no waiver she can submit," Maldonado said. "I mean, this is a prime example of our failed immigration system."

Advocates denounced the deportation as heartless.

"ICE has done what President Trump wanted to do, which is deport and separate our families," said Marisa Franco, director of the Phoenix-based advocacy group Mijente. "We are going to stand strong with the family."

Garcia de Rayos was among workers arrested years ago in one of then-Sheriff Joe Arpaio's first investigations into Phoenix-area businesses suspected of hiring immigrants who had used fraudulent IDs to get jobs.

Garcia de Rayos was not arrested in a raid of the park, but was taken into custody six months later when investigators found discrepancies in her employment documents. She pleaded guilty in March 2009 to a reduced charge of criminal impersonation and was sentenced to two years of probation. She was placed into deportation proceedings but given leniency under Obama administration guidelines that targeted immigrants who had committed dangerous crimes.

On Wednesday, she showed up with her lawyer for a routine check-in with ICE officials and was detained instead of being allowed to leave after checking in.

Maldonado said his client's deportation could push immigrants deeper into the shadows and to avoid checking in with authorities like Garcia de Rayos always did.

"My advice is, let's look for a sanctuary, a church that might want to take you in if you want to do that. It's not fun walking someone to the slaughter. It's not fun walking in and then walking out without them," he said.

Ahead of Garcia de Rayos' deportation, dozens of immigration activists Wednesday night blocked the gates of ICE's Phoenix office.

Police took positions around the building and confronted some of the demonstrators, many of them chanting "Justice!" in English and Spanish.

Seven protesters were arrested, said Phoenix police spokesman Sgt. Jonathan Howard.

The deportation of Garcia de Rayos came days after the Trump administration broadened regulations under which some people will be deported.

The Mexican government said in a statement on Thursday that Garcia de Rayos' deportation is the "new reality" immigrants face in the United States.

Mexico's foreign relations department said that her removal is an example of more severe immigration enforcement.

Officials warned other Mexicans in the U.S. to be cautious, aware of their rights and to stay in contact with their local consulate.

She came to the U.S. from the Mexican state of Guanajuato when she was 14 and has two children who are U.S. citizens, said the Puente Arizona immigrant advocacy group based in Phoenix.

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Associated Press writers Paul Davenport and Bob Seavey in Phoenix contributed to this report.

## **Trump calls ruling on travel ban a 'political decision'**

**By KEN THOMAS and DARLENE SUPERVILLE, Associated Press**

WASHINGTON (AP) — President Donald Trump said Thursday's federal appellate court ruling against reinstating his refugee and immigration order was a "political decision" that jeopardized national security.

"We have a situation where the security of our country is at stake and it's a very, very serious situation so we look forward ... to seeing them in court," Trump said. "We're going to win the case."

Trump, in a brief, impromptu appearance in the West Wing, did not specify what his administration's next legal steps would be and said he had not yet conferred with Attorney General Jeff Sessions, who was sworn into office earlier Thursday.

The president said he did not believe the decision undercut his presidency.

In a unanimous decision, the San Francisco-based 9th U.S. Circuit Court of Appeals declined Thursday to block a lower-court ruling that suspended the executive order preventing travelers from seven Muslim-majority nations from entering the U.S.

The Justice Department said it was "reviewing the decision and considering its options." It could appeal the judge's restraining order to the U.S. Supreme Court or it could attempt to make the case for the travel ban in the district court.

White House counselor Kellyanne Conway suggested the next step would be to argue the merits of the executive order.

"The statute provides a president ... with great latitude and authority to protect the citizens and to protect the nation's national security," Conway said. "This was not argued on the merits. Now that we'll have an opportunity to argue on the merits we look forward to doing that. We look forward to prevailing."

The ruling represented a setback for Trump's administration and the second legal defeat for the new president in the past week. Trump's decision to sign the executive order late last month has sparked protests at airports around the world as authorities barred scores of travelers from entering the country

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amid confusion over how to implement the details.

The appellate decision brushed aside arguments by the Justice Department that the president has the constitutional power to restrict entry to the United States and that the courts cannot second-guess his determination that such a step was needed to prevent terrorism.

Shortly after the ruling, Trump tweeted, "SEE YOU IN COURT, THE SECURITY OF OUR NATION IS AT STAKE!"

Senate Minority Leader Chuck Schumer tweeted Thursday that Trump "ought to see the writing on the wall" and abandon the proposal. The New York Democrat called on the president to "roll up his sleeves" and come up with "a real, bipartisan plan to keep us safe."

House Democratic leader Nancy Pelosi of California promised, "Democrats will continue to press for President Trump's dangerous and unconstitutional ban to be withdrawn." And Trump's former presidential rival Hillary Clinton offered a terse response on Twitter, noting the unanimous vote: "3-0."

Congress' Republican leaders, House Speaker Paul Ryan and Senate Majority Leader Mitch McConnell, declined to comment.

U.S. District Judge James Robart in Seattle issued the temporary restraining order halting the ban last week after Washington state and Minnesota sued, leading to the federal government's appeal.

The Trump administration has said the seven nations — Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen — have raised terrorism concerns. The states have argued that the executive order unconstitutionally blocked entry based on religion and the travel ban harmed individuals, businesses and universities.

In a hallway conversation with reporters, Trump expressed confidence that he will prevail in court if the case is argued on the merits.

He and his aides frequently refer to a ruling by a federal judge in Boston who declined last week to extend a temporary injunction against Trump's travel ban. In the separate federal ruling in Seattle that night, a different federal judge put the ban on hold nationwide; it is that judge's decision that the White House has challenged.

"It's a decision that we'll win, in my opinion, very easily and, by the way, we won that decision in Boston," Trump said.

The president, in his third week in office, has criticized the judiciary's handling of the case. Last weekend, he labeled Robart a "so-called judge" and referred to the ruling as "ridiculous." Earlier this week he accused the appellate court considering his executive order of being "so political."

Trump's Supreme Court nominee, Judge Neil Gorsuch, has referred to the president's comments as "demoralizing and disheartening," according to a Democratic senator who asked him about Trump's response.

Trump has yet to nominate a candidate to be solicitor general, the lawyer who argues before the Supreme Court on behalf of the United States. Trump told reporters he'll be making that decision over the next week.

## Dominican deal tests Trump pledge of no new foreign projects

By JEFF HORWITZ, Associated Press

WASHINGTON (AP) — The Trump Organization is returning to a long-dormant licensing deal involving a beachfront luxury resort in the Dominican Republic, testing the limits of Donald Trump's pledge to halt new international Trump-branded projects during his presidency.

The branding deal — signed in 2007 between Trump and the wealthy Hazoury family with stakes in airports, education and media — stalled out amid the 2008 financial crisis and a later dispute over Trump's fees. The resort has not used the Trump name in publicity materials or discussed working with Trump in years.

But the Trump family's re-engagement surfaced unexpectedly last week, when Eric Trump, an executive vice president, was photographed touring the property with brothers Ricardo and Fernando Hazoury. He had accused them of "textbook fraud" in a 2012 lawsuit over allegedly hidden property sales.

In a press release, the Hazoury brothers now call their relationship with the president's son "incredibly

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strong.”

The Trump Organization’s general counsel, Alan Garten, describes efforts to restart the development branding deal as very preliminary. The renewed pursuit of the project shows that the company believes it has latitude to carry on significant new activity overseas, despite the president’s pledge to avoid new foreign development deals.

“No new foreign deals will be made whatsoever during the duration of President Trump’s presidency,” Trump lawyer Sheri Dillon of Morgan, Lewis & Bockius LLC said last month at a news conference. Under the self-imposed rules she described, new domestic deals will be allowed, but they will go through what she described as a vigorous vetting process.

Garten said the deal in the Dominican Republic was never dead even though nothing new has been built or announced in a decade. Garten noted that Trump listed the deal on his 2015 government financial disclosure but said it was not listed on last year’s filings because of what he described as a lack of reportable assets associated with the venture.

The effort to grandfather such branding deals demonstrates the flimsiness of Trump’s pledge, said Richard Painter, who served as the ethics lawyer for the White House during the George W. Bush administration.

“They can take the tiniest little past involvement in something and then extend it into an enormous new deal,” Painter said. “There’s no way to distinguish between new business and old business.”

The deal with the Hazourys contemplated multiple stages of Trump-themed projects at Cap Cana, a master-planned resort town minutes from the busy Punta Cana International Airport. The project is twice the size of Manhattan, and Trump’s part began with the sale of 68 multimillion-dollar home sites known as “The Trump Farallons.” Trump-branded hotel, condominium and golf course projects were supposed to follow. At a lavish party in Cap Cana in 2007, Trump “congratulated fortunate buyers on their investment,” according to a press release by Cap Cana.

Trump’s deal never progressed beyond the initial sale of Trump-branded vacant lots. Though he described himself as a Cap Cana project developer in public statements, Trump invested no money, and the project stalled during the 2008 financial crisis. Further damaging the deal’s prospects, the developer wasn’t paying Trump the licensing fees on empty lots that had already sold.

After hiring an outside auditor, Trump sued in 2012, alleging that the Hazourys had hid many of the land sales and kept the proceeds. In an affidavit, Eric Trump called the sales reports the Cap Cana developers had provided to the Trump Organization “an outright lie.”

Before the case could go to trial, the Trump Organization and Cap Cana reached a confidential settlement in 2013.

During the following three years, neither the Trumps nor the Hazourys announced further cooperation, and Trump’s name largely disappeared from marketing materials. The exclusive real estate brokerage for the project dropped Trump’s name from “The Farallons.”

Garten said that, despite Cap Cana’s failure to deliver on its side of the contract and Trump’s demand that the project stop using his name during the litigation, Trump never canceled the underlying deal. The ultimate settlement of Trump’s suit against Cap Cana was amicable, he said, and further talks occurred well before last November’s U.S. election.

