

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 1 of 49

- 1- Recycling trailers
- 1- Midwest Masonry Ad
- 2- Chicken Soup for the Soul
- 3- Farmers Union PSA
- 3- Groton Care & Rehab Help Wanted
- 3- Groton Area Help Wanted
- 4- Volleyball team earns share of NEC title
- 5- Hoffmann, Ronning engaged
- 5- Winter Weather Preparedness
- 6- Dog Obedience training
- 6- Roslyn 4-Plex for sale
- 6- Bowling Scores
- 7- One local voice can make magic happen
- 8- Today in Weather History
- 9- Today's Forecast
- 10- Yesterday's Weather
- 10- Today's Weather Info
- 10- National Weather Map
- 11- Daily Devotional
- 12- 2018 Community Events
- 13- News from the Associated Press

## Wednesday

MathCounts at Roncalli Middle School from 8:30 a.m. to 11:35 a.m.

## Thursday

2nd Round football playoffs: Groton Area at S.F Christian at 7 p.m.

## Friday

No School - Teacher Inservice

## Midwest Masonry & Concrete Pumping

### Greg Heilman, owner



405 E 1st Ave., Groton  
Greg: 253/929-9137  
Mike: 605/492-7041  
midwestmasonry1@yahoo.com

**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**

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 2 of 49

*Chicken Soup*  
for the *Soul*

**“Put your  
heart, mind,  
and soul into  
even your  
smallest acts.  
This is the  
secret of  
success.”**

**-Swami Sivananda**



# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 3 of 49



All auto owners!  
**Save \$2-\$4 /tank**  
& grow your local economy  
by choosing low carbon  
**Super Premium E30's**  
94 octane, more power,  
same mileage, fewer  
carbon deposits, lower  
maintenance costs,  
slashed benzene & related  
genotoxic, carcinogenic  
tailpipe emissions;  
\*see sdfu.org's E30 tab for  
info, E30 prices\locations.

**\*Farmers Union's  
PSA: Courtesy Merle  
Anderson (Merle is 94  
year old founder of Ace  
and legendary ethanol  
supporter... "because it is  
the right thing to do")**

## Groton Area Help Wanted

The Groton Area School District is seeking qualified applicants for a part-time Assistant Business Manager. Job description and application materials can be found under the employment tab at [www.grotonarea.com](http://www.grotonarea.com). Questions should be directed to Joe Schwan, Superintendent at 605-397-2351.

## Help Wanted

We are Hiring Nurses – RN or LPN,  
Full or Part Time. Cooks/Dietary Aid  
Housekeeping.

## NEW WAGE PACKAGE!!!

Contact Brynn Pickrel or Nellie Peterson at 605-397-2365 or apply in person.

EOE/AA/M/F/V/D-Drug Free Workplace



# GROTON

CARE & REHABILITATION CENTER

1106 N. 2nd Street, Groton

605-397-2365

0913.1006

## Netters claim part of NEC Title

### 2017 Northeast Conference Volleyball Standings

Groton Area	9-1
Roncalli	9-1
Redfield-Doland	9-1
Milbank	8-2
Hamlin	7-3
Clark/Willow Lake	6-4
Sisseton	4-6
Deuel	2-8
Webster	2-8
Britton-Hecla	2-8
Tiospa Zina	1-9

This year's volleyball team has claimed a part of Groton Area history! With the big win over Milbank on Monday, the Lady Tigers claimed a share of the Northeast Conference Title with Redfield/Doland and Aberdeen Roncalli. The three-way tie resulted as Redfield/Doland handed Groton its only loss, Roncalli handed Redfield/Doland its only loss and Groton Area handed Roncalli its only loss.

Coach Chelsea Hanson said that she did not tell the girls about the possibility of a three-way tie until the second set with Milbank when the Tigers were trailing, 2-0. It was then that Groton Area rallied to win the final three games to win the match.

The regional seeding is also extremely tight with Groton holding a .06 lead over Redfield/Doland at press time.

Coach Chelsea Hanson had the following to say: "We as coaches knew

that if we won that game we would lock in the Number 1 Region seed and win a share of the conference but the girls I really don't think knew that. We chose not to say anything before the game because we didn't want them to play scared or with too much pressure on their shoulders, but when we were down 0-2 I felt we had nothing to lose and we wanted to challenge them to be in control of their own fate so we laid it all out there in the huddle and told them what was at stake and if they wanted it and felt they deserved it that they needed to go out and take it back and I'm very proud that they were able to do it! We talked to the girls about carrying over the energy into post season and to play every point like it's their last because we only have one game guaranteed the rest we have to earn."

Region 1	Seed Points	W-L
<a href="#">Groton Area</a>	43.27	17-5
<a href="#">Redfield/Doland</a>	43.21	20-8
<a href="#">Aberdeen Roncalli</a>	42.13	18-6
<a href="#">Milbank</a>	38.71	10-14
<a href="#">Webster Area</a>	37.42	5-21
<a href="#">Sisseton</a>	36.92	6-20
<a href="#">Tiospa Zina</a>	36.26	6-17



## Hoffmann, Ronning are engaged

Brett Hoffmann and Bailey Ronning are engaged and plan a November 25th wedding at Saint Elizabeth Ann Seaton Catholic Church in Groton. Parents of the couple are Dan and Karen Hoffmann of Gillette, Wyoming and Carla Ronning of Groton, and the late Mark Ronning. The groom-to-be is plant manager at Advanced Bio Energy and the bride-to-be teaches at May Overby Elementary School..

## Winter Weather Preparedness

Whether we like it or not, winter is just around the corner -- some may even see a few flakes of snow by the end of the week! Therefore it is certainly not too soon to start talking about winter weather preparedness!

In South Dakota, Winter Weather Preparedness Day is Wednesday, October 25th. In Minnesota Winter Weather Preparedness Week will run from November 6-10.

Here are some winter safety tips from the National Weather Service:

Monitor local weather forecasts. When a winter storm watch is issued: Get Prepared! When a winter storm warning is issued: TAKE ACTION! When a winter weather advisory is issued: Take Precautions!

Winter driving can be hazardous. One simple way to keep yourself and everyone on the road safe is to slow down. Remember, "Ice and snow, take it slow".

Slippery sidewalks and roads aren't the only things to look out for this winter. Shoveling snow can be a health risk as well. Remember to stay hydrated, take frequent breaks, and only move small amounts with each shovel pass.

Cold weather can be life-threatening. If you can't avoid being outside completely, remember to dress in layers, cover exposed skin, and limit time outside.

Don't forget about your pets this winter! Make sure they have a warm, dry place to rest with plenty of food and water.

If you would like to help spread the weather preparedness message (and we hope you do), a great resource to get you started is this webpage: [https://www.weather.gov/wrn/winter\\_safety](https://www.weather.gov/wrn/winter_safety). The social media posts are especially helpful. All graphics and information from this page can be used verbatim. Another excellent page for winter weather safety can be found here: <http://www.nws.noaa.gov/om/winter/index.shtml>.

## ROSLYN, SOUTH DAKOTA

### 4-PLEX FOR SALE

The following real estate is for sale:

Lots Seven (7), Eight (8) and Nine (9), Block Twenty-two (22), Original Plat, Roslyn, Day County, South Dakota;

A/k/a 716 1st Street, Roslyn, South Dakota; st Consisting of lots and 4-plex apartment house, currently unoccupied and has been for five (5) years. Property is to be sold "AS IS". Apartment units have electric baseboard heat and electric hot water heaters. Apartment units also include electric ranges, refrigerators, and washers/dryers.

No warranties are being offered on the appliances ("AS IS").

Interested parties should submit sealed bids to Law Office of Danny R. Smeins, P.C., 506 Main Street, Webster, SD 57274, or hand delivered to the same address prior to 5:00 p.m. on the 14th day of November, 2017. Bids will be opened after the bid deadline, and Seller will identify the bidders that will be invited to raise their bid on the 17 day of November, 2017 at 3:00 p.m. at the Law Office of Danny R. Smeins, P.C. in Webster, South Dakota. Not all bidders will be invited to raise their bid.

Successful bidder will be required to execute a standard Purchase Agreement and make an earnest money deposit.

**SELLER RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.**

Direct all inquiries, questions or requests for real estate information to Danny R. Smeins, Attorney at Law, at (605) 345-4875 or (605) 448-5964 or Ray Lardy, Roslyn Homes, Inc., at (605) 228-1597 or Richard Galbraith at (605) 229-0180.

## 2 day Day Dog Obedience Training



### Seminar

**Friday October 27th 6-pm -9p.m.  
Saturday October 28th 9am -11 am**

Held at (A & S Hardware Hank and Rental)

Junction Hwy 12-25 in Webster, SD

**K-9 Classics Dog Obedience hosting**

**Friday: Basic: Sit, Stay, Come & Down.**

**Saturday: Behavioral Issues**

**Why does my dog do that?**

**Q&A**

**Great information, Great fun**

**\$100 per dog**

Pre register-A&S Hardware Hank and Rental

**345-3821 K-9 Classics 880-1779**

## Groton Coffee Cup League

Oct. 23 Team Standings: James Valley 18 1/2,  
Ten Pins 17, Kens 13 1/2, Jungle Lanes 7

**High Games:** Vickie Kramp 170, 148; Vicki  
Walter 164, 156; Sue Stanley 147.

**High Series:** Vickie Kramp 454, Vicki Walter  
444, Sue Stanley 426.

## One local voice can make magic happen

By Jim Speirs, Executive Director, Arts South Dakota

South Dakota is blessed with a variety of volunteer community arts groups, statewide arts institutions and strong partnerships for arts education and artists. As important as these organizations are, the real strength for the arts in every South Dakota community starts locally, and it starts with one voice. Will that voice be YOURS?

In some towns, new arts experiences begin with historic preservation—like the saving and repurposing of an old opera house into a community performance venue. Other communities fill their schools with professional artists through the Artists In Schools & Communities program—and celebrate that creativity at concerts, art shows, theater productions and the dedication of new murals. Each community can do something, as long as one person is willing to speak for the arts.

Too often we become caught up in the whirlwind of daily life and think that one person can't make a difference. But the growth of creativity throughout our state has proven that a single good idea from just one person can capture the imagination of the entire town. The arts are like that.

One teacher who challenges her students to create something beautiful might light the future for countless children. A single community concert that brings people from all over the region together to share a magical performance can kick off a regular schedule of events in area towns. One single arts residency might be just the push needed to remodel an old building into a crafts center or introduce new excitement into the school curriculum.

The power of one voice willing to toss a good idea into the local coffee conversation is incredible, especially in South Dakota communities. For every one person who thinks a new community arts experience would be welcomed, there may be dozens of other people who think the same way, but just haven't expressed it out loud.

Is your community ready to follow the lead of one voice? Will that voice be yours?

For more about local advocacy and other Arts South Dakota programs, join us online at [www.ArtsSouthDakota.org](http://www.ArtsSouthDakota.org).



# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 8 of 49

## Today in Weather History

October 25, 1954: A storm dumped snow over the region with the highest snowfall amounts at Devils Tower with sixteen inches. Other snowfall totals from the area included four inches in Colony and Faith, eight inches in Custer and Lead, and eleven inches in Spearfish.

1918: The Canadian steamship Princess Sophia carrying miners from the Yukon and Alaska becomes stranded on Vanderbilt Reef. A strong northerly gale hampers rescue attempts the day before. The ship sinks on this day, killing the 268 passengers and 75 crewmen on board.

1921 - A hurricane with 100 mph winds hit Tampa, FL, causing several million dollars damage. (David Ludlum)

1977 - Dutch Harbor in Alaska reported a barometric pressure reading of 27.31 inches (925 millibars) to establish an all-time record for the state. (The Weather Channel)

1981 - A northbound tornado caused two million dollars damage to Bountstown, FL, in less than five minutes. Fortunately no deaths occurred along its six mile path, which was 30 to 100 yards in width. Radar at Apalachicola had no indication of a tornado or severe weather. (The Weather Channel)

1987 - A storm system moving across the Saint Lawrence Valley produced 40 to 50 mph winds east of Lake Ontario. High winds downed some trees around Watertown NY, and produced waves seven feet high between Henderson Harbor and Alexandria Bay. Mason City IA and Waterloo IA tied for honors as cold spot in the nation with record lows for the date of 19 degrees. Severe thunderstorms in Oklahoma and northern Texas produced golf ball size hail and wind gusts to 65 mph. (The National Weather Summary) (Storm Data)

1988 - Severe thunderstorms erupted over northeastern Texas during the late evening producing softball size hail at Newcastle and Jonesboro. Low pressure over James Bay in Canada continued to produced showers and gale force winds in the Great Lakes Region. (The National Weather Summary) (Storm Data)




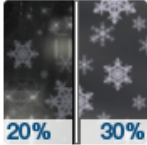



1989 - Low pressure over Nevada produced high winds in the southwestern U.S., and spread heavy snow into Utah. Winds gusted to 63 mph at the Mojave Airport in southern California. Snowfall totals in Utah ranged up to 12 inches at Snowbird, with 11 inches at Alta. "Indian Summer" type weather continued in the central and eastern U.S. Twenty cities in the north central U.S. reported record high temperatures for the date. Highs of 77 degrees at Alpena MI and 81 degrees at Saint Cloud MN were the warmest of record for so late in the season. (The National Weather Summary) (Storm Data)

2008: A storm packing winds of more than 60 mph hits central Alberta. In Edmonton, the strongest October wind ever recorded reaches 64 mph, cutting power to 4,000. The winds blow free sheet metal, parts of billboards, garbage cans and pieces of trees around the city.




# Groton Daily Independent


Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 9 of 49

Today	Tonight	Thursday	Thursday Night	Friday	Friday Night	Saturday
		 <small>High Wind Watch</small>				
Sunny	Increasing Clouds	Windy. Partly Sunny then Slight Chance Rain	Chance Rain/Snow and Windy	Partly Sunny and Breezy	Partly Cloudy	Mostly Sunny
High: 66 °F	Low: 43 °F	High: 47 °F↓	Low: 26 °F	High: 39 °F	Low: 17 °F	High: 43 °F

**Pleasant Today**  
**Very Windy and Colder Thursday - Friday**




**Today**



**Dry**

**60-75°**

**Thursday**




**Very Windy!**

Snow Possible Eastern SD and W MN



**40-50°**

**Friday**



**Still Windy!**

**35-45°**

**National Weather Service Aberdeen, SD**   Updated: 10/25/2017 5:34 AM Central

Published on: 10/25/2017 at 5:40AM

Today will feature above normal temperatures, along with westerly winds of 5 to 15 mph. A strong low pressure system will cross the region late tonight through Friday. This system will bring very strong northwest winds, along with the potential for snow in northeastern South Dakota and western Minnesota.

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 10 of 49

## Yesterday's Weather

High Outside Temp: 53.7

Low Outside Temp: 29.1

High Gust: 25

Precip: 0.00

## Today's Info

Record High: 81° in 1989

Record Low: 10° in 1942

Average High: 53°F

Average Low: 29°F

Average Precip in Oct: 1.72

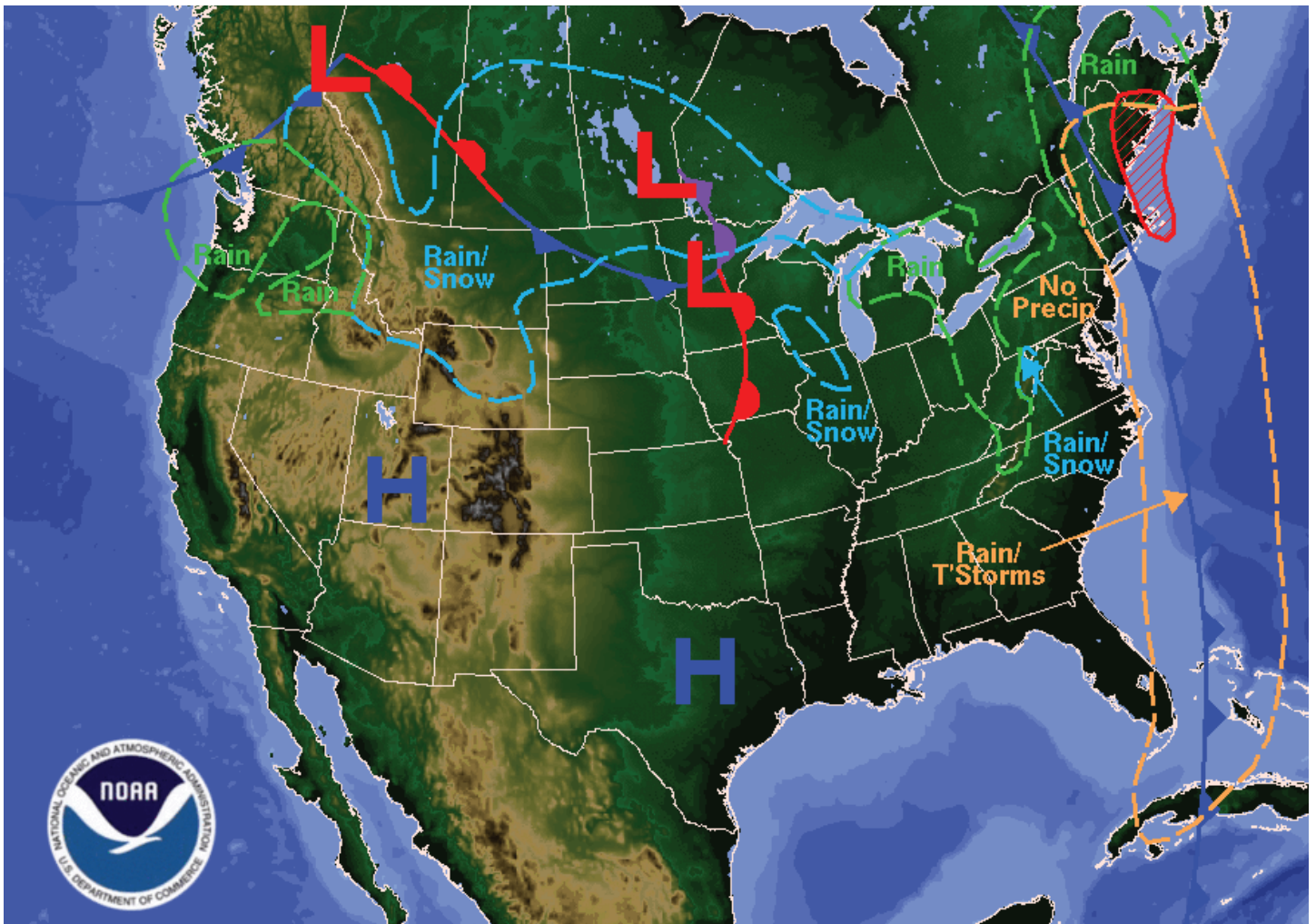
Precip to date in Oct: 0.67

Average Precip to date: 20.20

Precip Year to Date: 13.47

Sunset Tonight: 6:30 p.m.