The only contract for the current venture was the one from 2007, which required the Hazourys to complete construction of all components by 2011. Other parts of the overall Cap Cana project have come to fruition — including an Eden Roc hotel, two golf courses and an expansive marina — but the properties sold in the Trump Farallons have been gradually overtaken by the jungle.

“We may not be able to work it out,” Garten said. Recent developments involving Cap Cana — including a previously unreported settlement between developers and holders of defaulted bonds — persuaded the Trump Organization to revisit its licensing deal. Garten said the company also believed that re-engaging on the project might be good for people who own the still-undeveloped Trump Farallon lots.

“We feel that we owe an obligation to the buyers to do what we can,” he said.

Representatives of Cap Cana did not respond to requests for comment.

William Ganz III, a Baltimore real estate agent who purchased one of the sites and built around 70 percent of a lavish villa before the Trump Farallons' distress, said Eric Trump's visit had caught him and other property owners by surprise since they were unaware of an ongoing relationship.

Ganz, who is looking for investors to help him finish the villa he started, said the Cap Cana developers' renewed interest in Trump-branded development was only logical given Trump's victory in the presidential campaign.

"Obviously it would make sense to restart that conversation now that Trump's in the limelight," he said. "It would be foolish not to try to make things start to happen."

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Associated Press correspondent Ezekiel LopezBlanco contributed to this report.

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## White House adviser 'counseled' after brand promotion

By **JULIE BYKOWICZ** and **BERNARD CONDON**, Associated Press Writers

WASHINGTON (AP) — The White House has "counseled" a top aide to President Donald Trump after she promoted Ivanka Trump's fashion line during a national cable television appearance from the White House.

But House Oversight Committee Chairman Jason Chaffetz says that's not enough, calling what Kellyanne Conway did "wrong, wrong, wrong, clearly over the line, unacceptable."

The Utah Republican congressman and Democratic Oversight Leader Elijah Cummings jointly asked the Office of Government Ethics to review the matter.

Chaffetz also said he will write a formal letter to the White House lodging his irritation. He said White House press secretary Sean Spicer's remark Thursday that Conway has been "counseled" doesn't go far enough.

"It needs to be dealt with," he said in an interview with The Associated Press. It's the first time during the young administration that Chaffetz has questioned an ethical matter.

Speaking later to Utah lawmakers, Chaffetz added: "Of course I'm going to call that out. My job is not to be a cheerleader for the president."

The White House said later Thursday that Trump "absolutely" continues to support Conway. In response to questions from The Associated Press, the White House said Trump didn't see Conway's interview on Fox News. But a spokeswoman said Trump "understands she was merely sticking up for a wonderful woman who she has great respect for and felt was treated unfairly."

In an interview later Thursday evening on Fox, Conway declined to discuss the case but said she had spoken with Trump and "he supports me 100 percent."

The ethics dustup began Wednesday with the president himself.

Reacting to news that a department store had dropped his daughter's line of clothing and accessories, Trump tweeted — and retweeted from the official presidential account — that Ivanka Trump had been treated "so unfairly by @Nordstrom."

Ivanka Trump does not have a specific role in the White House but moved to Washington with her husband, Jared Kushner, who is one of Trump's closest advisers. She followed her father's approach on business ties by handing over operating control of her fashion company but retaining ownership of it.

In a Thursday morning interview with Fox News from the White House briefing room, Conway urged people to "go buy Ivanka's stuff," boasting that she was giving the brand "a free commercial here."

While Trump and Vice President Mike Pence are not subject to ethical regulations and laws for federal employees, Conway, who is a counselor to the president, is. Among the rules: An employee shall not use his or her office "for the endorsement of any product, service or enterprise."

"For whatever reason, the White House staff evidently believes that they are protected from the law the same way the president and vice president are," said Stuart Gilman, a former special assistant to the director of Office of Government Ethics.

He called Conway's comments "unbelievable" and said they risk wrecking the U.S.'s reputation around



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the world as a model for government employee ethics.

Midday Thursday, the Office of Government Ethics sent a series of tweets saying the office has seen an "extraordinary" response from people emailing, calling and submitting information online about "recent events."

The office advises federal employees on such issues but is not an enforcement agency; enforcement falls to Congress, the General Accounting Office, the FBI, various inspectors general and others, OGE noted on Twitter.

Ultimately, it is up to Trump to punish employees for ethics infractions.

It's been a rough week for Conway. Her reference to a non-existent "Bowling Green massacre" in an MSNBC appearance made her a punchline for comics and Internet pranksters. She explained that it was a slip of the tongue and that she was referring to the 2011 arrest of two Iraqi nationals in Kentucky in a failed plot to send weapons overseas to al-Qaida, but it was subsequently found that she had made that misstatement before.

She also drew scrutiny from a tense interview with CNN.

In addition to the House Oversight Committee, two liberal-funded government watchdog groups pounced on Conway's comments, filing ethics violation complaints with the Office of Government Ethics. A third group, the Project on Government Oversight, asked Attorney General Jeff Sessions to open a Justice Department investigation into possible ethics violations.

Spicer said Wednesday that Trump was responding to an "attack on his daughter" when he posted the tweet and that "he has every right to stand up for his family and applaud their business activities, their success."

Ethics lawyers had a different interpretation. The implication, intended or not: Hurt my daughter's business and the Oval Office will come after you.

"This is a shot across the bow to everybody who is doing business with Trump or his family," said Norman Eisen, who was President Barack Obama's chief ethics counselor. "It's warning them: Don't withdraw their business."

Nordstrom reiterated Wednesday that its decision to drop Ivanka Trump's brand was based on its performance, not politics. The company said sales of her items had steadily declined over the past year, particularly in the last half of 2016, "to the point where it didn't make good business sense for us to continue with the line for now."

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Associated Press writers Michelle Price in Salt Lake City, Catherine Lucey and Chad Day in Washington and Anne D'Innocenzio, Matthew Ott and David Bauder in New York contributed to this report.

## Northeast hit by its biggest snowstorm of the winter

By PHILIP MARCELO, Associated Press

BOSTON (AP) — The biggest storm to hit the Northeast this winter dropped a foot or more of snow along the New York-to-Boston corridor Thursday, turning roads treacherous, grounding flights and giving millions of people weather whiplash a day after temperatures soared into the 50s and 60s.

Scores of accidents were reported as drivers confronted blowing snow and slick highways. Stretches of Interstate 95 in Rhode Island were closed in the afternoon after tractor-trailers got stuck, and dozens of motorists got stranded on New York's Long Island after they couldn't make it up icy ramps.

Schools closed in cities big and small, including New York City, Philadelphia and Boston, and government offices told non-essential workers to stay home.

More than 3,500 flights were canceled across the region and planes bound for New York's Kennedy Airport were ordered held on the ground for hours while crews cleared the runways. A de-icing truck caught fire at Bradley Airport outside Hartford, Connecticut.

In New York City, a doorman died after falling down a set of stairs and crashing through a plate-glass window while shoveling snow. Police said Miguel Angel Gonzalez, 59, of Bridgeport, Connecticut, suffered

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cuts on his neck and face.

In Rhode Island, they got "thundersnow," with whiteout conditions accompanied by the rumble of thunder. "It's pretty nuts here," Felecia White said as she and friends hunkered down in a restaurant in Newport, Rhode Island, waiting for the weather to improve. "Even with four-wheel drive, you can't do anything. You can't see across the street."

As of late afternoon, New York's Hudson Valley and parts of Long Island had up to a foot of snow, while New York City recorded about 9 inches.

A blizzard warning was posted for a swath of the New England coast, with forecasters saying Boston and Providence, Rhode Island, could get up to a foot and a half by evening. Boston canceled school on Friday, too.

West Hartford, Connecticut, had more than 14 inches by late afternoon, and Ludlow, Massachusetts, had 18 inches. Farther north, Nashua, New Hampshire, received over 13 inches and Berwick, Maine, recorded about a foot.

In Portsmouth, New Hampshire, about 100 people turned out for a snowball fight. Organizer Andrew Bagley said that while there was snow aplenty, it wasn't ideal for snowball making.

"It's just an unsanctioned, family-ish event for people staying home on a snow day," he said. "It's an excuse to come downtown and act like little kids again."

In New York City, a group of women in pajamas waited on the sidewalk in the freezing cold to attend a taping of ABC's "The Chew" show, where the day had been proclaimed "Pajama Day."

"It's fun. And it's an experience. Yesterday was 65 degrees, and today, a snowstorm," said Elaine Higgins, a retired educator from Blackwood, New Jersey. "What's life without adventure?"

The storm came midway through a largely snow-free winter in the Northeast and a day after much of the region enjoyed a brief taste of spring, with record-breaking highs in some places. Temperatures then crashed more than 30 degrees as the storm rolled in.

"We were waiting for a good one all year," said Morgan Crum, a manager at Katz Ace Hardware in Glastonbury, Connecticut, where more than 50 people stopped in to buy shovels, ice melt, gas cans and other storm provisions. "We live in New England. This is what we expect."

The Philadelphia area was largely spared after being told to expect up to 8 inches in the morning. Some suburbs received 5 inches, but by the afternoon, there was almost no trace of snow downtown, and the sun came out.

Wearing a T-shirt, Alicia Jones tossed salt on the sidewalk outside the Philadelphia restaurant where she works and lamented about what could have been. Her daughter had the day off from school, and Jones had been looking forward to playing in the snow with her.

"But by the time we woke up, it was all over," she said.

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Associated Press writers Chris Carola in Albany, New York; Shawn Marsh in Manasquan, New Jersey; Kiley Armstrong and Verena Dobnik in New York City; Bob Lentz and Mike Sisak in Philadelphia; Dave Collins in Hartford, Connecticut; Mark Pratt, Denise Lavoie and Bob Salsberg in Boston; Michelle Smith, Jennifer McDermott and Matt O'Brien in Providence, Rhode Island; Kathy McCormack and Holly Ramer in Concord, N.H., and Patrick Whittle in Portland, Maine contributed to this report.

## Celebrity megaphone fails to lure ordinary users to Twitter

By **BARBARA ORUTAY, AP Technology Writer**

NEW YORK (AP) — Many people have heard of Twitter. Not enough of them are signing up to use it. Twitter's role as a megaphone for the U.S. president, countless celebrities and businesses hasn't attracted regular people to the service — not in the way Facebook has, or even Instagram and Snapchat. The San Francisco company's latest earnings report and dismal forecast suggest that this is unlikely to change any time soon. CEO Jack Dorsey acknowledged long ago that Twitter needs to do more to convince people why it's useful.

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"The whole world is watching Twitter. While we may not be meeting everyone's growth expectations, there's one thing that continues to grow and outpace our peers: Twitter's influence and impact," Dorsey said in a conference call with analysts on Thursday. "You don't go a day without hearing about Twitter."

But that doesn't amount to much if Twitter can't translate influence into boosting its user base, advertising and revenue. Rumors of a potential sale of the company have long swirled, but no buyers have emerged. Twitter has dismissed such speculation, doubling down instead on making the service safer, differentiating it from rivals and becoming profitable for the first time in 2017.

While Dorsey and Twitter have taken major steps recently to address some of users' biggest concerns, including clamping down on hate speech and abuse, this has yet to make a notable difference in drawing new users. For the final three months of 2016, Twitter averaged 319 million monthly users, up just 4 percent from a year ago.

Meanwhile, Twitter has yet to address other issues, including simple ones such as the ability to edit tweets. "Just like Myspace, perhaps, Twitter does not (want) to 'change the formula' for fear of losing its unique simple user experience," Mark Skilton, a professor at Warwick Business School, wrote in an email. "But the shareholders and CEO Jack Dorsey are running out of time."

Twitter's revenue growth has stalled for more than two years, and the company is cutting costs and shuffling executives. Dorsey, the Twitter co-founder who rejoined the company in late 2015 with hopes of reviving it, called 2016 "a transformative year as we reset and focused on why people use Twitter: It's the fastest way to see what's happening and what everyone's talking about."

Even before the election, Donald Trump used Twitter like no other presidential candidate, firing out broadsides and accolades in rapid succession and generating headline after headline with 140-character missives.

His election has created a more active landscape for Twitter. Average daily active usage rose 11 percent compared with the same time last year. But Trump's tweets haven't inspired people to sign up for the service en masse. The increased usage is mostly among existing users.

Because of Twitter's public nature, users can see a lot of what's published there — such as Trump's tweetstorms — without creating an account. And the service can be difficult to use for people not versed in lingo like hashtags, @-replies and the like. The company also hasn't quite been able to explain just why people need it — unlike Facebook, for example, which is widely seen as a place to keep up with friends and family. Facebook's base of 1.86 billion monthly users is nearly six times that of Twitter.

Meanwhile, Instagram attracts 600 million monthly users who want to share photos and videos with friends or the broader world. And Snapchat, best known for disappearing photos and messages and quirky facial filters, is a favorite among millennials. It has 158 million daily users (the company doesn't disclose monthly users, as rivals do).

In a charged political and social environment, Twitter is trying to balance its position as a platform for free speech while curtailing hate speech and bullying. Twitter has taken several steps to address abuse, though it's too early to tell whether they are working. This week, Twitter said it has begun identifying people who have been banned for abusive behavior and will stop them from creating new accounts. Twitter also said it's creating a "safe search" feature to remove tweets with potentially sensitive content and those from accounts you have blocked or "muted," which is slightly less drastic than blocking someone.

But what matters most to Wall Street is making a profit — something Twitter has yet to do in its 11-year existence. Losses for Twitter swelled to \$167 million in the fourth quarter, from \$90.2 million a year earlier, as revenue inched up 1 percent to \$717 million.

Excluding special items such as expenses for stock compensation, per-share earnings of 16 cents was 4 cents better than expected, but that was overshadowed by its outlook. A lean profit outlook for the current quarter sent Twitter shares plunging more than 12 percent, or \$2.31, to close Thursday at \$16.41.

There was one silver lining in the results: video. The company says it streamed more than 600 hours of live premium video from sports, news and entertainment events during the quarter, drawing 31 million unique visitors. Live video is important for Twitter because of the potential ad dollars.

AP Technology Writer Mae Anderson in New York and AP Business Writer Tom Murphy in Indianapolis contributed to this story.

This story has been corrected to reflect a 140-character limit, not 130 words.

## For Trump, a solitary start to life in the White House

By **JULIE PACE** and **JONATHAN LEMIRE**, Associated Press

WASHINGTON (AP) — Around 6:30 each evening, Secret Service agents gather in the dim hallways of the West Wing to escort Donald Trump home.

For some presidents, the short walk between the Oval Office and the White House residence upstairs is a lifeline to family and a semblance of normal life. Others have used the grand residence for late night entertaining and deal-making with lawmakers.

For Trump, life in the White House residence is so far a largely solitary existence. With his wife and youngest son living in New York, and his grown children busy with their young families, Trump's first evenings have been spent largely alone, tethered to the outside world only by his phone and his television. The dramatic change of scenery has left the 70-year-old president, a known creature of habit, a little adrift in the evenings, according to one person who spoke with him recently.

Another regular contact described the president as still adjusting to this new digs and his somewhat more confined schedule. His advisers initially said they expected him to spend his evenings holding working dinners, like one scheduled Thursday with Republican mega-donor Sheldon Adelson.

While Trump has marveled at the history and beauty of his new home, "it's still government housing," said Christopher Ruddy, the CEO of Newsmax and a friend of the president's.

A half-dozen other friends, advisers and associates of the president spoke about his first weeks in the White House on the condition of anonymity in order to detail private conversations.

The interviews underscore the relatively large circle of people who have spoken with the new president, despite the busy schedule and enormous pressures of the job. Trump has been spending his nights making and taking calls to an expanding network of old friends, lawmakers and others.

Calls often come in to Trump's personal cellphone, which he fought staff and his security team to keep. Rather than hold lengthy conversations on the unsecured line, Trump often calls people back on other lines, sometimes going through the White House switchboard.

The president, who says he's sleeping four or five hours a night, is dialing up associates late at night and early in the morning, before he returns to the West Wing. He recently reached House Speaker Paul Ryan while the Wisconsin Republican was in the middle of an early morning workout.

Ryan has become a more frequent point of contact for the president, who has been touting his improved relationship with the speaker in conversations with advisers and associates. Their discussions are said to largely focus on policy, including health care and tax reform, the latter an issue where the speaker's office is trying to bring the White House closer to House Republicans' position.

Trump has privately conceded some early missteps after a turbulent start to his term, including the flawed rollout of his controversial refugee and immigration plan and a lack of clear lanes for his top advisers. But despite public opinion polls showing less than 50 percent of Americans approve of his presidency thus far, Trump has sounded confident about his standing.

During one late night discussion, Trump was already talking about seeking a second term. When an associate suggested he was weakening Democrats by usurping some of the party's best policy ideas, the president readily agreed.

When he isn't talking about his early presidency, Trump — who is sometimes joined by his longtime security chief, Keith Schiller — is often watching others talk.

The president's advisers have tried to curb his cable news consumption during the workday. But there are no limits when the president returns to the residence. During another recent telephone conversation,

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Trump briefly put down the phone so he could turn up the volume on a CNN report. When he returned to the call, he was complaining about "fake news."

In some ways, his new lifestyle in the White House resembles the routines he created during decades living atop Trump Tower. He long has preferred the comforts of home, eschewing much of Manhattan's social scene in favor of evenings in his penthouse with close friends, family and his television.

First lady Melania Trump and the couple's 10-year-old son, Barron, are staying in New York at least until the end of the school year. Mrs. Trump hasn't been seen in Washington since the weekend of the president's inauguration, and Trump has yet to return to New York. The Trumps did spend last weekend together at Mar-a-Lago, the president's palatial South Florida club.

Trump's daughter Ivanka and her husband, White House senior adviser Jared Kushner, made the move to Washington, but have focused on getting their young family settled into life in a new city. The couple also spend some evenings dining with business and political contacts.

Trump is returning to Mar-a-Lago again on Friday with Japanese Prime Minister Shinzo Abe and may keep making weekend trips for the rest of the month. Friends who saw the president at the coastal estate last weekend described him as relaxed, particularly at a black tie gala for the Red Cross and on the golf course with some of his regular playing partners.

Despite Trump's weekend escapes, advisers say he has taken to the White House. He's told associates it feels like a movie set and has spent time making sure it looks up to his standards, according to one person who has been in contact with him. The Trumps have hired Tham Kannalikhram, a low-profile interior designer, to help put their touch on the White House residence.

During a recent interview with Fox News, Trump said he was walking into the main entrance of the White House one day and said to himself, "This is sort of amazing."

"It's like a surreal experience, in a certain way," Trump said. "But you have to get over it."

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Lemire reported from New York.

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Follow Julie Pace at <http://twitter.com/jpaceDC> and Jonathan Lemire at <http://twitter.com/jonlemire>

## Put it on paws? Trump visit is uncertain for dog show champ

By **BEN WALKER, AP Sports Writer**

NEW YORK (AP) — For years, the champion at the Westminster dog show was treated to quite a victory lap: Visit the morning TV shows. Up the Empire State Building. Lunch at Sardi's. Bark on a Broadway stage.

Oh, plus another perk — a meet-and-greet with Donald Trump.

It's true. America's top pooch and the man who would become president, together five times at Trump Tower.

Puckering with Miss P the beagle. Petting little Banana Joe the affenpinscher. Posing on his knees with Hickory the Scottish deerhound.