Sunrise Tomorrow: 8:05 a.m.



### Day 1 National Forecast Chart

Valid Wed, Oct 25, 2017, issued 4:41 AM EDT

DOC/NOAA/NWS/NCEP/Weather Prediction Center

Prepared by McReynolds with WPC/SPC/NHC forecasts

Rain

Rain and T'Storms

Rain and Snow

Snow

Flash Flooding Possible (hatched)

Severe T'Storms Possible (hatched)

Freezing Rain Possible (hatched)

Heavy Snow Possible (hatched)

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 11 of 49



## SEEKERS – FINDERS

Nicolaus Copernicus was the first astrologer to say that the sun was at the center of the universe. He has received great acclaim for that observation. He also said that "if the first button of your coat is buttoned wrong, all the rest will be out of place." Same person, two dramatically different observations. However, few have ever heard of his observation about buttoning a coat.

"O God," said David, "You are my God. Earnestly I seek You." Much like buttoning a coat, if we begin a day earnestly seeking God, everything else will end up as it should.

Each day we live is a new gift from God and a new adventure. It leads us on paths that we have never walked before and brings sights to our eyes and sounds to our ears that we have never experienced before. For every day to be God-honoring and Christ-exalting it is essential that we begin it with the Lord in prayer and in reading His Word. If we want Him to guide us and guard us and keep us from temptation, we must go to Him in faith, believing that He will protect us.

"Earnestly seeking Him" means that our faith is not a past-time, part-time, some-time "thing" in our life. Copernicus, you will recall, recognized that the sun was the center of the universe and every planet revolved around it. If God is not at the center of our lives, we cannot expect peace and harmony, balance and control.

He promised that "He will never leave us nor forsake us." Unfortunately, it is us who leave and forsake Him.

Prayer: Father, may we understand the importance of beginning each day with You and asking for Your guidance. In Jesus' Name, Amen.

Scripture for Today: Psalm 63:1a You, God, are my God, earnestly I seek you; I thirst for you, my whole being longs for you, in a dry and parched land where there is no water.

## 2018 Groton SD Community Events

- Groton Lion's Club Bingo- Wednesday Nights 6:30pm at the Groton Legion (Year Round)
- 11/18/2017-3/31/2018 Groton Lion's Club Wheel of Meat- Saturday Nights 7pm at the Groton Legion (Fall/Winter Months)
- 1/28/2018 Carnival of Silver Skates 2pm & 6:30pm
- 3/24/2018 Easter Egg Hunt (Saturday a week before Easter Weekend)
- 5/5/2018 Spring City-Wide Rummage Sales (1st Saturday in May)
- 5/28/2018 Groton American Legion Post #39 Memorial Day Program at the Cemetery, Lunch to follow at the American Legion (Memorial Day)
- 6/14/2018 Transit Fundraiser (Middle Thursday in June)
- 6/15/2018 SDSU Golf at Olive Grove
- 6/16/2018 Triathlon (Saturday before Father's Day)
- 7/4/2018 Firecracker Golf Tourney (4th of July)
- 7/22/2018 Summer Fest (4th Sunday in July)
- 9/8/2018 Fall City-Wide Rummage Sales (1st Saturday after Labor Day)
- 10/6/2018 Pumpkin Fest (Saturday before Columbus Day)
- 10/12/2018 Band Festival (2nd Friday in October)
- 10/31/2018 Trunk or Treat (Halloween)
- 11/10/2018 Groton American Legion Post #39 Turkey Shoot (Saturday closest to Veteran's Day)
  
- Best Ball Golf Tourney
- SDSU Golf Tourney
- Sunflower Golf Tourney
- Santa Claus Day
- Fireman's Stag
- Tour of Homes
- Crazy Dayz/Open Houses
- School Events

## News from the Associated Press

### Oil pipeline opponent uses 'necessity defense' \_ What is it?

By **BLAKE NICHOLSON** and **STEVE KARNOWSKI**, Associated Press

BISMARCK, N.D. (AP) — An American Indian activist and former U.S. congressional candidate in North Dakota accused of inciting a riot during protests against the Dakota Access oil pipeline says he'll seek to present a "necessity defense" — justifying a crime by arguing it prevented a greater harm.

Chase Iron Eyes has pleaded not guilty to inciting a riot and criminal trespassing. He could face more than five years in prison if convicted at trial in February. The pipeline has since begun carrying oil from North Dakota through South Dakota and Iowa to Illinois.

Pipeline protesters who try the necessity defense typically argue that the greater harm is climate change. Iron Eyes, a member of the Standing Rock Sioux tribe, says he hopes to show that civil disobedience was his only option to resist a pipeline's incursion on his ancestral lands. The prosecutor in the case didn't respond to a request for comment. A judge will hear arguments Nov. 3.

#### WHAT IS THE NECESSITY DEFENSE?

People who use it are trying to show the harm they caused is justified because a greater harm was avoided as a result.

It dates to the late 1800s in England, when two sailors were charged with murder after they stayed alive by killing and eating a third sailor marooned with them in a lifeboat.

#### IS IT RECOGNIZED BY THE COURTS?

The U.S. Supreme Court has said it's an "open question" whether federal courts have the authority to recognize a necessity defense not provided by law, according to North Dakota District Court Judge Laurie Fontaine.

Whether the defense is permitted by law in state courts varies, according to University of Mississippi law professor Michael Hoffheimer.

The main argument against the defense is that it gives people who don't like a particular law the chance to break it and then argue it was excusable.

The main argument in its favor is that there might be special circumstances in which there is a justifiable reason for breaking a law.

#### HOW IS IT USED NOW?

It is used most frequently in criminal cases — such as drunk driving and marijuana use — in which people argue that what they did was necessary to prevent some greater harm.

In one such case, the Minnesota Supreme Court in 2014 ruled against a woman who challenged the revocation of her driver's license after she drove while intoxicated to escape her abusive husband.

Defense attorneys also have tried the necessity defense when people illegally use marijuana, arguing that it was needed to treat a health problem. A 1976 District of Columbia court decision in favor of a person suffering from glaucoma was the first in the country to recognize the defense in a marijuana case, according to the National Organization for the Reform of Marijuana Laws.

The defense also has been used through the years by abortion clinic protesters. In a high-profile case in 2009, a judge ruled against its use in the trial of Scott Roeder, who confessed to killing an abortion-providing doctor in Kansas but argued it was necessary to save unborn children.

It was first used in a U.S. environmental case in 2009 when a climate change activist cited necessity in Utah. Alice Cherry, co-founder of the Climate Defense Project, said it has been used in similar cases in Washington state, New York, Montana, North Dakota and Minnesota. The Climate Defense Project even offers an educational guide on using the defense and says this area of the law is "developing rapidly."

With pipeline protests, demonstrators often point to climate change and environmental damage as the greater harms. Oil pipelines carry fossil fuels, including oil, which release gases that trap heat and contribute to climate change, they argue.

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 14 of 49

Iron Eyes' arguments are more complex. He cites an "imminent threat" to his tribe's water supply because the Dakota Access pipeline goes beneath the Lake Oahe reservoir on the Missouri River, from which the tribe draws its drinking water. He also contends there was an effort by industry, private security and public law enforcement to conduct "an anti-terrorist campaign against Native Americans."

## WHAT MUST BE PROVEN?

Legal experts agree the necessity defense is a long shot.

To succeed, the defendant generally has to persuade the judge or jury that they had no legal alternative to breaking the law. They also must prove they were trying to prevent some imminent harm, and there must be a direct connection between their breaking the law and preventing the harm. Finally, they must prove that breaking the law is less harmful than what would have happened.

## HAS IT SUCCEEDED IN ENVIRONMENTAL CASES?

Not often.

In a Minnesota case, Judge Robert Tiffany is allowing four pipeline protesters to use the defense, but he also said they must clear a high legal bar. Tiffany said the defense applies "only in emergency situations where the peril is instant, overwhelming, and leaves no alternative but the conduct in question." That case is still pending.

A judge in Spokane, Washington, is allowing a 77-year-old Lutheran pastor to use a necessity defense in his upcoming trial stemming from a climate change protest last year. The Rev. George Taylor stood on railroad tracks to protest coal and oil trains that pass through Spokane and their contribution to climate change.

Judges in recent pipeline protest trials in North Dakota, Montana and Washington state have rejected the defense. The Montana judge said he didn't want to put U.S. energy policy on trial, and the North Dakota judge said a reasonable person couldn't conclude a direct cause and effect between the defendant's pipeline protest and climate change.

The Montana case is pending. In the Washington and North Dakota cases, the protesters on trial were allowed to tell jurors of their "state of mind" during the offense, but in both cases were still convicted. In the Washington case, the protester received probation and said he was "heartened, knowing that we are bringing these arguments into the jury system."

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Follow Blake Nicholson on Twitter at: <http://twitter.com/NicholsonBlake> .

Follow Steve Karnowski at: <https://twitter.com/skarnowski> .

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## Tuesday's Scores

### By The Associated Press

Avon def. Wessington Springs, 25-11, 25-10, 25-23  
Brookings def. Pierre, 23-25, 21-25, 25-15, 25-23, 16-14  
Burke/South Central def. Lyman, 25-16, 25-12, 25-12  
Colman-Egan def. Garretson, 25-19, 25-23, 25-18  
Crow Creek def. Todd County, 25-18, 25-22, 25-20  
Deubrook def. Baltic, 21-25, 25-10, 25-23, 19-25, 15-10  
Edmunds Central def. Aberdeen Christian, 25-10, 25-7, 25-19  
Elk Point-Jefferson def. Flandreau Indian, 25-4, 25-7, 25-12  
Elkton-Lake Benton def. Deuel, 29-27, 25-13, 25-10  
Ethan def. Platte-Geddes, 25-15, 25-13, 25-23  
Faulkton def. Wolsey-Wessington, 25-23, 25-9, 25-13

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 15 of 49

Freeman Academy/Marion def. James Valley Christian, 25-21, 22-25, 25-12, 14-25, 15-9  
Freeman Academy/Marion def. Mitchell Christian, 25-21, 25-16, 25-15  
Harrisburg def. Aberdeen Central, 14-25, 25-15, 25-22, 18-25, 15-10  
Howard def. Irene-Wakonda, 25-16, 12-25, 25-21, 25-19  
Lemmon def. Cheyenne-Eagle Butte, 25-10, 25-23, 25-17  
Lennox def. Canton, 25-16, 26-28, 25-22, 25-20  
Miller def. Highmore-Harrold, 25-12, 25-16, 25-13  
Mitchell def. Yankton, 25-21, 23-25, 25-18, 22-25, 15-6  
Mt. Vernon/Plankinton def. Sanborn Central/Woonsocket, 25-22, 20-25, 25-21, 25-14  
Northwestern def. Hitchcock-Tulare, 25-7, 25-14, 25-14  
Omaha Nation, Neb. def. Marty Indian, 16-25, 25-22, 25-13, 23-25, 15-12  
Rapid City Central def. Spearfish, 14-25, 25-16, 25-21, 25-18  
Rapid City Christian def. Bison, 25-18, 25-14, 25-22  
Rapid City Stevens def. Sturgis Brown, 25-15, 25-8, 25-15  
Sioux Falls O’Gorman def. Sioux Falls Washington, 25-23, 15-25, 25-21, 25-27, 15-9  
Sioux Falls Roosevelt def. Sioux Falls Lincoln, 25-16, 25-19, 25-20  
Sunshine Bible Academy def. Lower Brule, 25-9, 25-27, 25-22, 25-15  
Watertown def. Huron, 25-13, 22-25, 25-15, 26-24  
Waubay/Summit def. Florence/Henry, 29-27, 25-22, 22-25, 25-21  
Wilmot def. Sisseton, 25-10, 25-17, 25-11

## Number of women hunting in Wyoming on the rise

By MARK DAVIS, Powell Tribune

POWELL, Wyo. (AP) — As the sun peaked over the horizon just high enough to tickle the top of Heart Mountain, Frank Fagan spotted some mule deer just 200 yards up the next hill.

At his side, his daughter Shelby started to follow her father’s advice as he walked her through the steps to load her rifle, line up, switch off the safety and look for the perfect shot — just like they practiced. Shelby, 12, was after her first deer. But this was far from her first hunt. At three months, her mother, Bre, brought her on an elk hunt.

“She went back to the truck to breast feed after tagging her elk,” Frank said.

Shelby and her 10-year-old sister Danika have been on just about every hunt since. It’s a family activity, Frank said.

Shelby hesitated. Two fawns were hanging close and she wasn’t confident with the shot. Her father was supportive and calming.

“If it doesn’t feel right, there’ll be other deer,” Frank said.

If Shelby was nervous it didn’t show. Other than having cold fingers and being a little tired, she was excited to finally get a deer in her scope and try out the .243 shells her father hand-loaded for her hunt. She considered the day a practice session for more exciting hunts later this year.

“Next week, I get to hunt for a buck in Sunlight and then I have an elk tag for next month,” she said. Shelby hopes to have a mount, like her mom and dad, hanging from the living room wall soon.

The doe and two fawns got a pass. Frank took a quick look to the west and quickly signaled his daughter to head his way. She grabbed her rifle and the two slid on their rears down the hill to the draw below. High winds covered the noise. Crouching down, they snuck to the next ridge, 150 yards from a small herd. The deer continued to feed.

Concealed by the ridge, Shelby lined up her shot. Earlier in the year, she placed second in the state at the 4-H air rifle competition — and she practiced by shooting milk jugs before the season started. She was steady and confident.

She fired and the doe fell. With a dozen years of experience on family hunts, the 12-year-old had just taken her first deer. Frank gathered up his daughter and hugged her tight. And then they went to work,

dressing and transporting the deer home to hang before breakfast.

Despite living in an agricultural area, Shelby said only a few of her friends at Powell Middle School get the opportunity to hunt.

"I'm pretty lucky," she said.

Danika will start training to hunt next year. Frank is planning to attend hunter's education with his youngest daughter, like he did with Shelby, and then mentor her on a hunt next season.

The Wyoming Game and Fish Department sold 14,770 resident licenses to females last year as well as 8,790 resident youth hunting licenses. Since 2008, the number of licenses sold to resident female hunters has gone up about 32 percent (one-day licenses do not specify gender so the number of female hunters is actually higher). The Game and Fish has several programs in the works to attract women and children into the outdoor sports, said Rebekah Fitzgerald, communications and outreach supervisor for the Game and Fish.

For women 18 and older, the Wyoming Game and Fish Department sponsors Becoming an Outdoors-Woman workshops. The workshops give women a chance to learn the basics of canoeing, archery, fly-tying, shooting skills, backpacking, outdoor photography and more, regardless of skill level. The 2018 date will be finalized by the start of the year and will likely be in August.

"As women get interested in outdoor sports, they'll bring their kids along," Fitzgerald said.

The department also hired a new Hunter and Angler Participation Coordinator to try to reach families. Kathryn Boswell has already made an impact, according to Fitzgerald. One program — a three-day shooting and hunting seminar for women and their children — ends Saturday with a pheasant hunt.

Boswell will also bring back the Outdoor Expo, a three-day affair aimed at families. Scheduled for May 17-19 in Casper, the first two days will be geared toward educating children on conservation and activities including hunting and fishing. On the final day, the entire family will come together to enjoy shooting and fishing activities.

"Hopefully we'll be able to connect the dots and the interest will continue through fall," Fitzgerald said.

After Shelby's shot found its mark on Sunday, Frank Fagan gathered his daughter in his arms and squeezed her tight.

"I love you, Pumpkin," he said and kissed her forehead.

For Fagan it's about more than gender. It's about family. And he and Bre are exploding with pride that their children love the outdoor sports.

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Information from: Powell (Wyo.) Tribune, <http://www.powelltribune.com>

## Diversifying an oil and gas economy in Carlsbad

By JESSICA ONSUREZ, Carlsbad Current-Argus

CARLSBAD, N.M. (AP) — In 2015, T. Boone Pickens predicted the price of crude oil would rocket to \$70 per barrel by the end of the year.

It was a message of hope, delivered at the annual Energy Summit in Carlsbad, for the southeastern New Mexico community that was feeling the pinch of a worldwide oil glut and a downslope market.

More than two years later the price of crude hovers around \$50 per barrel, never having reached Pickens' predicted high.

When the price of crude oil took a downturn in 2014, the city — just establishing a name for itself in the oil and gas industry — was left holding the bag.