"Who's got better hair, him or me?" dog expert David Frei remembers Trump asking while admiring Malachy, a prize Pekingese.

The trips began in 2010 with Sadie the Scottish terrier. Trump once attended the show at Madison Square Garden to see a pal present her poodle, and the friend later helped arrange the merger between Westminster winners and the business giant.

The next champ will be picked Tuesday night, with Preston the mop-like puli a huge favorite among the 2,800 dogs vying for best in show. So, will the custom carry over with President Donald Trump in his new office?

Put that on paws, for now.

"He's a New York City institution and has always been a wonderful supporter of the show," Westminster Kennel Club President Sean McCarthy said. "We hope Donald continues the tradition and invites the best in show and the agility champion to the White House."

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The White House didn't respond to questions about whether Trump would invite the winner to Washington. And there are signs the tradition is ending as Trump transitions to politics: CJ the German shorthaired pointer took the top award last February, but didn't see Trump during election season.

People in the room for Trump's visits, in those pre-presidential days, describe him as friendly and relaxed, smiling broadly while spending up to a half-hour with the victors.

A self-confessed "germaphobe," Trump didn't seem bothered a bit by the close brushes with the dogs, either.

"President Trump was very welcoming to both me and Miss P," handler Will Alexander recalled of his 2015 meeting. "We spoke of mostly sports and dogs."

"The whole time he was holding her in his arms. She even left beagle hair on his black suit and it didn't faze him," he said.

Trump often brought his children in to see the dogs, too.

"He could not have been more engaging," said Frei, host of Westminster telecasts for 27 years. "He did not have any qualms."

"He wasn't like a wealthy businessman ... 'It's 12:07, time for me to make phone calls,'" Frei said.

Every president since Harry S. Truman has owned a pooch while in office. Which leads to the big question: Is there a dog in the White House future?

No definitive answer from Trump yet.

In 2008, President George W. Bush and wife Laura met adorable Westminster winner Uno the beagle in the Rose Garden and gave him a red, white and blue collar.

Bush had his own beloved dog, Barney, who freely wandered the West Wing. President Barack Obama and his family had a pair of Portuguese water dogs, Bo and Sunny — in 2015, a prime Westminster contender named Matisse was Sunny's cousin.

Several blocks from the White House, on Pennsylvania Avenue, the Newseum features the popular display "First Dogs: American Presidents and Their Pets."

"Pets are part of the presidential experience," said Patty Rhule, director of exhibit development at the museum.

"Presidents have used their pets to connect with their public," she said, adding that during turbulent times, it can be convenient to go, "Don't look at these negative things, look at our dogs."

President John F. Kennedy, she said, was allergic to dogs. No matter, JFK gladly let puppy Pushinka and her playmates romp around, helping craft his image as "a man of the people," Rhule said.

President Lyndon B. Johnson, meanwhile, once created a furor by picking up his beagle, called Him, by the ears.

Over the years, Lucky and Rex became regulars around President Ronald Reagan, and Buddy the chocolate Labrador retriever roamed with President Bill Clinton.

"Our pets humanize us," Rhule said. "You go to the dog park, it doesn't matter if you're a Democrat or Republican, it's 'let's talk about our dogs.'"

## Russian 'friendly fire' kills 3 Turkish soldiers in Syria

By SUZAN FRASER and SARAH EL DEEB, Associated Press

ANKARA, Turkey (AP) — A Russian warplane on Thursday accidentally hit a building in northern Syria with Turkish soldiers inside, killing at least three troops and wounding 11, Turkey's military said.

Russia immediately apologized for the bombing near the Islamic State-held town of al-Bab, which came amid warming ties between Turkey and Russia after they were strained by Turkey's downing of a Russian jet near the border with Syria two years ago.

Meanwhile, in a further reflection of how complex the Syrian theater of war has become, Turkish-backed Syrian opposition fighters and Syrian government-allied troops briefly clashed on the outskirts of al-Bab in the first such confrontation since the Turkey-backed offensive began in northern Syria last August.

Thursday's clashes came despite Ankara's remarks the previous day that it was in talks with Moscow to

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coordinate troop movements and avoid any encounter with the Syrian military in the fighting around the town.

Al-Bab, one of the Islamic State group's last major strongholds in Syria besides its self-declared capital of Raqqa, has emerged as the latest epicenter of the Syrian conflict, where the interests of various stakeholders converge. Turkish troops and Turkey-backed Syrian opposition fighters have been trying unsuccessfully to capture the town from IS for months.

More recently, Russian-backed Syrian government forces and their allies have converged on the town, and on Thursday made significant advances that brought them less than three kilometers (1.5 miles) from the town, according to opposition monitors.

The race for al-Bab has shaped up to be a test for the emerging cooperation between Russia and Turkey to help end the 6-year-old conflict in Syria — and the outcome could define a lot of what happens next.

The Russian airstrike came as Turkey was holding funerals for five Turkish soldiers killed in an IS attack near al-Bab the day before.

President Vladimir Putin promptly called his Turkish counterpart, Recep Tayyip Erdogan, to express regrets over what the Russian leader called a "tragic incident."

The Turkish military said Turkey and Russia were conducting a joint investigation into the bombing.

The two countries reconciled last year after ties were soured over the downing of the Russian jet in 2015. In late December, they brokered a cease-fire for Syria, and in January they sponsored peace talks in Astana, Kazakhstan, attended by Syrian rebels and officials of President Bashar Assad's government.

The deaths from Thursday's airstrike raise the number of Turkish troops killed in Turkey's operation in Syria to 64.

The clashes between Turkey-backed Syrian opposition fighters and Syrian government-allied troops were reported by several activists and monitors of the conflict.

Majid Othman, a reporter for the opposition-run Thiqa news agency who is accompanying Syrian opposition fighters in al-Bab, told The Associated Press that a sniper opened fire on the Turkey-backed forces advancing on the western edge of al-Bab, sparking clashes that wounded several fighters.

The Britain-based Syrian Observatory for Human Rights said the clashes were fierce in the area, where government troops made a significant advance Thursday.

There was no immediate comment from Damascus on the reported clashes.

A Russia- and Turkey-sponsored cease-fire, in place since Dec. 30, has excluded areas where militant factions, the Islamic State group and Syria's al-Qaida affiliate, operate or hold ground.

Syrian government troops and allied militias, as well Turkish troops, the U.S-led international coalition and Russia have been going after IS in different parts of the country.

The push has lately focused on the IS-held town of al-Bab, northeast of Aleppo. Syrian government forces and their allies have been pushing from the south, aided by Russian airstrikes

Meanwhile, Turkish troops backing Syrian opposition fighters have pushed their way from the western part of the town, entering the outskirts of al-Bab. The two advances have effectively encircled the militant group.

Elsewhere, the Syrian Arab Red Crescent and the Red Cross said a suspected rebel mortar attack that hit a Red Crescent distribution center in the government-held city of Aleppo on Wednesday killed a volunteer and two civilians.

The attack in the Hamadaniya neighborhood also wounded seven volunteers. Syria's state news agency said mortar shells also hit other buildings in the neighborhood.

After years of heavy fighting, Syrian government forces drove the rebels out of eastern Aleppo in December, but the opposition still holds some areas on the city's outskirts. Fighting has continued around Aleppo and in other parts of Syria despite the Russia- and Turkey-brokered cease-fire.

Violence has also beset rebel- and opposition-held areas, including in Homs, where at least nine civilians were killed in suspected Russian or government airstrikes on Wednesday. The governor of Homs, Talal Barazi, told the AP that three people were killed when an explosive device was detonated in the city on Thursday.

El Deeb reported from Beirut. Associated Press writer Albert Aji in Damascus, Syria, contributed to this report.

## Russian hackers get burned in deal with Russia's spy agency

By VITNIJA SALDAVA and VLADIMIR ISACHENKOV, Associated Press

TALLINN, Estonia (AP) — For several years a group of Russian hackers have been posting letters and documents stolen from senior Russian officials with impunity. And then the nation's spy agency tracked them down and offered them a deal.

A member of the Shaltai Boltai (Humpty Dumpty) group told The Associated Press on Thursday that the hackers accepted the offer from the Federal Security Service, or FSB, the top KGB successor agency: show their spoils before publishing in exchange for protection.

But somehow the things went wrong for the group, and its leader and two other men have ended up behind bars.

Alexander Glazastikov, who spoke to the AP from Tallinn, Estonia, where he's seeking political asylum, said his group had no connection to the hacking of Democratic Party emails during the 2016 U.S. election campaign. Former President Barack Obama's administration had accused Russia of launching the hacking campaign to help Republican Donald Trump win, accusations that the Kremlin has denied.

"We did not have any interest in Western countries, the United States. No one except inside Russia," Glazastikov said.

He didn't say if the FSB officers who approached the group were those arrested in December on charges of spying for the United States. The arrests reported by Russian media outlets fueled speculation that the officers could have been connected to hacking the Democrats.

While the interview Thursday provided no new information about Russian meddling in the U.S. elections, it offered a rare glimpse into the shadowy world of Russian politics, where hackers serve as a weapon for competing Kremlin clans and rival spy agencies.

Glazastikov said the hacking group's leader, Vladimir Anikeyev, had offered to set up Shaltai Boltai as a resource that would release information serving public interests. Glazastikov said he joined the group because he was bored with his marketing job.

The group quickly won the limelight by publishing letters written by government officials, artists or Kremlin-connected tycoons that cast them as unscrupulous and cynical. And then Shaltai Boltai began to cash in on its fame by blackmailing its victims to make them pay to prevent the publication of their personal data.

Glazastikov said he believed the group crossed a red line for Russian officials in 2015, when it posted letters and documents from the chief of the Defense Ministry's construction department and then followed up with an open letter to the head of military counterintelligence mocking the agency's inability to keep secrets.

"We were playing with fire: The counterintelligence got very interested in us after that letter," Glazastikov said in an interview broadcast Thursday with the Russian Dozhd television station.

He said unidentified people, possibly from the Defense Ministry, bought the cache of documents stolen from the military construction department chief for about \$100,000.

Separately, the FSB, competing for influence with other spy agencies, got the hacking group in its cross-hairs.

Glazastikov told Dozhd that Anikeyev, the hacking group's leader, had told him the FSB contacted him via proxies to give a message: "Guys, we know all about you. We won't arrest you, but we would like to know what you are doing."

Neither the Defense Ministry nor the FSB has had any immediate comment about Glazastikov's claims.

Glazastikov said Anikeyev was maintaining links to hackers who stole personal data and also dealing with the victims and those who ordered the hackings. Glazastikov estimated the group earned up to \$2 million since 2014, but a large share of the money was spent to cover "operational expenses." He said he



himself made less than \$100,000.

Glazastikov said Anikeyev didn't name the FSB officers he was dealing with, and added that he doesn't know if they were the officers of the FSB's cybercrime division arrested on treason charges in December. Two of them have been named in Russian media as Col. Sergei Mikhailov, deputy head of the FSB's Information Security Center (TsIB), and his subordinate, Maj. Dmitry Dokuchayev.

According to Russian media reports, Mikhailov was arrested in a way designed to sow fear in the ranks: He had a bag placed over his head while attending a meeting of senior FSB officials.

Glazastikov said Anikeyev had asked him to come to Russia, but he refused because he had a feeling that Anikeyev had been arrested and was making the request on officials' orders. Another hacking group member, Konstantin Teplyakov, agreed to come and was arrested.

Anikeyev's arrest was later officially announced.

Glazastikov said he didn't know another alleged group member, Alexander Filinov, who also was arrested. Filinov showed up Thursday at a Moscow court, which extended his arrest until April.

Isachenkov reported from Moscow.

## Syria war seethes despite cease-fire

**PHILIP ISSA, The Associated Press**

BEIRUT (AP) — Syria's fronts are on fire despite a cease-fire reached in December between the rebels and the government.

Though the two sides sat face-to-face in the Kazakh capital of Astana a month later, the government has pressed offensives against rebels around the capital, Damascus, and recently escalated its air campaigns in Homs and Idlib.

The war's January toll — some 2,000 dead, about a third of them civilians, according to the Britain-based Syrian Observatory for Human Rights monitoring group — is the lowest it has been in four years. But that may be because the government wrapped up operations for Aleppo, the country's largest city, last year.

Rebels, for their part, struck at government positions in central Hama province, though they have been mostly occupied by infighting in Idlib that calls into question the direction of their insurrection.

In the midst of all this, the Islamic State group has renewed its crusade for the remote eastern city of Deir el-Zour, while holding onto the culturally cherished site of Palmyra. At the same time, Turkish troops and the rival Syrian military are both closing in on the IS-held town of al-Bab, as U.S.-backed Kurdish forces bear down on the extremist's self-declared capital, Raqqa.

Though small and out of the way, al-Bab is shaping up to be the weather vane for the rest of the conflict as the U.N. plans to convene Syria peace talks in Geneva on Feb. 20.

The government and rebels have converged on the town with clashes breaking out between the two sides for the first time on Thursday. Separately, a Russian airstrike killed three Turkish troops in what Russia said was an accident. It is now up to Turkey, Russia and Iran to demonstrate whether they can mediate a stable outcome for the town, or whether the front will dissolve into open warfare. Turkey is backing the rebels and has deployed several thousand troops to fight the Islamic State in al-Bab, while Russia and Iran support the government's side.

Here's a look at the fighting around Syria:

### DAMASCUS

Despite a rebel ultimatum delivered in Astana against further aggression around the capital, Syrian government forces along with Lebanon's Hezbollah militant group pressed on with an offensive against rebels holding Damascus's primary water source, and defeated them one week later. About 2,000 rebels, opposition activists and their families chose exile from the Barada valley rather than remaining under government authority.

This has become the hallmark of the government's strategy — to squeeze its opponents through siege then offer them exile. Hundreds of thousands have fled their homes from bombardment across the coun-

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try, with thousands more fleeing to northwestern Idlib province instead of submitting to government rule. Opponents call the strategy "forced displacement."

Government forces have also intensified their assault on the eastern Ghouta region outside Damascus. Home to some 400,000 people, the area has hardly seen a day without fighting since the rebels expelled the government in 2012. The government justifies its attacks, saying those areas include fighters from the al-Qaida branch in Syria, although the rebels deny that.

Rebel factions are fighting back with tank, artillery, and other heavy weapons fire.

## IDLIB

This province in northwestern Syria is now almost entirely under rebel control and has been overwhelmed by hundreds of thousands of people displaced by fighting there and elsewhere.

But it is hardly safe. Multinational aircraft are constantly raiding the province, striking al-Qaida-linked rebels as well as civilian positions. U.S. coalition aircraft are believed to have killed more than 100 al-Qaida-linked fighters on the last day of Barack Obama's presidency, according to the Pentagon, while government or Russian aircraft are believed to be behind a string of raids on the provincial capital, also called Idlib, that killed at least 26 civilians and more than a dozen militants earlier this week, according to the Observatory.

Rebels, meanwhile, are fighting one another in the province as they divide into competing camps over whether to engage in the diplomatic process in Geneva and Kazakhstan. On the one side are groups aligned with the al-Qaida-linked affiliate, Fatah al-Sham, while on the other are an array of Western- and Turkish-backed rebels, led by the ultraconservative Ahrar al-Sham.

## CENTRAL SYRIA

Pro-government forces have intensified their bombardment of al-Waer, the only enclave for the opposition in the country's third-largest city, Homs. Nine people were killed in shelling and airstrikes on Wednesday, according to local activists. Osama Abu Zeid, a resident, said he believes the government is trying to force the neighborhood to surrender and activists like him into exile.

Rebels, meanwhile, are raiding towns and villages loyal to the government in neighboring Hama province.

## ISLAMIC STATE TERRITORY

The Islamic State group seized Palmyra and its ancient ruins on Dec. 11 and has maintained its grip on it ever since. It has gone so far as to threaten the government's position at the strategic T4 air base in central Syria, but the military has so far stood up to the test. The group has seized and destroyed several natural gas fields and facilities, with consequences for the national economy for years to come.

The extremists also stepped up their campaign for Deir el-Zour, which has been under siege since 2015, and for a nervous two weeks in January forced the U.N. food agency to abandon its air drops due to safety fears. The U.N. estimates more than 90,000 civilians are trapped inside. Government troops and loyal militias are fighting back.

With the U.N. planning to convene peace talks in Geneva on Feb. 20, hopes for success hinge on the intentions of the three powers closest to the conflict — Turkey, Russia and Iran — who together pledged to guarantee the tenuous cease-fire.

And nowhere will their intentions crystallize more clearly than in al-Bab, where each side has a stake — Turkey fighting alongside the Syrian rebels, and Russia and Iran backing the Syrian government and allied Shiite militias.

The outcome in al-Bab — whether it is ultimately taken by the government or the rebels, and whether the front between the two sides stabilizes or dissolves into all-out warfare — will set the direction of future talks and any settlement.

## Palestinian gunman wounds 6 Israelis in attack near market

By IAN DEITCH, Associated Press

JERUSALEM (AP) — A Palestinian opened fire and stabbed shoppers with a screwdriver near a busy open air market in central Israel on Thursday, wounding at least six people, police said.

Spokesman Micky Rosenfeld said police confirmed it was a "terror attack" and that the 18-year-old Pal-

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estinian from the West Bank was arrested soon after the shooting in Petah Tikva.

Israeli media reported that the Palestinian attacker fired at a bus and toward shoppers buying groceries at the market ahead of the Jewish Sabbath, before running down the street. He continued shooting as civilians gave chase.

The Ynet news site said he fled into a repair shop for sewing machines, where passers-by tackled him. They threw a sewing machine and chairs at the attacker and subdued him before police detained him. The site published a photo of a blood-stained sewing machine from the scene.

The Palestinian stabbed an Israeli in the neck with a screwdriver in the struggle.

Israel's ambulance service said a man and a woman in their 50s and a woman in her 30s were treated for bullet wounds to their lower bodies. A 40-year-old man was stabbed in his upper body, it said.

At least six people were wounded, said police spokesman Ami Ben David.

Since 2015, Palestinian attackers have carried out numerous stabbings, shootings and assaults using cars, killing 41 Israelis and two visiting Americans. During the same period, Israeli forces have killed 235 Palestinians. Israel says most of the Palestinians killed were attackers while others died in clashes with Israeli forces.

Israel says the bloodshed is fueled by a Palestinian campaign of incitement, compounded by social media sites glorifying attackers and encouraging violence. Palestinians say it stems from frustration over decades of Israeli rule in territory they claim for a state.

Israel's U.N. Ambassador Danny Danon called on U.N. Secretary-General Antonio Guterres to condemn the "terror attack" and urged the Security Council to convene a special session "on Palestinian incitement to violence."

"An eighteen-year-old Palestinian filled with hatred attacked innocent Israelis today," Danon said in a statement. "This terror attack is a direct result of ongoing incitement from the Palestinian leadership. The international community must take immediate and decisive action against this incitement before it leads to any further bloodshed."

Earlier on Thursday, an explosion killed two Palestinians along the Gaza border with Egypt in what appeared to be a strike on cross-border smuggling tunnels.

Palestinian officials said the blast was caused by an Israeli airstrike, but the Israeli military denied any involvement. Residents said the explosion was on the Egyptian side of the border, raising the possibility of an Egyptian strike.

Gaza Health Ministry spokesman Ashraf al-Kidra said the pre-dawn explosion killed two men and wounded five others. Palestinian civil defense workers recovered the bodies and the wounded and transferred them to hospitals in the southern Gaza Strip.