Now touted as an area of growing economic growth thanks to the boost in popularity of the Permian Basin — an area where some of the world's largest producers of crude oil and natural gas have established extraction operations — Carlsbad is working to build a diversified economy.

Entrepreneurs in the community are turning to business models that will keep them high in boom times but not stumble in busts.

Reaching back to its roots, city officials and leaders of Eddy County are noting the importance of the



# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 17 of 49

tourism and hospitality industry, and marketing themselves to retirees across the country.

## BREWING SUCCESS

In 2015, the City of Carlsbad, New Mexico adjusted its Code of Ordinances to include "microbrewery" in its definition of a bar.

That simple change to the ordinance helped establish zoning requirements for the first craft microbrewery to open in the city

Milton's Brewing, a brewery and taproom located in what used to be an auto garage, has found success in the year since it opened its doors and served its first pint.

And while approval from a municipality is among the final steps in the licensing process required by the state of New Mexico by those intending to sell alcohol to consumers, the city's zoning office was the first stop for Milton's owner Lucas Middleton.

"We went and talked to the city even before we started filing and asked, 'What do you guys think of this?'" Middleton said. "They had to change the zoning, the permitting. We were the first brewery here and they (City of Carlsbad) just didn't have anything on the books for this."

Middleton said the opportunity to own a business in his hometown and his passion for crafting beer made the months of paperwork leading to Milton's opening worth the effort.

But a large part of the decision was based on the obvious opening in the business atmosphere of the southeast New Mexico city known for its oil and gas economy.

"It was my passion. I wanted to do a brewery and so it was like: I live in Carlsbad, there isn't a brewery there. It was perfect," Middleton said.

## TOURISM AND ENTERTAINMENT

More than 800,000 visitors pass through Carlsbad, generating more than \$20 million in revenue.

But those who fill the barstools and tables at Milton's aren't who you'd imagine.

Unlike breweries in college towns, Middleton said young business professionals and retirees are their most loyal customers.

Tourist traffic is a smaller portion of sales, Lucas said, but visitors to the area still manage to find their way to the taproom located off the beaten path.

"I know we get a lot of out-of-towners, because that's the new thing, is breweries," Lucas said. "They were probably still coming to town, they were probably still going to restaurants, but this gave them something else to do."

Things to do might become more prolific as Carlsbad once again courts its tourism and travel industries. In a city surrounded by two national parks, two state parks and home to the Pecos River — a recreational wonder for outdoor sportsman and water enthusiasts — the potential is endless.

Chris Woodland, director the Carlsbad Small Business Development Center, said most the clients he councils are seeking to open service-related businesses.

"There's been bakeries, and food trucks, and clothing boutiques," Woodland said. "In addition to retail . that have come in, I've also had more people come interested in industries which includes electricians, welders and different people like that."

These are entrepreneurs who have spotted a niche, to Woodland's surprise, which is dramatically underserved.

"Because the money is so good in the oilfield its drawn away from those types of services, just every day services," Woodland said. "Think about getting your car fixed. You can't because they're just overrun with oilfield jobs."

In the past year, the Small Business Center, has counseled 69 clients, most of which are Caucasian males.

Only a handful of women, and a handful of minorities, have sought advice from the center.

"What is successful for your 70-year-old retired couple who always wanted to have a bakery and worked for 50-60 years and they've saved up money and now they're going to open up a baker yon a corner. They break even they're happy, that's successful for them. On the other hand, an oil field guy wants to start up a trucking company he's not happy unless he's making \$5 million a year," Woodland said.

"Success is defined by the business owner and the industry in which they choose to enter."

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 18 of 49

## A COMPETITIVE CULTURE

Most nights, those who are enjoying a brew at Milton's can be entertained as well. From comedians to musicians, the taproom serves as a venue for local and not-so-local artists and performers.

Jameson Lucas, Milton's taproom manager, said they tried to not promise too much when they announced their plans to open a brewery.

The Carlsbad community, starved for late-night venues and fresh entertainment fare, welcomed to the brewery.

"When we were open the first six months, every person was like I was glad you did this," Middleton said.

A year into their business, the taproom faces a challenge in the form of a competitor.

In August, the Carlsbad City Council unanimously approved a liquor license for Guadalupe Mountain Brewery.

The new brewery will inhabit a 6,000-square foot building formerly a Chinese buffet restaurant in south Carlsbad along busy U.S. Highway 62/180.

"They're going to be on the same size system we started on, which is a five-barrel system so they're brewing about 130 gallons of beer at a time," Lucas said.

Instead of fearing the competition, Middleton and Lucas said they hope collaboration will help both businesses survive.

Both men hoped to have another year to establish Milton's as the community's preferred hang-out spot, but both Lucas and Middleton said the additional brewery and taproom is a good sign for the city.

"The community definitely needs a lot of these different spaces with different vibes and different atmospheres to cater to different demographics and different people," Lucas said.

Milton's however, is growing, keeping a step ahead of the competition.

After a year in business Milton's is expanding the footprint of the current location, leasing a former warehouse next door.

With limited hours and space, per state and city regulations, expansion is a necessary component of success. That includes putting their product in local restaurants, also an option they hope to pursue in the new year.

It also means identifying other communities in southern New Mexico that can support their particular take on what a small business is and how it fits into a community.

In 2018, Milton's will have a sister taproom: Milton's on Main will open in Roswell, a two-hour drive north of Carlsbad.

It remains a mystery to both men why Roswell, one of the largest southern New Mexico communities, had such a dry spell when it came to recruiting microbreweries to its business community.

The City of Roswell said they were searching for business owners interested in opening a brewery in the city, but businesses in operation in Albuquerque, where taprooms and breweries have become a mainstay of small business, passed up the opportunity to make Roswell home.

The presence of three microbreweries in nearby Artesia, a significantly smaller municipality of 12,000 people, might have influenced business owner's decision.

In Artesia, a craft beer enthusiast can find plenty to satisfy the palette. Cottonwood Wine and Brewing, Wellhead Restaurant and Brewpub, and the newly announced Deep Well Brewing offer a variety of craft and specialty brews, in addition to food and entertainment.

"When I think about competition in the craft beer community I don't think of it as competition," said Travis Carlo.

Carlo, the 26-year-old native Artesian and owner of Deep Well, said the city's atmosphere called for a place where residents could enjoy craft beer and live entertainment. And the continuing prosperity of the oil and gas industry made the endeavor that much more attractive.

"The bigger picture of it all is putting southeast New Mexico on the map for craft beer and New Mexico is becoming a state that is producing great quality craft beer," Carlo said.

When he's not working to get Deep Well opened — the taproom will be housed in downtown Artesia near

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 19 of 49

a burgeoning theater and small shopping area — Carlo is helping brew craft beer at Dry Lands Brewing Company in Lovington.

Hobbs, New Mexico, a community of 38,000 has no taproom or brewery, but nearby Lovington, a community of only 11,000 people, is home to Drylands.

Carlo said the growing number of taproom and brewery proprietors often consider themselves more of a family than competitors in an industry. He's hoping this camaraderie will help reinvent the economies of the small towns that dot the rural southeast of the state.

"When people think about opening a business they think about a business that is oil and gas related, because this is southeast New Mexico, and that's what we're all about."

## A HARD SELL

For a while it seemed the enthusiasm for craft beers that overtook Albuquerque would bypass the rural communities of southeast New Mexico, if not for the passion and enthusiasm of the small business owners who said they've found success by believing in the potential of their communities.

That potential is a hard sell to most other industries, however.

On paper, Carlsbad's true potential fails to come through, said John Waters, director of the Carlsbad Department of Development.

Potential investors fail to find the city attractive, because of several factors, Waters said. But the most influential is the number of potential customers the city holds.

With the latest U.S. Census Bureau numbers a pale representation of the true population found in the area, Waters said those looking to invest will often bypass the region.

A 2016 population estimate from the bureau makes Carlsbad home to only 29,000 people.

Waters said that it was obvious something was wrong with the population data from the Census Bureau; all it took was driving on Eddy County roads and Carlsbad Streets to bring the point home.

A water usage study by the City of Carlsbad is a truer representation of Carlsbad's population. Waters believes. That study estimates Carlsbad's population at just over 77,000 people.

"We keep track of the gallons per capita per day of water that is being used in the entire area which includes - we call it our service area - Carlsbad and about 25 minutes outside of Carlsbad. That whole area, we know that the population of the area, without question, is at minimum 62,000 people today using the water records."

A leakage study conducted by the CDOD revealed that these consumers are eager to spend money on goods and services, when those goods and services are readily available.

"We know that people have money, and they're spending it, but they weren't spending it in Carlsbad," said Jeff Campbell, director of marketing and business development at the CDOD.

Highlighting the need for businesses — such as microbreweries — that improve the quality of life in the region, the CDOD has been recruiting retail and service companies to the area.

Unemployment rates have remained low in Eddy County, where the CDOD is embracing industries such as manufacturing and aeronautics.

"If you're talking about commercial retail and restaurants and so forth keeping the option open and getting more into the market helps our economy grow because people are not leaving town, they're keeping the money here and then plus it's a good quality of life thing because people come here and tourists come here. They see all the different things that we have, and it makes them feel like wow we can get things here.." Campbell said.

"The ones that innovate the best . the best of those rise to the top," Waters said.

Even failure, whether from competition or other factors, can have a positive impact on a community, releasing trained employees into the workforce and forcing business innovation.

An oversaturated market will balance itself out, Campbell said; undersaturation does the same thing, providing an economy where two microbreweries can find equal success.

The CDOD said they haven't shied away from trying to compete with neighboring Texas for industries that will stabilize and diversify the economy in Eddy County.

"That's our big key difference between our neighbors and Carlsbad. Carlsbad has always since long before Jeff and I got on board, recognized the virtue of diversifying," Waters said.

With a history of feeling the impact of boom and bust times following commodity driven industries - agriculture, oil and gas and potash - the region has learned the hard way that hard times can strike at any moment.

For now, Milton's is relying on the loyalty of customers and the potential they see in the community of Carlsbad to support both themselves and their competitors.

"They'll stay, they'll drink, they'll come back. That's what breweries have been doing over the last ten years is trying to change (culture)," Middleton said.

Waters said competition does breed success.

Information from: Carlsbad Current-Argus, <http://www.currentargus.com/>

## Coal-export terminal backer sues state over permit denial

By PHUONG LE, Associated Press

SEATTLE (AP) — A company proposing to build a terminal in Washington state to export U.S. coal to Asia sued the state Tuesday, arguing regulators unfairly denied the project a key permit.

Millennium Bulk Terminals-Longview's lawsuit claims the state Department of Ecology violated federal and state laws when it denied the project a water quality certification last month.

The lawsuit filed in Cowlitz County Superior Court alleges the denial was based on "biased and prejudiced decision-making."

The company also appealed the decision to a state shoreline hearings board.

Millennium, owned by Utah-based Lighthouse Resources, has sought to build a facility along the Columbia River to handle up to 44 million tons of coal a year.

Trains would carry the coal from Montana, Wyoming and other states, which would be loaded onto ships headed to Asia. It would be one of the largest in North America.

"Today's filings demonstrate Ecology invented special rules in a unique and unprecedented process in the evaluation of Millennium's project," company CEO and president Bill Chapman told reporters in a call Tuesday.

Company officials described a protracted permitting process that has been unprecedented in scope. The company said it has invested about \$15 million in the permitting process.

Ecology rejected a water quality permit last month, saying the proposed facility in Longview would have caused "significant and unavoidable harm" to the environment. The department cited effects to air quality, vehicle and vessel traffic, noise pollution and tribal resources, among others. The permit is one of 23 the project needs.

In denying the permit, Ecology director Maia Bellon said in a statement that "there are simply too many unavoidable and negative environmental effects for the project to move forward."

Ecology spokesman Dave Bennett said in a statement Tuesday that the agency stands by its decision to deny the permit and is prepared to defend it.

"The permit application and other documents did not provide reasonable assurance that the project would meet state water quality standards," he said.

Environmentalists, tribes and others have opposed the project — which could increase U.S. exports of coal by 40 percent — because of concerns about global warming, coal dust pollution and potential damage to fisheries on the river.

Businesses, some labor groups and other supporters say the project would create jobs, add tax revenue and boost the local economy. The governor of Wyoming, the nation's leading coal-producing state, previously traveled to the Pacific Northwest to pitch the importance of coal exports to the governors of Washington and Oregon.

Kristin Gaines, the company's vice president of environmental planning, said the federal Clean Water

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 21 of 49

Act allows the state to deny water quality certification only on water quality grounds. Instead, she said Ecology used other alleged impacts to transportation.

Gaines said a thorough state and local environmental review found that the project's discharges to Washington's waters wouldn't adversely affect water quality, aquatic life or other designated uses and that any effects could be fully offset.

Another state agency earlier this year also denied the project an aquatic lands sublease. Millennium has appealed that decision and a Cowlitz County judge is scheduled to hear arguments Friday.

## SD Lottery

By The Associated Press

PIERRE, S.D. (AP) — These South Dakota lotteries were drawn Tuesday:

Mega Millions

20-24-34-56-64, Mega Ball: 6, Megaplier: 4

(twenty, twenty-four, thirty-four, fifty-six, sixty-four; Mega Ball: six; Megaplier: four)

Estimated jackpot: \$25 million

Powerball

Estimated jackpot: \$191 million

## Interior to offer largest oil and gas lease sale in US

By MATTHEW DALY, Associated Press

WASHINGTON (AP) — The Interior Department said Tuesday it will propose the largest oil and gas lease sale ever held in the United States — nearly 77 million acres in the Gulf of Mexico off the coasts of Texas, Louisiana, Mississippi, Alabama and Florida.

The sale, scheduled for next March, includes all available unleased areas on the Gulf's Outer Continental Shelf, a reflection of the Trump administration's strategy to maximize oil and gas drilling on federal lands and waters.

Even so, only a small fraction of the tracts available are expected to receive bids. A similar lease sale in August drew bids on just 90 offshore tracts totaling about a half-million acres — less than 1 percent of the 76 million acres available.

Interior Secretary Ryan Zinke touted the upcoming sale as part of the administration's bid to achieve what President Donald Trump calls "energy dominance" in the global market.

"In today's low-price energy environment, providing the offshore industry access to the maximum amount of opportunities possible (will) spur local and regional economic dynamism and job creation," Zinke said.

Rep. Raul Grijalva of Arizona, the top Democrat on the House Natural Resources Committee, said Zinke and congressional Republicans were taking credit for an Obama-era policy to offer oil and gas leases from all available tracts in the Gulf, rather than separating the western and eastern Gulf areas from the more productive central Gulf region off Louisiana, Mississippi and Alabama.

"Republicans spent eight years alleging the Obama administration was killing oil and gas when they knew it wasn't true," Grijalva said. "Now they're taking credit for lease sales made under the Obama leasing plan. Tomorrow they may as well claim credit for capturing Osama Bin Laden."

## Lawmakers seek probe of power contract to Zinke neighbor

By MATTHEW DALY, Associated Press

WASHINGTON (AP) — Members of Congress from both parties on Tuesday called for an investigation into a \$300 million contract awarded to a small company based in Interior Secretary Ryan Zinke's hometown of Whitefish, Montana.

The Puerto Rico Electric Power Authority awarded the contract to Whitefish Energy Holdings to help crews restore transmission and distribution lines damaged or destroyed during Hurricane Maria. The two-year-old company had just two full-time employees when the storm hit last month, but says it is contracting with hundreds of workers for the Puerto Rico project.

Maria hit the island on Sept. 20 as a Category 4 storm, killing more than 50 people and knocking out electricity to the whole island. More than a month later, only 30 percent of customers have power.

Rep. Raul Grijalva of Arizona, senior Democrat on the House Natural Resources Committee, said Congress "needs to understand why the Whitefish contract was awarded and whether other, more cost-effective options were available."

A spokesman for Natural Resources Committee Chairman Rob Bishop, R-Utah, agreed that congressional review was needed. The resources panel oversees Puerto Rico, a U.S. territory.

"The size and unknown details of this contract raise numerous questions. This is one of many things the committee is taking a close look at as it continues to work with the resident commissioner, governor's office and oversight board to ensure Puerto Rico's recovery is robust, effective and sustained," said Parish Braden, a spokesman for Bishop.

The Interior Department denied that Zinke, a former Montana congressman, played any role in the contract award. Zinke's son had a summer job at a Whitefish construction site.

"Neither the secretary nor anyone in his office have taken any meetings or action on behalf of this company," the department said in a statement.

Zinke knows Whitefish CEO Andy Techmanskis "because they both live in a small town where everyone knows everyone," the statement said.

Sen. Maria Cantwell, D-Wash. said she has asked the Government Accountability Office to investigate the contract award to Whitefish Energy, which she called a "brand-new company with two employees."

Ricardo Ramos, director of Puerto Rico's power authority, said the government has a \$300 million contract with Whitefish and a separate \$200 million contract with Oklahoma-based Cobra Acquisitions after evaluating up to six companies for the job.

Whitefish was one of two companies on the government's shortlist, Ramos said. The other company was requiring a \$25 million down payment, given the power authority's troubled finances. PREPA filed for bankruptcy in July and has put off badly needed maintenance for years. It just finished dealing with outages from Hurricane Irma in early September.

Whitefish said it is sending hundreds of workers, mostly subcontractors, to Puerto Rico and is providing hotel rooms and its own materials. "They're doing an excellent job," Ramos said.

Whitefish CEO Techmanski visited Puerto Rico in late summer while on vacation and established contact with PREPA and discussed potential future work, company spokesman Chris Chiames said Tuesday. When Maria hit Sept. 20, Whitefish was one of the companies that power authority officials were able to reach by satellite phone.

"We got here quicker than anybody else and we built a plan that PREPA had confidence in," Chiames said in telephone interview.