Mohammed Zorob, who lives in the border town of Rafah, said the blast took place on the Egyptian side.

Hamas has been working to improve relations with Cairo in recent months, and recently announced the deployment of additional forces along the border. The Islamic militant group ruling Gaza says the border is more secure and that underground smuggling has ceased.

The Israeli military, which has not struck the Gaza tunnels since the 2014 war, denied it was involved in the blast.

On Wednesday, the military said its missile defense system intercepted several rockets fired by militants in Egypt toward the southern Israeli city of Eilat — a relatively rare occurrence. Islamic State militants in the Sinai Peninsula claimed responsibility for the rocket attack.

Earlier this week, Israel carried out several strikes on Hamas targets after a rocket landed in Israel. Israel holds Hamas responsible for any fire originating from Gaza.

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Associated Press writers Fares Akram in Gaza City, Gaza Strip, and Edith M. Lederer at the United Nations contributed to this report.

## UN: China moves to stop taking organs from prisoners

By **MARIA CHENG** and **NICOLE WINFIELD**, Associated Press

ROME (AP) — The World Health Organization says China has taken steps to end its once-widespread practice of harvesting organs from executed prisoners but that it's impossible to know what is happening across the entire country.

At a Vatican conference on organ trafficking this week, a former top Chinese official said the country had stopped its unethical program, but critics remain unconvinced.

In an interview Thursday, WHO's Jose Ramon Nunez Pena said he personally visited about 20 hospitals in China last year and believes the country has reformed. But he acknowledged that it was still possible "there may still be hidden things going on." China has more than 1 million medical centers, although only 169 are authorized to do transplants.

Nunez Pena said he had seen data including organ transplant registries and was convinced the country was now shifting away from illegally harvesting organs.

"What is clear to me is that they're changing," he said. "But in a country as huge as China, we can't know everything."

Earlier this week, critics questioned China's claims of reform and suggested that WHO should be allowed to conduct surprise investigations and interview donor relatives. The U.N. health agency has no authority to enter countries without their permission.

China's Dr. Haibo Wang responded that China shouldn't be singled out for such treatment while other countries were not. The head of the Chinese delegation, Dr. Huang Jiefu, told the conference there had been an increase in both living and deceased voluntary organ donors following China's crackdown on the illicit organ trade.

"It sounds a little hard to believe that China could have so quickly made this change to its organ donation program," said Vivek Jha, executive director of the George Institute for Global Health in India.

He said China should provide the international transplant community with data to prove that its organs are no longer being illegally procured.

"It could be the case that China has changed," he said. "The problem is we just have not seen the information to prove it."

Nunez Pena said tracking illegal organ activities was inherently difficult and that countries with past problems like India and Costa Rica appeared to have improved practices, but that officials couldn't be absolutely certain that was the case. He said WHO officials were now focusing on other countries like Egypt and Sri Lanka as worrisome centers of organ harvesting.

Campbell Fraser, an organ trafficking researcher at Griffith University in Australia, agreed the trends over the past few years have shown a drop in the number of foreigners going to China for transplants and an increase of organ seekers heading to the Middle East.

At a press conference at the Chinese Embassy in Italy following the two-day Vatican organ conference, Fraser said migrants — including Syrians, Somalis and Eritreans — sometimes resort to selling off a kidney to pay traffickers to get them or their families to Europe.

"Egypt is where the biggest problem is at the moment," he said, adding that it has the best medical facilities in the region and can perform the live donor surgeries.

He estimated as many as 10 such illicit transplants could be happening per week, though he had no statistics and said he based his research largely on anecdotal information from recipients, law enforcement, doctors and even some organ "brokers."

Fraser said he has access to transplant patient "chat boards" because he himself had a kidney transplant in his native Australia in 2003.

Nunez Pena said it was likely that organ trafficking would find its way to conflict-plagued regions.

"We're hearing about a lot of problems in Egypt, Pakistan and the Philippines," he said, predicting that authorities were poised to break up an organ smuggling ring in Egypt in the next few weeks. "Wherever you have vulnerable people, you will see these kinds of problems."

## Trump nominee decried criticism of judges, senators agree

By VIVIAN SALAMA and KEN THOMAS, Associated Press

WASHINGTON (AP) — President Donald Trump insisted Thursday that comments by his Supreme Court nominee criticizing his own attacks on the judiciary were “misrepresented,” even as Republican and Democratic lawmakers vouched for the veracity of the remarks.

Trump responded after private rebukes from Judge Neil Gorsuch, who said in meetings with lawmakers on Wednesday that the president’s comments about federal judges were “disheartening.”

Gorsuch, who was nominated by Trump last week to the nation’s highest court, made the comments in meetings with senators after Trump accused an appeals court panel considering his immigration and refugee executive order of being “so political.” Over the weekend, he labeled a judge who ruled on his executive order a “so-called judge” and referred to the ruling as “ridiculous.”

Democratic Sen. Richard Blumenthal of Connecticut first relayed Gorsuch’s remarks on Wednesday following a meeting with him. Trump’s own confirmation team for Gorsuch later confirmed he had made the remarks.

But Trump said during a Thursday luncheon with senators that Blumenthal had misrepresented Gorsuch. “His comments were misrepresented. And what you should do is ask Senator Blumenthal about his Vietnam record that didn’t exist after years of saying it did,” he said.

Blumenthal, who served in the Marine Corps Reserves during Vietnam, apologized in 2010 for saying he had served in Vietnam.

The president made the comments while making the case for Gorsuch during a luncheon with 10 senators, including six of Blumenthal’s fellow Democrats.

Blumenthal, a former state attorney general, argued Thursday that Gorsuch would need to go further to publicly denounce Trump’s verbal assault on judicial independence.

“He needs to condemn Donald Trump’s attacks publicly and it needs to be much stronger, more explicit and direct than has been done so far,” Blumenthal said. “Unless it is done publicly in a clear condemnation, it will not establish his independence.”

Lawmakers from both parties quickly vouched for the veracity of the remarks the senator said Gorsuch made. GOP former Sen. Kelly Ayotte, who is helping with Gorsuch’s confirmation and was at the meeting, issued a statement saying Gorsuch made clear he was not referring to any specific case. But she said the nominee said he finds any criticism of a judge’s integrity and independence to be “disheartening and demoralizing.”

Senate Minority Leader Chuck Schumer, D-N.Y., and Sen. Ben Sasse, R-Neb., each confirmed that Gorsuch made the same comments to them.

Sasse told MSNBC’s “Morning Joe,” “Frankly, he got pretty passionate about it.” He added that Gorsuch said any attack on the “brothers or sisters of the robe is an attack on all judges’.”

Fellow Connecticut Democratic Sen. Chris Murphy came to Blumenthal’s defense Thursday, lashing out in a tweet directed at Trump: “Ha! As a prosecutor, Dick used to put guys like u in jail. Now, u use your position to mock vets, he uses his to make their lives better.”

Gorsuch’s comments came at the end of a week of meetings with members of the Senate, which is considering his nomination. His response may have been aimed at drawing a line of separation with the new president.

The 9th U.S. Circuit Court of Appeals is weighing the appeal of Trump’s executive order on immigration, which included a temporary travel ban on people from seven Muslim-majority countries. In a hearing Tuesday, judges on the appeals court challenged the administration’s claim that the ban was motivated by terrorism fears, but they also questioned an attorney’s argument that it unconstitutionally targeted Muslims.

Trump told visiting police chiefs Wednesday that a portion of the immigration law gives him the power to enact the ban, calling it “beautifully written” and saying, “A bad high school student would understand this.”

“Courts seem to be so political and it would be so great for our justice system if they would be able to read a statement and do what’s right,” Trump added. “And that has to do with the security of our country,

which is so important.”

Since a lower-court judge blocked the order last week, Trump has assailed the decision, leading legal experts, Democrats and some Republicans to question whether his remarks might jeopardize the independence of the judiciary. Others have expressed fears he may be attempting to use political influence to sway the courts.

The president has repeatedly said foreigners are “pouring in” since the ban was put on hold and suggested that blocking the order would be dangerous for U.S. citizens.

On Wednesday he tweeted, “Big increase in traffic into our country from certain areas, while our people are far more vulnerable, as we wait for what should be EASY D!”

The administration has not provided any information to support his claims.

Associated Press writers Catherine Lucey, Alan Fram, Alicia Caldwell and Kevin Freking contributed to this report.

## Roberts, judiciary’s leader, silent on Trump criticism

By MARK SHERMAN, Associated Press

WASHINGTON (AP) — President Donald Trump’s unusually personal criticism of federal judges has drawn rebukes from many quarters, including from Supreme Court nominee Neil Gorsuch, but not much from the judges themselves.

The leader of the federal judiciary, Chief Justice John Roberts, has himself been a target of Trump’s attacks. But Roberts has refused to comment on Trump’s remarks, including recent criticism of judges who are dealing with the president’s executive order on immigration.

And that’s not likely to change, even if the tweeter in chief keeps up his attacks on judges. Bolstered by lifetime tenure, independent judges should not respond to criticism, no matter how harsh or that its source is the president, said a former judge, a law school dean and a constitutional law professor.

Judges “should basically give the tweets the attention they deserve, which means they should be ignored. This is basically a childish tantrum from someone who didn’t get his way. And the judiciary should go about its business and decide cases, including cases involving him,” said Vanderbilt University law professor Suzanna Sherry.

Trump’s style may be different and his language more coarse, but the comments themselves are not the “threat to judicial independence that some commentators have made them out to be,” said University of Pennsylvania law school dean Theodore Ruger.

Former U.S. District Judge Paul Cassell said judges would find themselves in unfamiliar territory “if they start critiquing the Twitter feed of the president.”

Among sitting judges who have commented in some way is Gorsuch, who has been meeting on Capitol Hill with senators who soon will consider whether to confirm him to the Supreme Court.

On Wednesday, Gorsuch said he found the president’s attacks on the judiciary “disheartening” and “demoralizing,” according to Democratic Sen. Richard Blumenthal of Connecticut.

Trump took to Twitter to question the veracity of Blumenthal’s account, but Senate Democratic Leader Chuck Schumer of New York and Sen. Ben Sasse, R-Neb., each confirmed that Gorsuch made similar comments to them.

Sasse told MSNBC’s “Morning Joe,” “Frankly, he got pretty passionate about it,” said Sasse, adding that Gorsuch said any attack on the “brothers or sisters of the robe is an attack on all judges.”

Former Sen. Kelly Ayotte, a Republican who is helping with Gorsuch’s confirmation and attended the Blumenthal meeting, issued a statement acknowledging that Gorsuch said he finds any criticism of a judge’s integrity and independence to be “disheartening and demoralizing.” But Ayotte said the nominee also made clear he was not referring to any specific comment.

Also Wednesday, U.S. District Judge Dan Polster said during a speech in Cleveland that questioning the legitimacy of a federal judge is a line that shouldn’t be crossed. Polster, a nominee of President Bill Clinton,

did not mention Trump by name, according to a report on Cleveland.com.

Polster said that a public office holder who makes those types of comments "calls into question his or her own legitimacy."

Roberts was the first judge to incur Trump's wrath. During the presidential campaign last winter, Trump called the chief justice "an absolute disaster" and "disgraceful" mainly for the two opinions Roberts wrote that preserved President Barack Obama's health care overhaul.

Next in Trump's sights was U.S. District Judge Gonzalo Curiel, who was presiding over fraud lawsuits against Trump University. In June, Trump called Curiel "a hater of Donald Trump" who couldn't be fair to him because Curiel is "of Mexican heritage" and Trump had proposed building a wall on the U.S.-Mexican border.

Last week, Trump called U.S. District Judge James Robart a "so-called judge" after Robart imposed a temporary halt on Trump's executive order barring people from seven predominantly Muslim countries from coming to the United States. On Sunday, Trump renewed his Twitter attacks against Robart: "Just cannot believe a judge would put our country in such peril. If something happens blame him and court system. People pouring in. Bad!"

On Wednesday, he said the "courts seem to be so political," in reference to the three federal appeals court judges who are considering the administration's plea to enforce the order.

Trump is not the first president to object to court decisions or to opine about how a court should rule, said Paul Collins, a political science professor at the University of Massachusetts at Amherst. Obama used his 2010 State of the Union message to assail the Supreme Court's Citizens United campaign finance ruling, with several justices in the audience. Obama also delivered a lengthy pitch for his health care law while the court was weighing the case in 2015.

With the exception of John F. Kennedy, every president since Dwight Eisenhower has been critical of some Supreme Court decisions, said Collins, drawing on research he did with co-author Matthew Eshbaugh-Soha of the University of North Texas.

But past presidents did not make their displeasure known by "attacking judges ... or by questioning the decision such that there's a possibility of undermining faith in the judicial system," Collins said. "I get this uncomfortable sense that the president may be trying to lower confidence in judges in anticipation of defying a ruling."

Ruger said Roberts, as the head of the judicial branch of government, or another justice might feel compelled to speak up about the importance of an independent judiciary if the attacks continue.

But Cassell, a law professor at the University of Utah who was a judge from 2002 to 2007, said Trump has the right to voice his disagreement. "We live in an age now where, for better or for worse, the language we use is getting rougher in a variety of contexts," he said.

## **Oakley arrested at Garden; Knicks cite 'abusive' conduct**

**By BRIAN MAHONEY, AP Basketball Writer**

NEW YORK (AP) — Former Knicks star Charles Oakley was forcefully removed from his seat at Madison Square Garden, handcuffed and arrested after a scuffle near team owner James Dolan.

Oakley shoved security guards before they pulled him away from his seat behind the baseline during the first quarter of the Knicks' 119-115 loss to the Los Angeles Clippers on Wednesday night. Fans chanted "Oakley! Oakley!" in support of the popular power forward.

The 53-year-old Oakley played for the Knicks from 1988-98, helping them reach the NBA Finals, but has a poor relationship with the team because of his criticism of Dolan, the Madison Square Garden chairman.

"Charles Oakley came to the game tonight and behaved in a highly inappropriate and completely abusive manner," the Knicks wrote in a statement on Twitter. "He has been ejected and is currently being arrested by the New York City Police Department. He was a great Knick and we hope he gets some help soon."

The NYPD said Oakley was arrested on three counts of assault, all third degree. Police gave him a summons for a desk appearance at a later date.

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The commotion took place a few rows behind the court during a stoppage in play while Knicks forward Kristaps Porzingis was shooting free throws. Players from both teams turned to the disturbance. Clippers coach Doc Rivers, who played with Oakley in New York, said the scene was "sad."

"That was tough for me to watch," Rivers added. "Honest to God, if you could see, I took three steps. I swear I was going to run down there and then I thought, 'What the hell am I going to do?' But I didn't like that. That's my guy. So that was tough to watch from where I was standing."

Security was called to Oakley's seat after he was shouting at Dolan, sitting not far ahead in his usual seat in the first row behind the baseline. Oakley shoved one security official in the face, though neither he nor any other arena staff threw any punches or pushed Oakley back, as players and tennis great John McEnroe looked on from his nearby seat.

"I stopped and then there was an inbounds play on the side. I turned around just in time as he was handing it to him and then there was a foul. I walked back to catch the third, fourth and fifth rounds," Clippers forward Blake Griffin said. "It was crazy, man."

Oakley was handcuffed near an arena exit as he waited for police to arrive.

The 6-foot-8 Oakley was a rugged enforcer playing alongside Michael Jordan in Chicago and then Patrick Ewing on the Knicks teams of the 1990s. He has kept his tough-guy persona long after retirement, trading barbs with former rival Charles Barkley recently.

"He's the best teammate in the world. He really is," Rivers said. "Honestly, the players could see, that was a tough thing to watch. I've been in the league a long time and I've never seen a thing like that."

## Possible Trump EU envoy: US suspicious of 'anti-American' EU

By JILL LAWLESS, Associated Press

LONDON (AP) — The European Union is blatantly anti-American and President Donald Trump's administration regards it with suspicion, a leading contender to be the U.S. envoy to the 28-nation bloc said Thursday.

Ted Malloch, whose potential appointment has prompted anger and alarm in Brussels, said he and Trump "have very similar views about Europe."

He said the U.S. is "somewhat critical and suspicious" of the bloc, an economic and political union involving half a billion people.

"We would prefer, certainly in the Trump administration, to work with countries bilaterally," Malloch said in an interview with The Associated Press.

Trump has yet to appoint an EU envoy. But Malloch, a 64-year-old former U.N. diplomat in who teaches governance at England's Henley Business School, says he has been interviewed and vetted for the post.

Reports that he may get the job have outraged many EU politicians. Leaders of the Christian Democrat, liberal and socialist groups in the European Parliament took the unusual step of writing to EU leaders saying that Malloch should be denied accreditation if the U.S. appoints him.

They accused Malloch of being on a mission "to disrupt or dissolve the European Union."

Malloch — an enthusiastic backer of Trump's "America First" policy — seems unperturbed at the cool welcome from Brussels. On Thursday, he declined to endorse British Prime Minister Theresa May's view that a strong, successful EU is in the global interest.

He said the EU's "blatant anti-Americanism" is "problematic."

"It has taken positions contrary to American foreign policy in the last eight years in any number of issues, whether it's on Israel, on the Middle East, on Iran, on some human rights issues," Malloch said. "There is a long and growing list of issues where U.S. foreign policy differs from that of the EU."

Malloch watched with approval as Britons voted last year to leave the EU. He sees the Brexit vote and Trump's election as part of an international movement to reassert national sovereignty and strong borders. And he expects that, in the wake of Brexit, other EU countries will re-consider their relationships with the bloc.

"I think that democracy is a very healthy thing," he said. "It certainly was good for Britain."

Critics say Brexit, Trump and European populists are tapping into xenophobia and other dark forces. In



France, presidential candidate Marine Le Pen of the far-right National Front says her country is in a fight for its "civilization" against the "two totalitarianisms" of globalization and Islamic fundamentalism.

Malloch appeared reluctant to comment on whether there is a dark side to the nationalist, anti-globalization wave. He declined to say whether he supported a Le Pen victory in the French presidential election this spring, calling it a decision for the French people.

"I don't know the history of that party," he said of Le Pen's National Front. "I guess there are some elements in its long past that are anti-Semitic or that have colorations certainly that I wouldn't subscribe to."

Malloch says he supports Trump's aim of "a more positive relationship with Russia" — something that is also fueling alarm in Europe.

He said a new detente between Washington and Moscow could help reduce nuclear tensions, fight Islamic State group violence, end the Syrian civil war and resolve tensions between Russia and its Baltic neighbors in the wake of Moscow's military machinations in Ukraine.

"All of these things, just objectively, would be good," Malloch said. "Of course, how do you get from here to there? That's the question."

He said Europe should not fear Trump's presidency, calling the trans-Atlantic alliance "the bedrock of American foreign policy."

Trump has previously called NATO "obsolete." But Malloch said the president has come to believe that "NATO is important ... but it could be restructured, re-engineered to be something forward looking instead of backward-looking."

"The rest of the world shouldn't be worried if America is strong again, that America is the sheriff of the world again, that the American economy is growing at a clip that it hasn't, frankly, for the last decade," Malloch said. "The rest of the world actually benefits from a strong America."