Puerto Rico Gov. Ricardo Rossello said power contracts awarded by PREPA will be audited.

Grijalva said lawmakers also need to know why the Federal Emergency Management Agency, the Army Corps of Engineers and public sector utilities "failed in Puerto Rico to conduct the disaster-response planning they carried out ahead of other disasters this year" in Texas, Florida and other states.

## Minnesota governor now supports PolyMet copper-nickel mine

ST. PAUL, Minn. (AP) — Minnesota Gov. Mark Dayton says he's moved from being "genuinely undecided" on the proposed PolyMet copper-nickel mine to being a genuine supporter of the project.

PolyMet has many backers because it promises 360 permanent jobs in the Hoyt Lakes-Babbitt area of northeastern Minnesota's Iron Range, 600 indirect jobs and an annual economic benefit to St. Louis County of over \$500 million. But environmentalists say it could lead to environmental disaster, citing the potential for acid mine drainage from the sulfide-bearing rocks and of spills if the tailings basin dam breaks.

"Nothing of that magnitude is risk free but I think it's a risk worth taking and I support the project," Dayton told the St. Paul Pioneer Press for a story published Tuesday. "But they still have to meet the environmental permitting requirements."

The company is in the process of seeking those permits, and the Democratic governor said he won't interfere with state agency permitting decisions.

Dayton also said he's working with officials to pin down the final financial assurances plan so that taxpayers won't have to pay the environmental cleanup and monitoring costs if PolyMet goes bankrupt. Dayton said he had a meeting last week on some of those details. He said they're building in sufficient environmental and financial protections.

"They'll be controversial, but that's where I come down on the side of jobs and environmental protection," he said. "I think we've found a way to make them compatible."

Steve Morse, executive director of the Minnesota Environmental Partnership, told the Star Tribune of Minneapolis that he and his allies "respectfully disagree" with Dayton's stance, which he called "befuddling."

"It's a high risk project in a highly sensitive watershed," Morse said. "As Minnesotans we ought to be protecting all of our water resources."

Dayton says he's not as comfortable with another proposed copper-nickel mine, Twin Metals near Ely, because it's in a watershed that flows into the Boundary Waters Canoe Area Wilderness. The federal government in the last weeks of President Barack Obama's administration essentially declared at least a two-year time out on that project and said it wouldn't renew the mineral rights leases it needs to proceed. Some members of Minnesota's congressional delegation are trying to persuade President Donald Trump's administration to reverse those decisions.

The governor said he understands that people who want jobs in northern Minnesota see Twin Metals as worth the risk, while those whose priority is protecting the Boundary Waters and that region think it's not. He said he doesn't see any middle ground.

## Federal trappers lack funding to deal with Minnesota wolves

ST. PAUL, Minn. (AP) — Federal trappers are struggling to keep up with Minnesota's growing wolf population.

Only U.S. Department of Agriculture trappers can kill wolves because of a 2014 federal ruling that put them on the endangered species list, Minnesota Public Radio reported .

Trappers had to stop working for a few weeks starting on Oct. 13 because of a lack of funds, said John Hart, a USDA regional wildlife specialist. The department receives about \$220,000 annually to trap about 200 wolves.

Minnesota U.S. Sens. Amy Klobuchar and Al Franken were able to secure additional funds from the USDA for the trap-and-kill program. The team is now funded through the end of the year.

Cattle rancher Chuck Becker said wolves have attacked dozens of his cattle over the last 20 years.

"They start feeding on cattle, because it's easy for them and they taste good," Becker said.

A Minnesota Department of Natural Resources survey found the state's wolf population has increased about 25 percent since last year. There are about 500 packs and more than 2,800 wolves in the northern part of the state. The state's minimum goal was to reach 1,600 wolves.

The wolf population may have recovered enough to be removed from the endangered species list, said

DNR large carnivore specialist Dan Stark.

Stark said he wasn't calling for reopening the wolf hunt, but said ranchers should get more freedom to handle wolf problems.

"We should recognize that this has been a success, and we should move on to a more long-term conservation strategy," Stark said.

Information from: Minnesota Public Radio News, <http://www.mprnews.org>

## China's Xi unveils new leaders but no obvious successor

By GILLIAN WONG and CHRISTOPHER BODEEN, Associated Press

BEIJING (AP) — China's ruling Communist Party on Wednesday elevated five new officials to assist President Xi Jinping as he embarks on a second five-year term, and by stopping short of designating an obvious successor strengthened his position as the country's most powerful leader in decades.

As expected, Xi was given a renewed mandate following the first meeting Wednesday of the new Central Committee that was elected at the party's twice-a-decade national congress.

"We will mobilize the whole party and the whole country in a resolute push to deliver on our pledge and eradicate poverty in China," Xi, China's president, said in comments to reporters at a brief ceremony at the Great Hall of the People.

The new leaders will face challenges that include reining burgeoning levels of debt, managing trade tensions with the U.S. and Europe, preventing war over North Korea's nuclear program and navigating ties with Southeast Asian nations wary of Beijing's influence.

Five members of the new seven-strong Politburo Standing Committee introduced by Xi were newly appointed Wednesday. Going by the party's norms on retirement ages, none of them are deemed suitable to succeed the 64-year-old Xi as party leader after his second five-year term.

The absence of an obvious successor pointed to Xi's longer-term ambitions, said Joseph Fewsmith, an expert on Chinese politics at Boston University.

"It suggests that Xi will likely serve a third term, and that he is likely to name his own successor," Fewsmith said. "We have not seen that for two decades."

In contrast, before Xi took power in 2012, he had been in the Standing Committee for five years. Xi's predecessor, Hu Jintao, had a seat in the body for 10 years before becoming party leader. Under recent party precedent, party leaders have served just two five-year terms.

The party had already elevated Xi's status on Tuesday at its closing session by inserting his name and dogma into the party's constitution alongside past leaders Mao Zedong and Deng Xiaoping.

"No one doubts Xi bestrides the landscape like a colossus. Organized or even unorganized resistance is inconceivable," said Jeremy Paltiel, a China expert at Canada's Carleton University.

Xi, the son of a Communist elder, has described his political ideology as central to setting China on the path to becoming a "great modern socialist country" by midcentury. This vision has at its core a ruling party that serves as the vanguard for everything from defending national security to providing moral guidance to ordinary Chinese.

The only other returning member to the apex ruling body was Premier Li Keqiang, the party's second-ranking official primarily responsible for overseeing the economy and leading the Cabinet. Li's authority was widely viewed as having been undercut by Xi's accumulation of power across various sectors of government.

The makeup of the committee reflects Xi's efforts to foster party unity by striking a balance between different interest groups in the 89-million member organization. They will run the rubber-stamp legislature and its advisory body and be responsible for areas that include propaganda, party discipline and ethnic and Taiwan affairs.

The inclusion of politicians from factions associated with Xi's predecessors Hu and Jiang Zemin in the Politburo Standing Committee pointed to the party's efforts to assuage concerns that Xi has been central-



# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 25 of 49

izing too much authority under him alone, analysts said.

"It signals balance and offers some relief to those who thought Xi will seek to place just his own loyal followers in key positions," said Dali Yang, a China politics expert at the University of Chicago.

Among the five new members, only Zhao and Li Zhanshu are seen to be Xi's proteges.

"What this shows is that these are not all the president's men," said Cheng Li, an expert in elite Chinese politics at the Brookings Institution. "This group is more like a team of rivals."

The other members are, in order of seniority: Li Zhanshu, who serves as Xi's chief of staff; Vice Premier Wang Yang; Wang Huning, director of the party's Central Policy Research Office; Zhao Leji, head of party organization responsible for job assignments; and Shanghai party leader Han Zheng, a veteran manager of the country's financial hub.

Zhao is expected to head the party's much-feared corruption watchdog. Xi's popular and wide-ranging anti-corruption campaign has been seen as boosting supervision over the party while also serving as a powerful weapon with which to purge his political opponents.

Some saw the absence of an anointed heir as similarly aimed at protecting Xi's authority and preventing him from being potentially undermined.

"A successor in the shadow of a powerful leader can be a dangerous position to be in," said the University of Chicago's Yang. "With the current setup, it doesn't rule out Xi's retirement in five years, though it does provide more room for him to continue."

Others saw the move as a compromise made by Xi, who's viewed as favoring as a potential successor Chongqing party secretary Chen Min'er — an official who would have had to break party norms on promotions in order to gain a place on the Standing Committee.

"Chen Min'er is such a clear protege of Xi Jinping," said Steve Tsang, director of the SOAS China Institute in London. "This shows that what remains of the resistance (to Xi) is still able to exercise some element of horse-trading constraint on Xi Jinping."

Chen was named to the 25-member Politburo, one rung below the Standing Committee, along with other Xi allies among whom a future successor could be drawn.

And despite his unrivaled dominion over the party, Xi will likely struggle to make it relevant to a rapidly evolving Chinese society with higher expectations for a fairer and more open environment. Xi has overseen one of the harshest crackdowns on civil society aimed at squelching dissent and activism among lawyers and rights advocates.

"The society, particularly the youth, are turning their back from the party and politics," Jean-Pierre Cabestan, an expert on Chinese politics at Hong Kong Baptist University. "They enjoy life and don't care about the congress or Xi."

## Sheriff's spokesman: 2 killed on Grambling State campus

GRAMBLING, La. (AP) — A sheriff's spokesman says a student and his friend were fatally shot at Grambling State University after an altercation that began in a dorm room, and the shooter fled the scene.

Lincoln Parish Sheriff's spokesman Stephen Williams says detectives joined campus police at the scene of the double homicide after getting 911 calls starting at 12:04 a.m. Wednesday.

"It was an altercation that started inside one of the dorm rooms and spilled out into the courtyard," Williams said. "We're interviewing witnesses."

Grambling State media relations director Will Sutton told news outlets that one of the victims was a Grambling senior, Earl Andrews, and the other was Monquarius Caldwell. Both were 23 and from Farmer-ville, Louisiana.

Another shooting wounded a Grambling State student last month in a separate incident on the campus of the historically black university in northern Louisiana, which has an enrollment of nearly 5,000 students. Sutton told news outlets then that a student let another person into a dorm and there was an altercation that ended with a student being shot in the left arm on Sept. 21.

No suspects have been named.

## Oil pipeline opponent uses 'necessity defense' \_ What is it?

By **BLAKE NICHOLSON** and **STEVE KARNOWSKI**, Associated Press

BISMARCK, N.D. (AP) — An American Indian activist and former U.S. congressional candidate in North Dakota accused of inciting a riot during protests against the Dakota Access oil pipeline says he'll seek to present a "necessity defense" — justifying a crime by arguing it prevented a greater harm.

Chase Iron Eyes has pleaded not guilty to inciting a riot and criminal trespassing. He could face more than five years in prison if convicted at trial in February. The pipeline has since begun carrying oil from North Dakota through South Dakota and Iowa to Illinois.

Pipeline protesters who try the necessity defense typically argue that the greater harm is climate change. Iron Eyes, a member of the Standing Rock Sioux tribe, says he hopes to show that civil disobedience was his only option to resist a pipeline's incursion on his ancestral lands. The prosecutor in the case didn't respond to a request for comment. A judge will hear arguments Nov. 3.

### WHAT IS THE NECESSITY DEFENSE?

People who use it are trying to show the harm they caused is justified because a greater harm was avoided as a result.

It dates to the late 1800s in England, when two sailors were charged with murder after they stayed alive by killing and eating a third sailor marooned with them in a lifeboat.

### IS IT RECOGNIZED BY THE COURTS?

The U.S. Supreme Court has said it's an "open question" whether federal courts have the authority to recognize a necessity defense not provided by law, according to North Dakota District Court Judge Laurie Fontaine.

Whether the defense is permitted by law in state courts varies, according to University of Mississippi law professor Michael Hoffheimer.

The main argument against the defense is that it gives people who don't like a particular law the chance to break it and then argue it was excusable.

The main argument in its favor is that there might be special circumstances in which there is a justifiable reason for breaking a law.

### HOW IS IT USED NOW?

It is used most frequently in criminal cases — such as drunk driving and marijuana use — in which people argue that what they did was necessary to prevent some greater harm.

In one such case, the Minnesota Supreme Court in 2014 ruled against a woman who challenged the revocation of her driver's license after she drove while intoxicated to escape her abusive husband.

Defense attorneys also have tried the necessity defense when people illegally use marijuana, arguing that it was needed to treat a health problem. A 1976 District of Columbia court decision in favor of a person suffering from glaucoma was the first in the country to recognize the defense in a marijuana case, according to the National Organization for the Reform of Marijuana Laws.

The defense also has been used through the years by abortion clinic protesters. In a high-profile case in 2009, a judge ruled against its use in the trial of Scott Roeder, who confessed to killing an abortion-providing doctor in Kansas but argued it was necessary to save unborn children.

It was first used in a U.S. environmental case in 2009 when a climate change activist cited necessity in Utah. Alice Cherry, co-founder of the Climate Defense Project, said it has been used in similar cases in Washington state, New York, Montana, North Dakota and Minnesota. The Climate Defense Project even offers an educational guide on using the defense and says this area of the law is "developing rapidly."

With pipeline protests, demonstrators often point to climate change and environmental damage as the greater harms. Oil pipelines carry fossil fuels, including oil, which release gases that trap heat and contribute to climate change, they argue.

Iron Eyes' arguments are more complex. He cites an "imminent threat" to his tribe's water supply because the Dakota Access pipeline goes beneath the Lake Oahe reservoir on the Missouri River, from which the tribe draws its drinking water. He also contends there was an effort by industry, private security and

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 27 of 49

public law enforcement to conduct "an anti-terrorist campaign against Native Americans."

WHAT MUST BE PROVEN?

Legal experts agree the necessity defense is a long shot.

To succeed, the defendant generally has to persuade the judge or jury that they had no legal alternative to breaking the law. They also must prove they were trying to prevent some imminent harm, and there must be a direct connection between their breaking the law and preventing the harm. Finally, they must prove that breaking the law is less harmful than what would have happened.

HAS IT SUCCEEDED IN ENVIRONMENTAL CASES?

Not often.

In a Minnesota case, Judge Robert Tiffany is allowing four pipeline protesters to use the defense, but he also said they must clear a high legal bar. Tiffany said the defense applies "only in emergency situations where the peril is instant, overwhelming, and leaves no alternative but the conduct in question." That case is still pending.

A judge in Spokane, Washington, is allowing a 77-year-old Lutheran pastor to use a necessity defense in his upcoming trial stemming from a climate change protest last year. The Rev. George Taylor stood on railroad tracks to protest coal and oil trains that pass through Spokane and their contribution to climate change.

Judges in recent pipeline protest trials in North Dakota, Montana and Washington state have rejected the defense. The Montana judge said he didn't want to put U.S. energy policy on trial, and the North Dakota judge said a reasonable person couldn't conclude a direct cause and effect between the defendant's pipeline protest and climate change.

The Montana case is pending. In the Washington and North Dakota cases, the protesters on trial were allowed to tell jurors of their "state of mind" during the offense, but in both cases were still convicted. In the Washington case, the protester received probation and said he was "heartened, knowing that we are bringing these arguments into the jury system."

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## 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. WHY TRADITIONAL REPUBLICANS ARE QUESTIONING THE FUTURE

That existential thinking, which has nagged the party since Trump's stunning election, flared up anew with Arizona Sen. Jeff Flake's retirement announcement.

### 2. AP SOURCE: CLINTON CAMPAIGN HELPED FUND TRUMP DOSSIER RESEARCH

The revelation is likely to fuel complaints by Trump that the dossier, which the president has derided as "phony stuff," is a politically motivated collection of salacious claims.

### 3. CHINA UNVEILS NEW COMMUNIST PARTY LEADERSHIP

Burgeoning debt, trade tensions with the U.S. and Europe and preventing war over North Korea's nuclear program are just some of the issues facing President Xi Jinping's party.

### 4. EPA CHEMICAL REVIEW WOULD EXCLUDE MILLIONS OF TONS OF TOXINS

Spurred by the chemical industry, the Trump administration is retreating from a congressionally mandated review of some of the most dangerous chemicals in public use.

### 5. 2 KILLED ON GRAMBLING STATE CAMPUS

Police say a student and his friend were fatally shot at the Louisiana school after an altercation that

began in a dorm room, and the shooter fled the scene.

#### 6. AFTER INDEPENDENCE VOTE, KURDS FEEL UNDER SIEGE

Kurdish politicians have lost their most important oil-producing city, Kirkuk, squeezing an already ailing economy and dashing hopes of an independent state.

#### 7. THAIS BEGIN FUNERAL FOR MONARCH

King Bhumibol Adulyadej's son is performing Buddhist merit-making rites in preparation for moving Bhumibol's remains to a spectacular golden crematorium.

#### 8. WHAT'S NEXT IN BERGDAHL TRIAL

Prosecutors plan to present evidence of service members wounded searching for the Army sergeant, convicted for abandoning his post in Afghanistan in 2009.

#### 9. 'YOU OWN IT': NEW ZEALAND PARTY TOLD TO PAY FOR EMINEM RIP-OFF

A judge ruled that a political party breached copyright by using a song similar to the rapper's "Lose Yourself" in its campaign ads.

#### 10. NO SWEAT, CLAYTON KERSHAW

Changing jerseys to beat the 103-degree heat, the Dodgers' ace struck out 11, gave up just three hits and walked none over seven innings as Los Angeles beat Houston 3-1 in the World Series opener.

## Thailand begins elaborate 5-day funeral for King Bhumibol

By TASSANEE VEJPONGSA, Associated Press

BANGKOK (AP) — Thailand on Wednesday began an elaborate five-day funeral for King Bhumibol Adulyadej with his son, the new monarch, performing Buddhist merit-making rites in preparation for moving Bhumibol's remains to a spectacular golden crematorium.

Thousands of mourners dressed entirely in black have endured tropical heat during the day and torrential rains at night as they waited to enter the historic royal quarter of Thailand's capital to bid farewell to a monarch celebrated as a unifying symbol throughout his seven-decade reign.

The rites in the ornate throne hall of Dusit palace, where Bhumibol's remains have been kept for the past year, began the series of ceremonies and processions that include his cremation on Thursday evening within a golden edifice representing mystical Mount Meru, where Buddhist and Hindu gods are believed to dwell.

About 250,000 people are expected to line the streets of Bangkok's royal quarter to witness elaborate gilded processions that will be broadcast live.

As orange-robed monks chanted and officials in crisp white uniforms looked on, King Maha Vajiralongkorn knelt beneath a nine-tiered golden umbrella. The ceremony was preparation for the moving of an urn representing Bhumibol's remains to the crematorium built over the past year.

By tradition, deceased Thai royals have been kept upright in elaborate urns during official mourning. But Bhumibol, who spent much of his early life in the West, opted to be put in a coffin, with the urn placed next to it for devotional purposes.

Bhumibol's death at age 88 on Oct. 13 last year sparked a national outpouring of grief and a year of mourning. More than 12 million people — nearly a fifth of Thailand's population — visited the throne hall at Dusit palace to pay respects.

The adulation Bhumibol inspired was in part the result of decades of work by palace officials to rebuild the prestige of the monarchy, which lost its mystique and power after a 1932 coup ended centuries of absolute rule by Thai kings.

That effort built an aura of divinity around Bhumibol, who was protected from criticism by draconian lese majeste laws, but was also respected for his charitable work, personal modesty and as a symbol of stability in a nation frequently rocked by political turmoil.

One mourner, Banterng Saeueng, said Wednesday that the funeral was the most important event in his lifetime. "I am happy to stand in the rain or sit under the sun," said the 55-year-old.

The funeral will be an intensely somber event, but also rich in history and cultural and spiritual tradition.

Mourners are allowed to prostrate when royal processions pass but must not shout out "Long Live the

King" or hold up cellphones to take photos or selfies.

Police are trying to calm occasional flare-ups of tension among mourners.

There have been accusations of queue jumping and sharp exchanges between some who've waited hours or traveled from far away.

Volunteers handed out water to offset the tropical heat as the crowd slowly moved through security checks into the historic royal quarter.

Portraits of King Bhumibol were held by many in the crowd, and some wore plastic raincoats during the heaviest rains overnight — the only bits of color breaking up the sea of black as the crowds grew.

Yuwadee Tyler said she had come from Hobart, Australia, where the Thai woman has lived for more than a decade.

"When I know my king is passed away, my heart is broken," she said. "I am so glad to be here."

## Xi Jinping and other key leaders of China's Communist Party

BEIJING (AP) — Key members of China's Communist Party were determined at the national congress, which is held every five years and concluded this week.

On Wednesday, members of the party's highest body, the Politburo Standing Committee were announced, with President Xi Jinping returning for a second five-year term as party general secretary.

Premier Li Keqiang also remains in place as his No. 2, while the other five members are all newcomers taking the place of those who retired due to unwritten age limits.

Profiles of all seven committee members, listed by seniority:

### XI JINPING

The head of the Communist Party since 2012 and state president since 2013, Xi has established himself as a fervent nationalist and China's most powerful leader since Deng Xiaoping in the 1980s.

Xi, 64, has worked to reassert the party's influence across all sectors, including in schools, the media and the private businesses that are driving China's economy. The son of a communist elder, Xi lived in a cave and performed hard labor during the Cultural Revolution before graduating from prestigious Tsinghua University and being appointed to a series of increasingly prominent provincial posts.

Xi's first five years in power have seen China adopt an increasingly assertive foreign policy, challenging the U.S. military's dominance in Asia. A strengthening of the domestic security services has led to what rights groups say is the worst crackdown on activists, political dissidents and the Uighur and Tibetan minority ethnic groups in decades.

With his new mandate, Xi will likely continue such measures while struggling to keep the economy growing fast enough to satisfy the demands of China's nearly 1.4 billion citizens and their building expectations for improving their quality of life. He's also formed a considerable cult of personality and has seen his personal political theory of "socialism with Chinese characteristics for a new era" enshrined in the party constitution.

"History looks kindly on those with resolve, with drive and ambition and with plenty of guts," Xi said in his speech at the opening of the party congress last week. "It won't wait for the hesitant, the apathetic or those shy of a challenge."

Xi is also head of the Central Military Commission that commands the People's Liberation Army, the world's largest standing military.

### LI KEQIANG

Premier since 2013, Li had at one time been a candidate for the top job, but was ruled out in part because of his close connection with previous leader Hu Jintao. Party elders also were reportedly concerned that he might not be tough enough to ensure the party's hold on power and lead China into a more dominant global position.

Despite that, Li's return for a second term on the Politburo appears to display the party's approval of his administrative skills and ability to maintain a balance between different factions.

Li, 62, was born into a family of minor party officials but parlayed his intellectual skills into a seat at

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 30 of 49

prestigious Peking University, where he earned a doctorate in law. He rose through the ranks to lead the Communist Youth League under Hu's tutelage, then was appointed China's youngest governor in 1998 at age 43.

He served as the top official in the provinces of Henan and Liaoning, where he emerged unscathed despite scandals including an AIDS outbreak and rampant organized crime. While nominally in charge of the economy and head of the Cabinet, Li has seen his role diminished under the rule of Xi, who has appointed himself the head of numerous party working groups that have eroded the power of the ministries and other formal offices.

Affable and English-speaking, Li is seen most often in public greeting foreign visitors and paying visits to institutes of learning and high-tech industries. "The people's livelihood is why we govern," Li said in his annual address to the national legislature in March. "At times, one needs to place it on one's heart and carry it on one's shoulders."

## LI ZHANSHU

As director of the party's General Office, Li effectively serves as Xi's chief of staff and is a constant presence at his side during state visits and other important occasions. The two men first worked together at the start of their careers as leading officials in adjacent rural townships in Hebei province outside Beijing.

While Xi took on new posts in the country's dynamic southeast, Li remained in Hebei, eventually rising to head the provincial Communist Youth League and hold other top posts. He was then transferred to Xi's native province of Shaanxi and then to Heilongjiang in the far northeast, where he was eventually named governor.

From there he served as party secretary for two years in the poor southern province of Guizhou before being called to Beijing in 2012 as Xi was being made head of the party and given a seat on the Politburo.

Unlike his predecessors, Li, 67, plays a prominent role in foreign affairs, and in 2015 was sent by Xi to Moscow to serve as his special representative in talks with Russian President Vladimir Putin. "I believe you and (President) Xi Jinping are leaders of two great nations, two great politicians who have significant influence in the world," Li was quoted as telling Putin.

Li is expected to take over as chairman of the National People's Congress, China's rubber stamp parliament.

## WANG YANG

In his current role as vice premier, Wang's most high-profile responsibility is steering talks between the U.S. and China on thorny trade issues. These range from cutting China's excess steel production to easing restrictions faced by foreign businesses trying to tap into the world's second-largest economy.

In these talks, Wang has sought to be charming but also firm, saying the sides need to cooperate and warning that "confrontation will immediately damage the interests of both."

When he was the top leader of Guangdong, China's wealthiest province, Wang's favorite political slogan was "free your thinking." Wang, 62, is widely seen as an economic reformer interested in promoting the private sector and the transformation of China's economy from one reliant on heavy industries to one that's driven by consumption and innovation.

Wang is considered closely aligned with now-retired President Hu Jintao; both are from the eastern province of Anhui. In 2011, as Guangdong party chief, Wang boosted his career when he presided over a compromise with protesters in the fishing village of Wukan, where residents had staged an uprising that made the village an internationally known symbol of grass-roots defiance against the party.

Wang will likely be appointed head of the Chinese People's Political Consultative Conference, the parliament's largely ceremonial advisory body.

## WANG HUNING

Long considered the brains behind Xi's governing philosophy, Wang has served as director of the party's Central Policy Research Office since 2002. First transferred to Beijing from an academic career in his native Shanghai, Wang loyally served Xi's predecessors Jiang Zemin and Hu Jintao in an advisory role, helping

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 31 of 49

define their political outlooks and accompanying them on foreign trips.

Wang and Xi formed a close relationship, and Wang is almost always at the president's side at important events, along with Li Zhanshu and top foreign policy adviser Yang Jiechi. A prolific author and former champion college debater, Wang, 62, is considered a fierce advocate of centralized power and authoritarian rule.

"The legacy of Wang's neo-authoritarianism and its cousin, neo-conservatism, lives on today under the reign of Xi Jinping," wrote American China politics expert Jude Blanchette. "Look at the first five years of Xi Jinping's administration through the neo-authoritarian lens, and we see a consistent theme: clawing power back to Beijing."

Wang's predecessor in the No. 5 slot was in charge of propaganda and president of the party's main training academy.

## ZHAO LEJI

Since 2012, Zhao has run the ruling party's Central Organization Department, which oversees promotions, making him a key figure in Xi's campaign to promote supporters and tighten control over the political hierarchy.

Zhao, 60, is seen as part of Xi's "Shaanxi Gang" of figures with family ties to the western province from which their families originally hail. Before moving to Beijing, Zhao was party secretary for Shaanxi and, before that, for the remote western province of Qinghai on the Tibetan plateau, where he was born and spent his early career.

Like Xi, Zhao is a second-generation party member, and unconfirmed accounts say their fathers were friends. Zhao would be one of the youngest Standing Committee members ever and his age would allow him to serve a full 10 years before party tradition would require he step down. That would help to extend Xi's influence beyond the next leadership change in 2022, when he would be forced to step down as president under term limits.

"Zhao is well positioned on the policy front to carry out several of Xi's long-standing objectives: the alleviation of poverty and the strict enforcement of regulations on party officials," politics specialist Cheng Li wrote in a report for the Brookings Institution.

Zhao was appointed head of the party's feared anti-corruption watchdog body, the Central Commission for Discipline Inspection.

## HAN ZHENG

A trained economist, Han worked his way up the political hierarchy of China's financial hub of Shanghai from a humble start in the chemical industry and at a rubber shoe factory.

He has spent his entire career in Shanghai, advancing over decades to become the city's mayor in 2003 — then the youngest person to hold that position, at age 48 — and its Communist Party chief in 2012. In 2007, he also served as deputy to Xi, then the city's party leader, before Xi moved to Beijing.

Han, 63, is known as a business-friendly politician able to rattle off statistics with practiced ease. During his tenure as mayor, Shanghai hosted the 2010 World Expo, which showcased China's rise as a modern industrial power.

But it was also on his watch that a New Year's Eve stampede on Shanghai's scenic Bund promenade killed 36 people at the end of 2014. Earlier in his career, Han emerged seemingly unscathed from a massive corruption scandal centering on Shanghai's pension fund that resulted in the purge of the city's former Communist Party chief Chen Liangyu. Chen was sentenced to 18 years in prison in 2008.

Washington's Brookings Institution said in a report this year that Han was known as "a competent, seasoned financial and economic technocrat" with "market friendly policy orientation in Shanghai."

Han will likely be made executive vice premier with responsibilities for science, technology and some economic issues.

## Senate GOP votes to repeal consumer rule

By KEVIN FREKING, Associated Press

WASHINGTON (AP) — In a further rollback of Obama-era regulations, the Republican-led Senate voted narrowly to repeal a banking rule that would have allowed consumers to join together to sue their bank or credit card company to resolve financial disputes.

Vice President Mike Pence cast the final vote late Tuesday to break a 50-50 tie. The banking industry had been lobbying hard to roll back the regulation from the Consumer Financial Protection Bureau. The bureau had moved to ban most types of mandatory arbitration clauses found in the fine print of agreements consumers often enter into when opening a checking account or getting a credit card.

The vote reflects the effort of the Trump administration and congressional Republicans to undo regulations that the GOP argues harm the free market. The measure now moves to President Donald Trump's desk for his signature.

White House press secretary Sarah Huckabee Sanders said the president applauded the vote.

"The rule would harm our community banks and credit unions by opening the door to frivolous lawsuits by special interest trial lawyers," Sanders said.

Democratic lawmakers said the CFPB's rule would have given consumers more leverage to stop companies from financial wrongdoing. They cited the sales practices at Wells Fargo and the security breach at credit company Equifax as examples of misdeeds protected through forced arbitration.

"So who does forced arbitration help? Wall Street banks and other huge corporations that never pay the price for cheating working people," said Sen. Sherrod Brown, D-Ohio.

Richard Cordray, director of the consumer bureau, said: "Tonight's vote is a giant setback for every consumer in this country. Wall Street won and ordinary people lost. This vote means the courtroom doors will remain closed for groups of people seeking justice and relief when they are wronged by a company."

Republicans said the arbitration system has worked "wonderfully" for consumers. They said the payouts for the average consumer in arbitration cases are generally much larger and come more quickly than when compared to the relief gained through class-action lawsuits.

"The effort to try to characterize this as some devious system that has been created to try to stop consumers from having access to fairness is simply false," said Sen. Mike Crapo, the Republican chairman of the Senate Banking, Housing and Urban Affairs Committee. "We have a very fair system that has been working for over 100 years in this country."

Crapo said the average pay-out for consumers in class-action lawsuits against financial companies was just \$32, but lawyers stood to make millions.

Democrats argued that consumers generally don't have the time and means to pursue claims in arbitration, and since most disputes revolve around small amounts, they typically just give up. They said banks and other financial firms know that in the end they won't have pay a real price for taking advantage of a consumer.

But class-actions would serve as a powerful tool for consumers, they said.

"Once again, we're helping the powerful against the powerless," said Senate Minority Leader Chuck Schumer, D-N.Y., as the Senate neared the vote, sensing the Democrats would lose.

Two Republicans sided with Democratic lawmakers to keep the rule — Sens. Lindsey Graham of South Carolina and John Kennedy of Louisiana.

The advocacy group Consumers Union and several veterans groups, including the American Legion, lobbied to keep the rule. They said consumers would still have the option to use arbitration to resolve a dispute, if both parties want to go that route.

"Without the CFPB rule, consumers can be forced into a rigged system where they have no recourse. It's a disgrace," said Linda Lipsen, CEO of the American Association for Justice, an advocacy group that works to improve the legal system.

The American Bankers Association cheered the Senate vote. "Today's vote puts consumers first rather than class-action lawyers," said Rob Nichols, the group's president and chief executive officer.



## Declaration of independents: Hill rises, makes Series start

By RONALD BLUM, AP Baseball Writer

LOS ANGELES (AP) — Out of the majors, Rich Hill never believed he was out of chances.

It only looked that way.

Unwanted by a single big league organization, and already in his mid-30s, Hill found himself pitching for the Long Island Ducks in the summer of 2015.

Yep, the same guy who will be starting Game 2 of the World Series for the Los Angeles Dodgers on Wednesday night.

"A couple years ago, I was using a bucket in independent ball as a toilet," he recalled last weekend.

Script writers seeking a follow-up to "Bull Durham," "Field of Dreams" and "The Natural" need look no farther than Dodger Stadium, just 7 miles down the 101 from the Hollywood Walk of Fame.

King of the Hill, he is.

"I never thought I was done," he said last December after getting a \$48 million, three-year deal from the Dodgers.

Far from it.

The 37-year-old lefty rapidly regained his grip, and will cap his rise when he takes on Houston Astros, who start Justin Verlander, the MVP of the AL Championship Series. The Dodgers lead the Series 1-0.

After a decade in the major leagues, Hill began 2015 with the Washington Nationals' Triple-A team at Syracuse, New York, and was released in June. He signed with the Ducks, struck out seven over five hitless innings on Aug. 2 against the Bridgeport Bluefish, then a week later struck out 14 over six scoreless innings versus the Camden Riversharks.

"I think it's something that people will think of and say, wow, it's just a bunch of guys that are washed up or guys that didn't get an opportunity to make it," he explained Tuesday. "But that's not true. If you actually go to a game and take it in and see, there's a lot of good talent here. It just happens that there wasn't any room for these players in affiliated baseball."

Boston took notice, purchased his contract and brought him back to the big leagues in mid-September.

"It was a great experience. I wouldn't change that for anything," Hill said. "It was learning again, reigniting that fire, reigniting that passion for what we do out there on the field and really getting back into disassociating yourself with the results and just understanding that it is a pitch-to-pitch process and understanding that the moment is all that matters."

He went 2-1 with a 1.55 ERA in four starts with the Red Sox and earned a \$6 million, one-year deal with Oakland for 2016. Dealt to the Dodgers that Aug. 1, he went 7-5 with a 2.12 ERA in 20 starts overall, became a free agent again and signed a rich deal to remain with Los Angeles.

At the news conference to announce his big deal, Hill's voice quavered and his face flushed with emotion when he thanked his wife Caitlin; son Brice, who was born in 2011; and son Brooks, who was less than 2 months old when he died in February 2014.

"He was born with multiple issues that we confronted and had to deal with," Hill said at spring training that year. "Unfortunately, he succumbed. He's passed. He taught us a lot of things. Unfortunately, things didn't work out."

Dodgers manager Dave Roberts admires Hill for a passion and intensity that stands out even among hyper-competitive major leaguers.

"He's wacky on his start days," Roberts said. "He gets more mad when he swings and misses than he does giving up a homer. This guy thinks he's Superman on the baseball field. So it's kind of comical at times."

Hill's performance in Los Angeles has been blistering — both good and bad.

He retired his first 21 batters at Miami in September 2016 when Roberts removed him after 89 pitches. Hill missed significant time last year because of a strained left groin and a blister on the middle finger of his pitching hand.