Follow Jill Lawless on Twitter at <http://Twitter.com/JillLawless>

## Kenya court blocks closing of world's biggest refugee camp

By TOM ODULA, Associated Press

NAIROBI, Kenya (AP) — A Kenyan court ruled Thursday that the government must not close the world's largest refugee camp and send more than 200,000 people back to war-torn Somalia, a decision that eases pressure on Somalis who feared the camp would close by the end of May.

Kenya's internal security minister abused his power by ordering the closure of Dadaab camp, Judge John Mativo said, adding that the minister and other officials had "acted in excess and in abuse of their power, in violation of the rule of law and in contravention of their oaths of office."

Rights groups Amnesty International, Kituo cha Sheria and the Kenyan National Commission on Human Rights had challenged the government's order to close the camp, which has operated for more than a quarter-century.

Kenya's government quickly said it will appeal the ruling. "Being a government whose cardinal responsibility is first to Kenyans, we feel this decision should be revoked," spokesman Eric Kiraithe said.

The judge called the order discriminatory, saying it goes against the Kenyan constitution as well as international treaties that protect refugees against being returned to a conflict zone.

President Uhuru Kenyatta's government has not proved Somalia is safe for the refugees to return, the judge said, also calling the orders to shut down the government's refugee department "null and void."

Somalia remains under threat of attacks from homegrown extremist group al-Shabab. Some Kenyan officials have argued that the sprawling refugee camp near the border with Somalia has been used as a recruiting ground for al-Shabab and a base for launching attacks inside Kenya. But Kenyan officials have not provided conclusive proof of that.

President Donald Trump's temporary ban on travel from seven majority Muslim countries, including Somalia, had put added pressure on the Dadaab refugees. Last weekend, about 140 of the Somali refugees who had been on the brink of resettling in the United States were sent back to Dadaab instead.

Said Abuka, a community leader in Nairobi and a refugee for 22 years, said the court ruling would help

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the Somali refugees. Newborn babies could not be registered as refugees because of the shutdown of Kenya's refugee department, he said.

The U.N. refugee agency called the court ruling a positive development and said it would watch closely what happens next. "Refugee returns to country of origin should be voluntarily, in safety and dignity and when conditions are conducive," spokesman Babar Baloch said.

"After months of anxiety because of the camp closure deadline hanging over their heads, increasingly restricted asylum options and the recent U.S. administration suspension of refugee resettlement, the court's judgment offers Somali refugees a hope that they may still have a choice other than returning to insecure and drought-ridden Somalia," said Laetitia Bader, Africa researcher at Human Rights Watch.

Al-Shabab has carried out several attacks on Kenya, which sent troops to Somalia in 2011 to fight the militants. The attacks include the September 2013 attack on Westgate mall that killed 67 people and the 2015 attack on Garissa University that killed 148 people, mostly students.

Associated Press writer Jamie Keaten contributed to this report from Geneva, Switzerland, Justin Lynch and videographer Idi Juma in Nairobi contributed.

## Asian stocks cheered by Trump promise to cut business taxes

By KELVIN CHAN, AP Business Writer

HONG KONG (AP) — Asian stocks advanced Friday led by big gains in Japan after U.S. President Donald Trump promised that he would soon cut taxes for businesses. Japan's benchmark Nikkei 225 index surged 2.3 percent as the yen weakened against the dollar, lifting shares of exporters.

KEEPING SCORE: Japan's benchmark Nikkei 225 index surged 2.3 percent to 19,349.53 and South Korea's Kospi added 0.5 percent to 2,075.49, Hong Kong's Hang Seng rose 0.6 percent to 23,655.28 and the Shanghai Composite in mainland China gained 0.4 percent to 3,196.74. Australia's S&P/ASX 200 jumped 0.9 percent to 5,716.40.

TRUMP ON TAXES: In a meeting with airline and airport executives, Trump vowed to roll back government regulations and said he would announce a plan in the next three weeks to reduce taxes for businesses. The comments were short on details, but encouraged investors who have been waiting to see how Trump follows through on campaign promises to boost economic growth.

THE QUOTE: "We face a nice pop in Asian equities on open thanks largely to Mr. Trump," said Chris Weston of IG Markets in Melbourne. "The market loves the idea of tax reform. It has corporate tax cuts in its sights and if Trump can push that along with a more simplified personal tax regime the U.S. and global equities will find buyers."

MR. ABE GOES TO WASHINGTON: Markets are awaiting the outcome of Japanese Prime Minister Shinzo Abe's meetings with Trump on Friday and the weekend. Japanese companies, worried about Trump's complaints over trade and exchange rates, hope Abe can get him to buy into a job creation and investment package.

WALL STREET: The Dow Jones industrial average rose 0.6 percent to 20,172.40. The Standard & Poor's 500 index gained 0.6 percent to 2,307.87. The Nasdaq composite index added or 0.6 percent to 5,715.18.

CURRENCIES: The dollar was flat at 113.64 yen, bringing its gains for the week to about 1 percent. The euro rose to \$1.0663 from \$1.0653.

ENERGY: Benchmark U.S. crude rose 9 cents to \$53.09 a barrel in electronic trading on the New York Mercantile Exchange. The contract rose 66 cents, or 1.3 percent, to close at \$53 a barrel on Thursday. Brent crude, the benchmark for international oil prices, gained 5 cents to \$55.68 a barrel in London.

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## Today in History By The Associated Press

Today in History

Today is Friday, Feb. 10, the 41st day of 2017. There are 324 days left in the year.

Today's Highlight in History:

On Feb. 10, 1967, the 25th Amendment to the U.S. Constitution, dealing with presidential disability and succession, was ratified as Minnesota and Nevada adopted it.

On this date:

In 1763, Britain, Spain and France signed the Treaty of Paris, ending the Seven Years' War (also known as the French and Indian War in North America).

In 1840, Britain's Queen Victoria married Prince Albert of Saxe-Coburg and Gotha.

In 1936, Nazi Germany's Reichstag passed a law investing the Gestapo secret police with absolute authority exempt from any legal review.

In 1942, RCA Victor presented Glenn Miller and his Orchestra with a "gold record" for their recording of "Chattanooga Choo Choo," which had sold more than 1 million copies.

In 1949, Arthur Miller's play "Death of a Salesman" opened at Broadway's Morosco Theater with Lee J. Cobb as Willy Loman.

In 1959, a major tornado tore through the St. Louis area, killing 21 people and causing heavy damage.

In 1962, the Soviet Union exchanged captured American U-2 pilot Francis Gary Powers for Rudolf Abel, a Soviet spy held by the United States. Republican George W. Romney announced his ultimately successful candidacy for governor of Michigan.

In 1966, the Jacqueline Susann novel "Valley of the Dolls" was published by Bernard Geis Associates.

In 1968, U.S. figure skater Peggy Fleming won America's only gold medal of the Winter Olympic Games in Grenoble, France.

In 1981, eight people were killed when a fire set by a busboy broke out at the Las Vegas Hilton hotel-casino.

In 1992, boxer Mike Tyson was convicted in Indianapolis of raping Desiree Washington, a Miss Black America contestant. (Tyson served three years in prison.) Author Alex Haley died in Seattle at age 70.

In 2005, playwright Arthur Miller died in Roxbury, Connecticut, at age 89 on the 56th anniversary of the Broadway opening of "Death of a Salesman."

Ten years ago: Less than a month after launching his presidential bid online, Barack Obama announced his candidacy in person, telling thousands outside the Old State Capitol in Springfield, Illinois: "Let us transform this nation." Gen. David Petraeus took charge of U.S. forces in Iraq. The AFC defeated the NFC 31-28 in the Pro Bowl.

Five years ago: President Barack Obama, under fierce election-year fire, abruptly abandoned his stand that religious organizations had to pay for birth control for workers, demanding that insurance companies step in to provide the coverage instead.

One year ago: Senate Democrats and Republicans united behind tougher sanctions on North Korea for violating international law by pursuing nuclear weapons. President Barack Obama took a nostalgic trip to the Illinois capital of Springfield where he launched his national political career nine years earlier. For the 15th time, officials denied parole for Sirhan Sirhan, the assassin of Sen. Robert F. Kennedy.

Today's Birthdays: Opera singer Leontyne Price is 90. Actor Robert Wagner is 87. Rock musician Don Wilson (The Ventures) is 84. Author and critic Richard Schickel is 84. Singer Roberta Flack is 80. Singer Jimmy Merchant (Frankie Lyman and the Teenagers) is 77. Rock musician Bob Spalding (The Ventures) is 70. Olympic gold-medal swimmer Mark Spitz is 67. Walt Disney Co. chairman and chief executive Robert Iger is 66. Rock musician and composer Cory Lerios (Pablo Cruise) is 66. World Golf Hall of Famer Greg Norman is 62. Actress Kathleen Beller is 61. Country singer Lionel Cartwright is 57. Movie director Alexander Payne is 56. ABC News correspondent George Stephanopoulos is 56. Retired MLB All-Star Lenny Dykstra is 54. Political commentator Glenn Beck is 53. Actress Laura Dern is 50. Country singer Dude

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Mowrey is 45. Actor Jason Olive is 45. Actress Elizabeth Banks is 43. Pop singer Rosanna Taverez (Eden's Crush) is 40. Actress Julia Pace Mitchell is 39. Reggaeton singer Don Omar is 39. Country musician Jeremy Baxter (Carolina Rain) is 37. Actress Uzo Aduba is 36. Actor Max Brown is 36. Actor Barry Sloane is 36. Rock singer Eric Dill is 35. Rock musician Ben Romans (The Click Five) is 35. Actor Trevante Rhodes (Film: "Moonlight") is 27. Actress Emma Roberts is 26. Actress Makenzie Vega is 23. Actress Chloe Grace Moretz is 20. Actress Yara Shahidi is 17.

Thought for Today: "Be nice to people on the way up. They're the same people you'll pass on the way down." — Jimmy Durante, American comedian (born this day in 1893, died 1980).