On Aug. 23 this year, he retired the first 24 batters at Pittsburgh before third baseman Logan Forsythe misplayed Jordy Mercer's grounder for an error in the ninth, ending another perfect game bid. Hill pitched

no-hit ball until Josh Harrison homered leading off the 10th for a 1-0 win.

Still, his season was interrupted twice by the blister, which sent him to the disabled list from April 7-16 and April 17 to May 16. After returning for the second time, he held opponents to a .194 batting average and averaged 11.2 strikeouts per nine innings, finishing with a 12-8 record.

He didn't get a decision in his first two postseason starts this year, allowing two runs over four innings as the Dodgers beat Arizona 8-5 in Game 2 of the Division Series and giving up one run over four innings during a 4-1 win over the Chicago Cubs in Game 2 of the Championship Series.

Hill thought back to "those times of struggle and in the times of failure in the rehab, the years of rehabing, not being in an affiliated clubhouse."

"You understand how fortunate you are to play this game and fortunate to be able to get the opportunity to go out there and play," he said.

More AP baseball: <https://apnews.com/tag/MLBbaseball>

## AP source: Clinton camp helped fund Trump dossier research

By ERIC TUCKER, Associated Press

WASHINGTON (AP) — Hillary Clinton's presidential campaign and the Democratic National Committee helped fund political research into President Donald Trump that ultimately produced a dossier of allegations about his ties to Russia, a person familiar with the matter said Tuesday night.

The revelation is likely to fuel complaints by Trump that the dossier, which the president has derided as "phony stuff," is a politically motivated collection of salacious claims. Yet the FBI has worked to corroborate the document, and in a sign of its ongoing relevance to investigators, special counsel Robert Mueller's team — which is probing potential coordination between Russia and the Trump campaign — weeks ago questioned the former British spy, Christopher Steele, who helped compile the claims in the dossier.

The dossier, which circulated in Washington last year and was turned over to the FBI for its review, contends that Russia was engaged in a longstanding effort to aid Trump and had amassed compromising information about him. Trump has repeatedly dismissed the document as false and in recent days has questioned on Twitter whether Democrats or the FBI had helped fund it.

Trump has also attacked the findings of the FBI, NSA and CIA that Russia waged a large-scale influence campaign to interfere in the election. The FBI and the CIA have said with high confidence that the effort was aimed at hurting Clinton's candidacy and helping Trump. The NSA found the same with "moderate" confidence.

The person familiar with the matter, who spoke on condition of anonymity to discuss confidential client matters, said the arrangement was brokered by Marc Elias, a lawyer for the Clinton campaign and the DNC, and his law firm of Perkins Coie.

The deal began in the spring of 2016, when the firm was approached by Fusion GPS, the political research firm behind the dossier, and lasted until right before Election Day, according to the person. When Fusion approached Elias, it had already been doing research work on Trump for a client during the GOP primary. The identity of the original client has not been revealed.

It's unclear what Fusion GPS had dug up by the time law firm hired it in April 2016. According to a copy of the dossier published by BuzzFeed last year, the earliest report from Steele dates to June 2016, two months later. It was not immediately known how much money Fusion was paid or how many others in the Clinton campaign or DNC were aware that the firm had been retained.

Elias did not immediately return an email seeking comment, and representatives of Fusion GPS declined to comment. The Washington Post first reported the arrangement.

Clinton campaign officials did not immediately comment, but in a statement, a DNC spokeswoman said chairman Tom Perez was not part of the decision-making and was unaware that Perkins Coie was working with Fusion GPS.

"But let's be clear, there is a serious federal investigation into the Trump campaign's ties to Russia, and

the American public deserves to know what happened," the statement said.

Former Clinton campaign spokesman Brian Fallon said on Twitter that he regretted not knowing about Steele's hiring before the election, and that had he known, "I would have volunteered to go to Europe and try to help him."

"I have no idea what Fusion or Steele were paid but if even a shred of that dossier ends up helping Mueller, it will prove money well spent," he wrote in another tweet.

According to a letter obtained by the AP Tuesday night, representatives of Fusion GPS reached out to the firm in early March 2016 to express interest in continuing research on Trump it had begun "for one or more other clients during the Republican primary contest."

At that time, the Clinton campaign was looking toward the general election and was pivoting attention toward Trump, who was emerging as the Republican front-runner. The person said Trump, by virtue of his extensive international business dealings, was seen as a natural target for complicated opposition research abroad.

Perkins Coie then engaged Fusion GPS in April 2016 "to perform a variety of research services during the 2016 election cycle," according to the letter.

The dossier created a political firestorm in January when it was revealed that then-FBI Director James Comey had alerted Trump to the existence of allegations about him and Russia. Since then, Trump has repeatedly attacked it and Republicans in Congress have worked to discredit it, even issuing a subpoena to force the disclosure of Fusion GPS's bank records.

The letter, sent Tuesday by the law firm's general counsel to a lawyer for Fusion GPS, was intended to release the research firm from its obligation to keep confidential the identity of its client.

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Associated Press writers Chad Day and Ken Thomas contributed to this report.

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Read the letter: <http://apne.ws/UK0Ojir>

## **Bergdahl due back in court with Trump talk looming over case**

**By JONATHAN DREW, Associated Press**

RALEIGH, N.C. (AP) — Army Sgt. Bowe Bergdahl returns to a military courtroom at Fort Bragg Wednesday for his sentencing hearing, where prosecutors plan to present evidence that fellow service members were seriously wounded in a fruitless search for him after he abandoned his post in Afghanistan.

Prosecutors are expected to start calling witnesses to discuss these search missions and resulting wounds to multiple soldiers and a Navy SEAL, which the judge ruled would not have happened had Bergdahl not endangered his comrades in 2009. They include an Army National Guard sergeant who suffered a traumatic brain injury after being shot in the head and a Navy SEAL whose career was ended by a leg wound.

The 31-year-old soldier who spent five years as a Taliban prisoner faces up to life behind bars in the U.S. after pleading guilty to the rare charge of misbehavior before the enemy as well as desertion.

President Donald Trump's criticism looms over the case. The military judge, Army Col. Jeffery R. Nance, has yet to rule on a defense motion that Bergdahl can't get a fair sentence with the Republican as commander in chief.

Nance said Monday that he would be fair and hasn't been influenced by Trump, but that he does have concerns that the president's comments are affecting public perceptions.

Legal scholars say Nance's comments Monday should resolve the issue of whether Trump directly influenced the court, but the judge must also consider whether proceedings would appear unfair to a reasonable observer, under a concept called apparent unlawful command influence.

While campaigning for president, Trump repeatedly called Bergdahl a traitor and suggested that he be shot or thrown from a plane without a parachute. Nance ruled in February that those comments didn't constitute unlawful command influence, noting that Trump was a civilian candidate for president at the time. The defense argued that Trump revived his campaign comments the day of Bergdahl's plea hearing,

by saying at a news conference that he thinks people are aware of what he said before.

Prosecutors made no deal to cap Bergdahl's punishment, so the judge has wide leeway to decide his sentence. Several more days of testimony are expected.

Bergdahl, from Hailey, Idaho, was captured after walking off his remote post in 2009 and held by Taliban allies for five years. He has said he was caged, kept in darkness and beaten, and tried to escape more than a dozen times before President Barack Obama brought Bergdahl home in 2014 in a swap for five Taliban prisoners at Guantanamo Bay.

Follow Drew at [www.twitter.com/jonldrew](http://www.twitter.com/jonldrew)

## You own it: New Zealand party told to pay for Eminem rip-off

By NICK PERRY, Associated Press

WELLINGTON, New Zealand (AP) — A New Zealand judge said Eminem's lyrics "You own it, you better never let it go" turned out to be prophetic after ruling a political party breached copyright by using a song similar to Eminem's "Lose Yourself" in its campaign ads.

High Court Judge Helen Cull on Wednesday ordered the conservative National Party to pay the Detroit rapper's publisher 600,000 New Zealand dollars (\$415,000) plus interest.

The case earlier featured odd moments such as gowned lawyers listening studiously to profanity-laced rap and Eminem collaborator Jeff Bass flying in from Detroit to play the song's distinctive opening riff, which he wrote.

"We think it's a very strong judgment, and a cautionary tale for people who make or use sound-alikes around the world," said Adam Simpson, a Sydney-based lawyer who represented Eminem publisher Eight Mile Style.

"We hope that we see more original music in advertising as a result, and that writers get properly acknowledged and rewarded for their hard work."

Speaking by phone from Detroit, Eight Mile Style publisher Joel Martin said he'd been infuriated during the trial by the defense's absurd contention that "Lose Yourself" wasn't original because it used the same chords as other songs.

"They could have said anything but question its originality," he said.

Martin said he hadn't yet discussed the ruling with Eminem, aka Marshall Mathers III, but was glad the rapper hadn't been needed to travel to New Zealand "to watch the paint dry in the court room."

National Party President Peter Goodfellow said in statement he was disappointed with the ruling. He said the party purchased the music in good faith from an Australia-based library that had bought it from a U.S. supplier.

He said the party was considering its next steps and had already lodged a claim against the suppliers and licensors of the sound-alike track.

The National Party ran a television ad 186 times that used the song "Eminem Esque" during its successful 2014 election campaign before pulling the ad off the air.

In her 132-page ruling, Cull said "Eminem Esque" sounded like a copy and was a copy, reproducing the essence of "Lose Yourself." She said it was no coincidence the composer of "Eminem Esque" had the music to the original in front of him when he wrote his song.

The judge based the amount of the award on a hypothetical license fee that the party might have paid to use the song. She noted that Eight Mile Style rarely grants permission to use "Lose Yourself" in advertising.

Cull stopped short of awarding additional damages, saying the party had only used the song after receiving professional advice that it could do so, and hadn't acted recklessly. She has yet to rule on who will pay the hefty legal costs.

The National Party was ridiculed back in 2014 when the case was first filed and lawmaker Steven Joyce defended using the song, an action he said was "pretty legal."

"Pretty legal? That's not a concept that exists. That's like being sort-of dead," TV show host John Oliver

later joked on "Last Week Tonight."

The ruling comes at a difficult time for the conservative party, which just lost the 2017 election to a coalition headed by the liberal Labour Party.

## **GOP senators blister Trump, reveal party at war with itself**

**By ERICA WERNER, AP Congressional Correspondent**

WASHINGTON (AP) — A pair of senators from President Donald Trump's own Republican Party blistered him with criticism Tuesday in a dramatic day of denunciation that laid bare a GOP at war with itself. Jeff Flake of Arizona declared he would not be "complicit" with Trump and announced his surprise retirement, while Bob Corker of Tennessee declared the president "debases our nation" with constant untruths and name-calling.

Corker, too, is retiring at the end of his term, and the White House shed no tears at the prospect of the two GOP senators' departures. A former adviser to Steve Bannon, Trump's ex-strategic adviser, called it all "a monumental victory for the Trump movement," and Trump himself boasted to staff members that he'd played a role in forcing the senators out.

It was a stunning rebuke of a sitting president from prominent members of his own party — and added to a chorus of criticism of Trump that has been growing louder and more public. Flake challenged his fellow senators to follow his lead, but there were few immediate signs they would.

At midafternoon, as fellow lawmakers sat in attentive silence, Flake stood at his Senate desk and delivered an emotional speech in which he dissected what he considered his party's accommodations with Trump and said he could no longer play a role in them.

"We were not made great as a country by indulging in or even exalting our worst impulses, turning against ourselves, glorifying in the things that divide us and calling fake things true and true things fake," he said.

Hours earlier, Corker leveled his own searing criticism of Trump in a series of interviews.

"I think the debasement of our nation will be what he'll be remembered most for and that's regretful," Corker said.

A furious Trump didn't let that pass unremarked. On Twitter, he called Corker "incompetent," said he "doesn't have a clue" and claimed the two-term lawmaker "couldn't get elected dog catcher in Tennessee."

An overstatement to be sure, but White House spokeswoman Sarah Huckabee Sanders said in regard to the impending retirements, "The people both in Tennessee and Arizona supported this president, and I don't think that the numbers are in the favor of either of those two senators in their states and so I think this was probably the right decision."

Away from the cameras, Trump took credit for helping force the two departures, according to a White House official and an outside adviser, who insisted on anonymity to discuss private conversations.

Until Tuesday, Flake had insisted he had no plans to retire. He was raising money at a good rate and casting his re-election campaign as a test case of conservatism against Trumpism. But he made clear Tuesday he'd concluded that, for now at least, Trumpism had prevailed.

"It is clear at this moment that a traditional conservative who believes in limited government and free markets, who is devoted to free trade, who is pro-immigration, has a narrower and narrower path to nomination in the Republican Party," he said.

Corker's retirement plans also underscore the question of what the Republican Party will look like in years to come. Senate Majority Leader Mitch McConnell of Kentucky has warned that some candidates running with the backing of Trump allies could not win general elections. And even if they make it to the Senate, certain conservatives could make McConnell's job even harder as he tries to maneuver legislation through a narrow majority that now stands at 52-48.

Steven Law, head of a McConnell-allied super PAC that supports GOP incumbents and establishment-aligned candidates, wasted no time issuing a statement declaring that Republican former state Sen. Kelli Ward, who was running against Flake with the encouragement of former Trump adviser Steve Bannon, "will not be the Republican nominee for this Senate seat in 2018." Many fellow Republicans had expected

Flake to lose the primary and hope they will now be able to recruit a stronger candidate.

There was celebration in the Bannon anti-establishment camp. Said Andy Surabian, former Bannon adviser and now senior adviser to the Great America Alliance "Today's announcement from Sen. Flake that he would not run for re-election is a monumental win for the entire Trump movement and should serve as another warning shot to the failed Republican establishment that backed Flake and others like them that their time is up."

Talking principle rather than politics, Flake said on the Senate floor, "We must be unafraid to stand up and speak out as if our country depends on it, because it does. I plan to spend the remaining 14 months of my Senate term doing just that."

Earlier Corker had said of Trump, "His governing model is to divide and to attempt to bully and to use untruths." He said that he and others in the party had attempted to intervene with Trump over the months, sometimes at the behest of White House officials, but "he's obviously not going to rise to the occasion as president."

"Unfortunately I think world leaders are very aware that much of what he says is untrue," Corker said.

In between the broadsides from Corker and Flake, Trump himself made a rare visit to the Capitol to join GOP senators for their weekly policy lunch. Senators said he did not joust with Corker or anyone else — or spend much time talking about a tax overhaul, the expected topic for the lunch.

Tax overhaul is an urgent task for Republicans who've failed to notch a single significant legislative achievement this year despite controlling the White House and both chambers of Congress. Trump did discuss it, yet it was hardly his focus.

Instead, senators said, he mixed in a review of accomplishments so far on the regulatory front and others. At one point, he essentially polled senators on whom he should nominate as the next Federal Reserve chairman, asking for a show of hands on various candidates. He tweeted later that he had received "Multiple standing ovations!"

McConnell sidestepped reporters' questions about Corker's characterization of Trump.

"We're going to concentrate on what our agenda is, and not any of these other distractions that you all may be interested in," he said.

However, even for Republicans who had no intention of seconding Flake's comments, the import of the day's developments was not lost.

"It's counterproductive when Republicans are battling amongst themselves," said Sen. Ted Cruz of Texas.

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Associated Press writers Jonathan Lemire, Alan Fram and Richard Lardner contributed.

## **Kershaw, Dodgers beat Astros 3-1 in hot World Series opener**

**By BEN WALKER, AP Baseball Writer**

LOS ANGELES (AP) — No sweat, Clayton Kershaw.

Changing jerseys to beat the 103-degree heat, the Dodgers ace with a checkered playoff history delivered a signature performance, pitching Los Angeles past the Houston Astros 3-1 Tuesday night in the World Series opener.

Boosted by Justin Turner's tiebreaking, two-run homer in the sixth inning off Dallas Keuchel, Kershaw was in complete control against the highest-scoring team in the majors this season.

"Definitely feels good to say it was the World Series, and it feels good to say we're 1-0," Kershaw said.

The left-hander had waited his whole career for this moment. And once he took the mound in his Series debut, he lived up every bit to the legacy of Sandy Koufax, Orel Hershiser and the greatest of Dodgers hurlers.

The three-time Cy Young Award winner struck out 11, gave up just three hits and walked none over seven innings, featuring a sharp breaking ball that often left Houston batters taking awkward swings. His lone blemish was a home run by Alex Bregman in the fourth that made it 1-all.

No matter, with Koufax in the house, Kershaw did his pal proud.

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 39 of 49

"He was as good as advertised," Keuchel said.

A sweltering, pulsating crowd at Dodger Stadium dotted with Hollywood A-listers was filled with Kershaw jerseys, and he drew loud cheers all evening.

Kershaw got one more ovation when he walked through a corridor to a postgame interview. There, fans applauded a final time.

"I felt good. It's a tough lineup over there," Kershaw said. "The way Keuchel was throwing it was up and down a lot, which was good. It got us into a rhythm a little bit. I think for me personally, it helped out a lot."

Brandon Morrow worked a perfect eighth and Kenley Jansen breezed through the Astros in the ninth for a save in a combined three-hitter. The Dodgers' dominant relievers have tossed 25 straight scoreless innings this postseason.

With both aces throwing well, the opener zipped by in 2 hours, 28 minutes — fastest in the World Series since Game 4 in 1992 between Toronto and Atlanta. Jimmy Key and the Blue Jays won that one 2-1 in 2:21.

It certainly was unusual for this postseason, when nine-inning games had been averaging 3 hours, 32 minutes — up 18 minutes from two years ago.

Chris Taylor gave the Dodgers an immediate jolt in their first Series game since 1988 when he hit a no-doubt home run on Keuchel's very first pitch. Taylor was co-MVP of the NL Championship Series with Turner, and they both kept swinging away against the Astros.

"Just getting that momentum early is huge," Kershaw said. "And let the crowd kind of feed off that. It was definitely as good a start as we could have hoped for."

The loss left the Astros still without a single World Series win in their 56-season history. In their only other Series appearance, they were swept by the White Sox in 2005.

Game 2 is Wednesday evening, with AL Championship Series MVP Justin Verlander starting against Dodgers lefty Rich Hill.

Kershaw has almost every imaginable individual accolade on his resume — five ERA titles, an MVP trophy, a no-hitter and seven All-Star selections — but also was dogged by a shaky October past.

He began this outing in the twilight with a 6-7 career playoff record and an unsightly 4.40 ERA. He improved to 3-0 in four starts this postseason.

"I don't know if you can decipher between a postseason start and a World Series start. The adrenaline, I feel like every game is so much more magnified," Kershaw said.

A Series opener that served as a showcase for several of the game's best young hitters — Jose Altuve, Carlos Correa, Cody Bellinger and more — instead was dominated by Kershaw.

"Couldn't be happier for him," Turner said.

Facing a team that had the fewest strikeouts in the majors this year, Kershaw fanned more Houston hitters than any starter this season. And he helped the Dodgers, who led the majors with 104 wins and a \$240 million payroll, improve to 8-1 this postseason.

"Tonight is about Kershaw," Astros manager A.J. Hinch said.

It was 1-all when Taylor drew a two-out walk in the sixth. Turner followed with his drive off the bearded Keuchel.

"Keuchel was really good tonight. He was just a pitch or two less than Kershaw," Hinch said.

While it was sticky, the conditions didn't seem to affect either side.

Kershaw, as always, wore his bright blue Dodgers jacket walking to the bullpen to get ready.

"It was hot warming up. But once the game started, the sun went down, it didn't feel that hot," Kershaw said.

There is no reliable record for the hottest temperature at a World Series game. But weather data indicates this might've been the steamiest ever.

Notorious for late arrivals, Dodger fans showed up early and the seats in the shaded sections filled up fast. Keeping with the theme, the stadium organist played 1960s hits "Heat Wave" and "Summer in the City" as Houston warmed up.

When Vin Scully's familiar recorded call of "It's Time for Dodger Baseball" boomed over the PA system,

the crowd really let loose, with the entire ballpark standing and chanting for the pregame introductions. Scully drew a huge ovation when he was later shown on the video board, sitting in a box. Several players clapped along for the Hall of Fame broadcaster, who's nearly 90 and spent 67 seasons calling Dodgers games.

Dustin Hoffman, Jerry Seinfeld and Lady Gaga were among the many celebs in the crowd of 54,253, along with Dodgers great Tom Lasorda and part-owner Magic Johnson.

More AP baseball: <https://apnews.com/tag/MLBbaseball>

## Flake's bow-out could mean rush of Arizona GOP candidates

By **BOB CHRISTIE, Associated Press**

PHOENIX (AP) — U.S. Sen. Jeff Flake's decision to bow out of a re-election fight could spur a rush of other Republican candidates who hope to take on his only announced challenger in the 2018 Arizona primary.

The freshman senator's decision came after months of statements where he said he expected a tough primary and general election race but believed he could win. Behind the scenes, though, a drumbeat of polling showed him badly damaged by comments he made about President Donald Trump in a book he released over the summer and an ongoing battle with his party's leader that began before last year's election.

Flake was facing a challenge from former state Sen. Kelli Ward, who failed in her effort to take out Sen. John McCain last year but has gained traction this year. Last week, former Trump strategist Steve Bannon attended a fundraiser for her. Ward embraced the anti-establishment, anti-incumbent wing of the party driven by Trump with an assist from Bannon.

But mainstream Republicans in Arizona believe Ward cannot beat Rep. Krysten Sinema, a moderate who is running in her primary as the only well-known Democratic candidate. They have been searching instead for another candidate who can draw support from Trump populists to take on Flake, and his decision to step aside opens the door for those efforts. In the background, the White House has also been seeking another candidate.

His departure has raised the stakes even more for what is sure to be a bitter and expensive election battle next year in Arizona as the GOP fights to hold onto a seat and the Democrats seek an opening to pick one up.

For months, the names of other potential GOP challengers have been floated, but none has entered the race. They include current state university regent Jay Heiler; former state GOP chairman Robert Graham; state Treasurer and 2016 Trump campaign chief financial officer Jeff DeWit; and Reps. Paul Gosar and Trent Franks. The other three GOP members of Arizona's House delegation could be wild cards — David Schweikert, Andy Biggs and Martha McSally.

A spokesman for GOP Gov. Doug Ducey said he was "absolutely not" considering running for Senate.

Republican political consultants in Arizona are split on whether there will truly be a rush of candidates.

"Somehow they all seem unlikely to me," Constantin Querard, a top campaign consultant, said of those already in the mix. "Because if you were not going to run against a mortally wounded candidate with the support of the president and millions of dollars of outside spending, why would you suddenly be interested in the race without all of those things?"

But Chuck Coughlin, another longtime Republican campaign consultant who did polling that showed Flake in bad trouble, isn't so sure. He said a candidate who can draw support from the pillars of the Republican political establishment in Arizona — Flake, Sen. John McCain, Gov. Doug Ducey and former Gov. Jan Brewer — would be the one to take on Ward in a primary.

"The question is, who can mostly closely thread the needle there between Trump, McCain, Flake, Brewer, the current governor," Coughlin said. "Who is that?"

"One thing I'd guarantee you is Kelli Ward will face a primary opponent, there's no doubt in my mind



on that," he added.

Another potential problem for Arizona Republicans is the health of McCain, who was diagnosed this summer with an aggressive form of brain cancer and acknowledges his prognosis is poor. A vacancy in McCain's seat before April means a second Senate race would be on the 2018 ballot.

As recently as early this month, Flake told The Associated Press he was in it to win in 2018 and discounted both Ward and Sinema.

"John McCain at this position was down by double digits to Kelli Ward, down by double digits to any generic Democrat," he said in an Oct. 9 interview. "He ended up winning by double digits in both the primary and the general because he ran a good campaign, and we're going to try to do the same thing."

By Tuesday, things were different for Flake.

"If I could run the kind of race I'd like to run and believe I could win a Republican primary, I might go forward," he told reporters at the U.S. Capitol after his announcement. "These days, it seems that unless you're on every policy the president has, then somehow you're not a conservative."

Flake is a throwback Arizona conservative, with strong small government credentials but a Libertarian streak along the lines of the late Sen. Barry Goldwater. He sparred with the president over free trade, which he supports, immigration reform and opening relations with Cuba.

But those positions put him in the crosshairs of Trump and the grassroots populists he courts.

## **\$1.3M auction bid buys Albert Einstein's theory of happiness**

**By IAN DEITCH, Associated Press**

JERUSALEM (AP) — While Albert Einstein's theory of happiness may be relative, it fetched \$1.3 million at a Jerusalem auction on Tuesday.

The Nobel-winning scientist's musings, handwritten on a note, may not be as famous as his groundbreaking theory of relativity, but they still shed light on one of the great modern minds.

Winner's Auctions and Exhibitions said Einstein was traveling in Japan in 1922 when he was told he would be awarded the Nobel Prize in physics. In Tokyo, Einstein scribbled the note in German to a bellboy after he did not have cash to give him a tip.

"A calm and modest life brings more happiness than the pursuit of success combined with constant restlessness," it reads.

Gal Wiener, CEO of the auction house, said Einstein told the bellboy that because of his fame, the handwritten note "will probably be worth more than a regular tip."

Wiener said bidding began at \$2,000 and quickly escalated, with the bidding war lasting around 25 minutes.

Another note Einstein gave the bellboy, which read "Where there's a will there's a way," was sold for over \$200,000, Wiener said.

He would not identify the buyer or seller of either note.

Einstein was a founder of the Hebrew University in Jerusalem and left it his literary estate and personal papers. He declined an invitation to serve as Israel's first president. Einstein died in 1955.

## **Doping scandal roils another sport: Dogsledding**

**By RACHEL D'ORO and MARK THIESSEN, Associated Press**

ANCHORAGE, Alaska (AP) — Cycling. Baseball. Track. Horse racing. Now dogsledding has become the latest professional sport to be engulfed in a doping scandal, this one involving the huskies that dash across the frozen landscape in Alaska's grueling, 1,000-mile Iditarod.

The governing board of the world's most famous sled dog race disclosed Monday that four dogs belonging to four-time Iditarod champion Dallas Seavey tested positive for a banned substance, the opioid painkiller tramadol, after his second-place finish last March.

It was the first time since the race instituted drug testing in 1994 that a test came back positive.

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 42 of 49

Seavey strongly denied giving any banned substances to his dogs, suggesting instead that he may have been the victim of sabotage by another musher or an animal rights activist. He accused the Iditarod of lax security at dog food drop-off points and other spots.

Race officials said he will not be punished because they were unable to prove he acted intentionally. That means he will keep his titles and his \$59,000 in winnings this year.

But the finding was another blow to the Iditarod, which has seen the loss of major sponsors, numerous dog deaths, attacks on competitors and pressure from animal rights activists, who say huskies are run to death or left with severe infections and bloody paws.

Jeanne Olson, an Alaska veterinarian who treats sled dogs, sees no benefit in administering tramadol during a race because it causes drowsiness. Olson, who was the head veterinarian in the Yukon Quest International Sled Dog Race in the 1990s, prescribes it mostly for profound pain relief.

"But I also caution that the dogs are going to become sedated from it," she said. "So when I first heard ... that it was tramadol as the drug, I thought, 'Well, that's surprising. Why would anybody use that?'"

People for the Ethical Treatment of Animals seized on the scandal Tuesday, saying, it's "further proof that this race needs to end."

Fern Levitt, director of the documentary "Sled Dogs," an expose on the treatment of the huskies, said, "The race is all about winning and getting to the finish line despite the inhumane treatment towards the dogs."

Frank Teasley, founder and executive director of Wyoming's Stage Stop Sled Dog Race, said the controversy is a shame but doesn't believe it will be a permanent stain on the sport. Teasley has participated in eight Iditarods and knows many of the top contenders, including Seavey, saying he believes the musher was sabotaged.

"When you're dealing with animals, doping anything is not acceptable. But I do not believe that Dallas did this," he said. "I've known him since he was, like, 8 years old. It's not in his nature."

Iditarod CEO Stan Hooley acknowledged the race is in its darkest time as it grapples with the fallout from the scandal.

"I'm quite confident that at some point we'll emerge from this storm and move on," he said. "But for now, we're dealing with some unpleasantness that needs to be dealt with."

Asked about Seavey's sabotage claims, Hooley said, "Is it possible? I suppose so. Is it likely? I wouldn't think so."

Still, he said discussions are underway to increase security at the dog lot in Nome and at various checkpoints.

Seavey won the annual Anchorage-to-Nome trek in 2012, 2014, 2015 and 2016 and has had nine straight top 10 finishes. He finished second this year to his father, Mitch, who collected a first-place prize of \$71,250.

Dogs are subject to random testing before and during the race, and the first 20 teams to cross the finish line are all automatically tested.

"I did not give a drug to my dog. I've never used a banned substance in the race," the 30-year-old Seavey said in an interview.

He said tramadol is not used at his kennel, and it is "incredibly unlikely" it was accidentally administered by anyone on his team.

Instead, he complained of inadequate security at checkpoints along the route where dog food is dropped off weeks ahead of time and at the dog lot in Nome, where thousands of huskies are kept after the race before they are flown home.

"Unfortunately I do think another musher is an option," he said. He added: "There are also people who are not fans of mushing as a whole. They are numerous videos out that are trying to say mushing is a bad thing. And I can see somebody doing this to promote their agenda."

Seavey said whoever gave the drug to the dogs knew it would cause a positive test, and "that should make me and my people the least likely suspect."

Earlier this year, the Iditarod lost a major corporate backer, Wells Fargo, and race officials accused animal

rights organizations of pressuring the bank and other sponsors with “manipulative information” about the treatment of the dogs.

Five dogs connected to this year’s race died, bringing total deaths to more than 150 in the Iditarod’s 44-year history, according to PETA’s count. And last year, two mushers were attacked by a drunken man on a snowmobile in separate assaults near a remote village. One dog was killed and others were injured.

Seavey said he has withdrawn from next year’s race in protest and expects the Iditarod Trail Committee to ban him anyway for speaking out. Mushers are prohibited from criticizing the race or sponsors.

Iditarod spokesman Chas St. George said a ban would be up to the committee’s board of directors.

The committee decided to release Seavey’s name after scores of competitors demanded it. Race officials initially refused, saying it was unlikely they could prove the competitor acted intentionally.

During this year’s race, the rules on doping essentially said that to punish a musher, race officials had to provide proof of intent. The rules have since been changed to hold mushers liable for any positive drug test unless they can show something beyond their control happened.

Wade Marrs, president of the Iditarod Official Finishers Club, said he doesn’t believe Seavey intentionally administered the drugs. He said he believes the musher has too much integrity and intelligence to do such a thing.

“I don’t really know what to think at the moment,” Marrs said. “It’s a very touchy situation.”

Follow Rachel D’Oro at <https://twitter.com/rdoro> .

## Federal court clears way for immigrant teen to get abortion

By JESSICA GRESKO, Associated Press

WASHINGTON (AP) — A federal appeals court on Tuesday cleared the way for a 17-year-old immigrant held in custody in Texas to obtain an abortion.

The full U.S. Court of Appeals for the District of Columbia Circuit ruled 6-3 in favor of the teen. The decision overturned a ruling by a three-judge panel of the court that at least temporarily blocked her from getting an abortion. The Trump administration could still appeal the decision to the Supreme Court.

Later Tuesday, in a separate order, a judge said the teen should be quickly taken to obtain required counseling and the abortion. Under Texas law, a woman seeking an abortion must have a counseling session 24 hours before the procedure with the doctor who will perform the abortion.

The teen, whose name and country of origin have been withheld because she’s a minor, is 15 weeks pregnant. She entered the U.S. in September and learned she was pregnant while in federal custody in Texas.

She obtained a state court order Sept. 25 permitting her to have an abortion. But federal officials refused to transport her or temporarily release her so that others could take her to have an abortion.

Lawyers for the Department of Health and Human Services, which is responsible for sheltering children who illegally enter the country unaccompanied by a parent, said the department has a policy of “refusing to facilitate” abortions and that releasing the teenager would require arranging a transfer of custody and follow-up care.

The teenager’s lawyers have said all the government needed to do was “get out of the way.” An attorney appointed to represent the teen’s interests said she could transport her to and from appointments necessary for the procedure, and the federal government would not have to pay for it.

One of the six appeals court judges that sided with the teen Tuesday, Patricia Millett, wrote that the court’s decision “rights a grave constitutional wrong by the government.” All six judges were appointed by Democratic presidents.

Three judges, all of whom were appointed by Republican presidents, dissented, with Judge Brett Kavanaugh writing that his colleagues’ decision “is ultimately based on a constitutional principle as novel as it is wrong: a new right for unlawful immigrant minors in U.S. Government detention to obtain immediate abortion on demand.”

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 44 of 49

A lower court judge, U.S. District Judge Tanya Chutkan, had sided with the teen and set dates for the procedure last week, saying it should take place Friday or Saturday, but the government appealed and the three-judge panel of the appeals court blocked the abortion from occurring then. The panel ruled 2-1 on Friday that the government should have until Oct. 31 to release the teen into the custody of a so-called sponsor, such as a relative in the United States, so she could obtain the abortion outside government custody.

On Tuesday, the full appeals court overruled the panel's decision and returned the case to Chutkan, saying she was "best suited" to set new dates. Chutkan responded with an order saying the teen should be taken for counseling and the abortion "promptly and without delay."

The teen had been allowed under an order from Chutkan to attend a counseling session last week.

But Susan Hays, legal director for the Texas group Jane's Due Process, which is assisting the teen with obtaining an abortion, said the teenager will likely need to undergo a new counseling session with the doctor who would perform an abortion. That counseling session could be scheduled for as soon as Tuesday afternoon, with the abortion on Wednesday, Hays said. Late Tuesday, however, Hays said the counseling had not yet taken place.

The Department of Health and Human Services didn't immediately comment on the ruling. The Justice Department said it is reviewing the order and declined to comment.

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Associated Press writers Nomaan Merchant in Houston and Sadie Gurman in Washington contributed to this report.

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Follow Jessica Gresko on Twitter at <http://twitter.com/jessicagresko>

## **Nissan executive bows to apologize for inspections scandal**

**By YURI KAGEYAMA, AP Business Writer**

TOKYO (AP) — Nissan Executive Vice President Daniele Schillaci bowed deeply for several seconds in a Japanese-style apology Wednesday, expressing his remorse for widespread illegal inspections at the automaker.

"I would like to take this opportunity to express a sincere apology for our recent issues," he said at the Nissan Motor Co. booth at the Tokyo Motor Show. "We sincerely regret any inconvenience and concern this has caused our valued customers."

This year's show highlights smart and green vehicles that talk, connect online and stop on their own before crashes. But scandals surfacing within weeks of the auto show, including another one at Kobe Steel that's hit the entire industry, are casting a shadow over the festivities.

Reporters got a preview of the show at Tokyo Big Sight hall, ahead of its opening to the public Saturday.

Schillaci switched from his nearly tearful apology to an upbeat demeanor after a resonating electronic beep — the special sound called Canto, designed for Nissan electric cars to protect pedestrians. Electric cars are extremely quiet compared to gas-engine cars, and people have complained about not being aware of their approaching.

"What you just heard is the sound of the future," he said, proceeding happily with his presentation on automated driving and electric sports cars.

Taking center stage at the Nissan booth was a sleek zero-emissions electric "concept" car, billed as "Nissan intelligent mobility." It comes with surrounding 360-degree sensors capability from radars, cameras, lasers and sonars, to deliver accident-free driving as well as a future in which the car can drop its owner off somewhere before parking or returning home, according to Schillaci.

Japanese automakers have been hit by a series of scandals in recent years, including a massive recall of defective air-bags made by Japanese supplier Takata Corp. that involves some 100 million air-bag inflators worldwide. The defect has been linked to 19 deaths and dozens of injuries. The global industry has also been rocked by a scandal at Volkswagen AG of Germany over cars it had illegally rigged to cheat on U.S.

emissions tests.

Nissan, allied with Renault SA of France, acknowledged last month inspection irregularities had been going on for years at its plants in Japan, with the final inspections routinely done by unauthorized staff.

Shortly after apologizing for that, Nissan said the illegal checks had continued. It has halted production in Japan for the domestic market until it can figure out how a recurrence can be prevented.

Nissan company officials say the practice was so ingrained it was hard to change. Better communication is needed among managers, and production will not resume until the government gives its approval, they said. Thousands of cars will have to be re-inspected.

"We have formed an investigative team with a third party, which is working hard to find out what happened and why," said Schallaci. He said the company was working to prevent a recurrence.

The other scandal, over the falsification of data at Kobe Steel, spans dozens of products made of steel, aluminum, copper and other materials, affecting some 500 companies including major automakers around the world and the aircraft, electronics and railway industries.

Toyota Motor Corp. Executive Vice President Didier Leroy said Toyota was checking aluminum plates and other Kobe Steel components used in its models and had found no safety or quality problems so far.

"We were very worried," he told reporters. "We deeply apologize to our customers."

He declined to comment on Nissan's scandal, but stressed all of Toyota's inspections are being carried out according to regulations, by qualified inspectors.

Leroy rejected the idea that the scandals may hinder Toyota's ability to develop zero-emission and "smart" vehicles or that Japan may be falling behind in such technologies.

Analysts say Japan has no time to waste on cleaning up after scandals given the big push by U.S. players like Google, General Motors and Uber to put self-driving cars on the roads, possibly within five to 10 years.

"Introduction of self-driving cars will lead to new business models," said Bart Selman, a professor of computer science at Cornell University. The Japanese could catch up with rivals if they move quickly, he said.

"This means the space is very competitive. There will quite likely be just a few surviving companies to handle all demand."

U.S. automakers, such as General Motors Co. and Ford Motor Co., are skipping the show. They have long struggled in the Japanese market, which is dominated by the domestic brands.

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AP Business Writer Yuri Kageyama can be reached at <https://twitter.com/yurikageyama>  
Her work can be found at <https://www.apnews.com/search/yuri%20kageyama>

## Toyota confirms scaling back of Mexico plant for truck needs

By YURI KAGEYAMA, AP Business Writer

TOKYO (AP) — Toyota Motor Corp. confirmed Wednesday that a planned Mexico auto plant is being scaled back, but a top executive said the decision was driven by market needs and was not a political move.

The investment for the Guanajuato plant, set to be running in 2019, fall to \$700 million from the \$1 billion commitment announced in 2015. Annual production will decrease to half at 100,000, the company said.

The initial plan was to build 200,000 Corolla subcompacts a year, but Executive Vice President Didier Leroy told reporters at the Tokyo Motor Show Corolla that production will go to a new plant being planned with Mazda Motor Corp. in the U.S. A site for that plant and the timing for its opening have not yet been decided.

The Mexico plant will build Tacoma trucks to meet growing demand. It is part of Toyota's overall re-alignment of North American production, he said.

Leroy denied the move was aimed at pleasing anyone, an apparent reference to President Donald Trump.

"We are not playing any political game, to please anybody," Leroy said, stressing the move was about production efficiency. "We are just doing what is the best for the company."

Trump has expressed his opposition to Toyota's Mexico plant, threatening tariffs, and has welcome Toyota's plans for a U.S. plant with Mazda.

Japanese automakers are nervous about a political backlash in the U.S. after having suffered "Japan-bashing" in the 1980s over exports from Japan that were thought to be taking jobs away from American workers.

Over the years, Toyota and other Japanese companies have increasingly moved production to North America and are intent on proving they are good corporate citizens.

Toyota and Mazda announced the U.S. plant in August in a partnership that also includes collaboration on electric vehicles. A Toyota plant in Texas already makes trucks for the U.S. market, but demand is growing.

AP Business Writer Yuri Kageyama can be reached at <https://twitter.com/yurikageyama>  
Her work can be found at <https://www.apnews.com/search/yuri%20kageyama>

## Coal-export terminal backer sues state over permit denial

By PHUONG LE, Associated Press

SEATTLE (AP) — A company proposing to build a terminal in Washington state to export U.S. coal to Asia sued the state Tuesday, arguing regulators unfairly denied the project a key permit.

Millennium Bulk Terminals-Longview's lawsuit claims the state Department of Ecology violated federal and state laws when it denied the project a water quality certification last month.

The lawsuit filed in Cowlitz County Superior Court alleges the denial was based on "biased and prejudiced decision-making."

The company also appealed the decision to a state shoreline hearings board.

Millennium, owned by Utah-based Lighthouse Resources, has sought to build a facility along the Columbia River to handle up to 44 million tons of coal a year.

Trains would carry the coal from Montana, Wyoming and other states, which would be loaded onto ships headed to Asia. It would be one of the largest in North America.

"Today's filings demonstrate Ecology invented special rules in a unique and unprecedented process in the evaluation of Millennium's project," company CEO and president Bill Chapman told reporters in a call Tuesday.

Company officials described a protracted permitting process that has been unprecedented in scope. The company said it has invested about \$15 million in the permitting process.

Ecology rejected a water quality permit last month, saying the proposed facility in Longview would have caused "significant and unavoidable harm" to the environment. The department cited effects to air quality, vehicle and vessel traffic, noise pollution and tribal resources, among others. The permit is one of 23 the project needs.

In denying the permit, Ecology director Maia Bellon said in a statement that "there are simply too many unavoidable and negative environmental effects for the project to move forward."

Ecology spokesman Dave Bennett said in a statement Tuesday that the agency stands by its decision to deny the permit and is prepared to defend it.

"The permit application and other documents did not provide reasonable assurance that the project would meet state water quality standards," he said.

Environmentalists, tribes and others have opposed the project — which could increase U.S. exports of coal by 40 percent — because of concerns about global warming, coal dust pollution and potential damage to fisheries on the river.

Businesses, some labor groups and other supporters say the project would create jobs, add tax revenue and boost the local economy. The governor of Wyoming, the nation's leading coal-producing state, previously traveled to the Pacific Northwest to pitch the importance of coal exports to the governors of Washington and Oregon.

Kristin Gaines, the company's vice president of environmental planning, said the federal Clean Water Act allows the state to deny water quality certification only on water quality grounds. Instead, she said Ecology used other alleged impacts to transportation.

Gaines said a thorough state and local environmental review found that the project's discharges to Washington's waters wouldn't adversely affect water quality, aquatic life or other designated uses and that any effects could be fully offset.

Another state agency earlier this year also denied the project an aquatic lands sublease. Millennium has appealed that decision and a Cowlitz County judge is scheduled to hear arguments Friday.

## US considers higher entry fees at 17 popular national parks

By FELICIA FONSECA, Associated Press

FLAGSTAFF, Ariz. (AP) — The National Park Service is considering a steep increase in entrance fees at 17 of its most popular parks, mostly in the U.S. West, to address a backlog of maintenance and infrastructure projects.

Visitors to the Grand Canyon, Yosemite, Yellowstone, Zion and other national parks would be charged \$70 per vehicle, up from the fee of \$30 for a weekly pass. At others, the hike is nearly triple, from \$25 to \$70.

A 30-day public comment period opened Tuesday. The Park Service says it expects to raise \$70 million a year with the proposal at a time when national parks repeatedly have been breaking visitation records and putting a strain on park resources. Nearly 6 million people visited the Grand Canyon last year.

"We need to have a vision to look at the future of our parks and take action in order to ensure that our grandkids' grandkids will have the same if not better experience than we have today," Interior Secretary Ryan Zinke said in a statement. "Shoring up our parks' aging infrastructure will do that."

Annual \$80 passes for federal lands would not change, though fees would go up for pedestrians and motorcyclists. The higher fees would apply only during the five busiest contiguous months for parks, for most that's May through September when many families are on vacation.

The proposal would not affect several free weekends and holidays at parks throughout the year.

It comes not long after many of the parks that charge entrance fees raised them. The rationale is the same this time around — to address a backlog of maintenance and infrastructure projects.

The Park Service estimated deferred maintenance across its parks at \$11.3 billion as of September 2016, down from \$11.9 billion in 2015.

Kevin Dahl, Arizona senior program manager for the National Parks Conservation Association, said maintenance costs should fall to Congress, not visitors.

"We've supported increases at the parks, they are a huge value for the price of entrance," he said. "But we want to look closely at this and we want local communities to look closely at this to see if it would impact visitation because we don't want to price people out of the parks."

Latino Outdoors founder Jose Gonzalez said the need for revenue and to control the crowds at the busiest parks is understandable but he questioned the potential impact.

"If there isn't always a question or consideration of equitable access to a lot of communities, it's only going to increase the disparity in terms of who is able to access our national parks and public lands," he said.

Not all Park Service sites charge entrance fees. The 118 that do keep 80 percent of revenue for things like fixing restrooms, signs, trails, exhibits and campgrounds and send 20 percent into a pot to help other free park sites.

Erik and Janet Schwartz of Boston said regular maintenance is vital for enjoying national parks. The couple was wrapping up a four-week trip that included visits to Bryce, Zion and the Grand Canyon.

The entrance fees are a bargain considering the vastness of the parks, they said, but they also want assurance the revenue is used as intended.

"If they have the true justification for that, then I think preserving these lands for future generations is absolutely critical," Erik Schwartz said.

Flagstaff resident Brittany Montague said the proposed increase is "completely unreasonable," especially for young families and those making a day trip to national parks. If the cost included a guided tour or family photo, "it might make it worth it," she said.

The proposal applies to Arches, Bryce Canyon, Canyonlands and Zion in Utah; Yosemite, Sequoia &

# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 48 of 49

Kings Canyon and Joshua Tree in California; Grand Teton and Yellowstone in Wyoming; Mount Rainier and Olympic in Washington; Shenandoah in Virginia; Acadia in Maine; Rocky Mountain in Colorado; the Grand Canyon in Arizona; and Denali in Alaska.

Denali is structured differently because it's largely a drive-through park. The vehicle fee doesn't apply. The proposed increase per person is from \$10 to \$30.

## Interior to offer largest oil and gas lease sale in US

By **MATTHEW DALY**, Associated Press

WASHINGTON (AP) — The Interior Department said Tuesday it will propose the largest oil and gas lease sale ever held in the United States — nearly 77 million acres in the Gulf of Mexico off the coasts of Texas, Louisiana, Mississippi, Alabama and Florida.

The sale, scheduled for next March, includes all available unleased areas on the Gulf's Outer Continental Shelf, a reflection of the Trump administration's strategy to maximize oil and gas drilling on federal lands and waters.

Even so, only a small fraction of the tracts available are expected to receive bids. A similar lease sale in August drew bids on just 90 offshore tracts totaling about a half-million acres — less than 1 percent of the 76 million acres available.

Interior Secretary Ryan Zinke touted the upcoming sale as part of the administration's bid to achieve what President Donald Trump calls "energy dominance" in the global market.

"In today's low-price energy environment, providing the offshore industry access to the maximum amount of opportunities possible (will) spur local and regional economic dynamism and job creation," Zinke said.

Rep. Raul Grijalva of Arizona, the top Democrat on the House Natural Resources Committee, said Zinke and congressional Republicans were taking credit for an Obama-era policy to offer oil and gas leases from all available tracts in the Gulf, rather than separating the western and eastern Gulf areas from the more productive central Gulf region off Louisiana, Mississippi and Alabama.

"Republicans spent eight years alleging the Obama administration was killing oil and gas when they knew it wasn't true," Grijalva said. "Now they're taking credit for lease sales made under the Obama leasing plan. Tomorrow they may as well claim credit for capturing Osama Bin Laden."

## Today in History

By The Associated Press

Today in History

Today is Wednesday, Oct. 25, the 298th day of 2017. There are 67 days left in the year.

Today's Highlight in History:

On Oct. 25, 1854, the "Charge of the Light Brigade" took place during the Crimean War as an English brigade of more than 600 men charged the Russian army, suffering heavy losses.

On this date:

In 1415, during the Hundred Years' War, outnumbered English soldiers led by Henry V defeated French troops in the Battle of Agincourt in northern France.

In 1760, Britain's King George III succeeded his late grandfather, George II.

In 1929, former Interior Secretary Albert B. Fall was convicted in Washington, D.C. of accepting a \$100,000 bribe from oil tycoon Edward L. Doheny. (Fall was sentenced to a year in prison and fined \$100,000; he ended up serving nine months.)

In 1939, the play "The Time of Your Life," by William Saroyan, opened in New York.

In 1945, Taiwan became independent of Japanese colonial rule.

In 1954, a meeting of President Dwight D. Eisenhower's Cabinet was carried live on radio and television; to date, it's the only presidential Cabinet meeting to be broadcast.

In 1957, mob boss Albert Anastasia of "Murder Inc." notoriety was shot to death by masked gunmen in a barber shop inside the Park Sheraton Hotel in New York.



# Groton Daily Independent

Wednesday, Oct. 25, 2017 ~ Vol. 25 - No. 108 ~ 49 of 49

In 1962, during a meeting of the U.N. Security Council, U.S. Ambassador Adlai E. Stevenson II demanded that Soviet Ambassador Valerian Zorin confirm or deny the existence of Soviet-built missile bases in Cuba; Stevenson then presented photographic evidence of the bases to the Council.

In 1971, the U.N. General Assembly voted to admit mainland China and expel Taiwan.

In 1983, a U.S.-led force invaded Grenada at the order of President Ronald Reagan, who said the action was needed to protect U.S. citizens there.

In 1994, Susan Smith of Union, South Carolina, claimed that a black carjacker had driven off with her two young sons (Smith later confessed to drowning the children in John D. Long Lake, and was convicted of murder). Three defendants were convicted in South Africa of murdering American exchange student Amy Biehl.

In 2002, U.S. Sen. Paul Wellstone, D-Minn., was killed in a plane crash in northern Minnesota along with his wife, daughter and five others, a week and a-half before the election. Actor Richard Harris died in London at age 72.

Ten years ago: President George W. Bush visited Southern California, telling residents weary from five days of wildfires: "We're not going to forget you in Washington, D.C." The Boston Red Sox beat the Colorado Rockies 2-1 at Fenway to take a 2-0 World Series lead.

Five years ago: President Barack Obama, seeking to shore up support among women, intensified his pressure on Mitt Romney to break any ties with a Republican Senate candidate, Richard Mourdock of Indiana, who said that if a woman became pregnant from rape it was "something God intended." Romney ignored the emotional social issue, holding to an optimistic campaign tone as he fought for victory in crucial Ohio.

One year ago: A federal judge in San Francisco approved a nearly \$15 billion settlement, giving nearly a half-million Volkswagen owners and leaseholders the choice between selling their diesel engine cars back or having them repaired so they didn't cheat on emissions tests and spew excess pollution. Four people were killed in a river rapids ride accident at a popular theme park in Queensland, Australia. The Cleveland Indians beat the Chicago Cubs 6-0 in the World Series opener.

Today's Birthdays: Former American League president Dr. Bobby Brown is 93. Actress Marion Ross is 89. Basketball Hall of Famer Bob Knight is 77. Pop singer Helen Reddy is 76. Author Anne Tyler is 76. Rock singer Jon Anderson (Yes) is 73. Political strategist James Carville is 73. Singer Taffy Danoff (Starland Vocal Band) is 73. Rock musician Glenn Tipton (Judas Priest) is 70. Actor Brian Kerwin is 68. Actor Mark L. Taylor is 67. Movie director Julian Schnabel is 66. Rock musician Matthias Jabs is 61. Actress Nancy Cartwright (TV: "The Simpsons") is 60. Country singer Mark Miller (Sawyer Brown) is 59. Rock musician Chad Smith (Red Hot Chili Peppers; Chickenfoot) is 56. Actress Tracy Nelson is 54. Actor Michael Boatman is 53. Actor Kevin Michael Richardson is 53. Actor Mathieu Amalric is 52. Singer Speech is 49. Actress-comedian-TV host Samantha Bee is 48. Actor Adam Goldberg is 47. Actor-singer Adam Pascal is 47. Rock musician Ed Robertson (Barenaked Ladies) is 47. Actress Persia White is 47. Country singer Chely (SHEL'ee) Wright is 47. Violinist Midori is 46. Actor Craig Robinson is 46. Actor Michael Weston is 44. Actor Zachary Knighton is 39. Actress Mariana Klaveno is 38. Actor Mehcad (muh-KAD') Brooks is 37. Actor Ben Gould is 37. Actor Josh Henderson is 36. Rhythm-and-blues singer Young Rome is 36. Pop singer Katy Perry is 33. Rock singer Austin Winkler is 33. Singer Ciara is 32. Actress Krista Marie Yu (TV: "Dr. Ken") is 29. Actress Conchita Campbell is 22.

Thought for Today: "Bureaucracy, the rule of no one, has become the modern form of despotism." — Mary McCarthy, author and critic (born 1912, died this date in 1989).