

Groton Daily Independent

Wednesday, Feb. 20, 2019 ~ Vol. 26 - No. 225 ~ 1 of 51

Groton Area Schedule of Events

Wednesday, February 20, 2019

NAEP Testing at Groton Area School District

Thursday, February 21, 2019

4:00pm: Basketball: Girls Varsity Game vs. Deuel @ Groton Area High School (JV Girls game at 4pm, JV Boys game at 5pm, Varsity Girls game at 6:30pm, Varsity Boys game at 8pm)

Friday, February 22, 2019

Wrestling: Boys Varsity State @ Rapid City (Combined State Tourney (Class A & B))

6:30pm: Basketball: Girls Varsity Game (Rescheduled from 02-12-19) vs. Webster Area High School @ Groton Area High School

Saturday, February 23, 2019

Robotics at Harrisburg High School

Show Choir at Vermillion

Wrestling: Boys Varsity State @ Rapid City (Combined State Tourney (Class A & B))

- 1- Groton Care & Rehab Help Wanted Ad
- 1- Help Wanted
- 2- GBB: Milbank beats Groton
- 2- BBB: Milbank beats Groton
- 3- BBB: Groton beats Langford
- 3- Kiwanis Potato Bar Feed
- 4- Noem signs 6 bills into law
- 4- Bald Eagle Awareness Days Events
- 4- Morton's 80th Birthday Card Shower
- 5- Swarm drones could change the way farmers do business
- 6- Rep. Dusty Johnson's Weekly Column
- 7- Gov. Noem's Weekly Column
- 8- Sen. Thune's Weekly Column
- 9- Sen. Rounds' Weekly Column
- 10- GBB: Groton beats Tiospa Zina
- 10- Bowling Scores
- 11- Norman Anderson says "Thank You"
- 12- More snow this morning
- 13- Today in Weather History
- 14- Weather Pages
- 16- Daily Devotional
- 17- 2019 Groton Events
- 17 - News from the Associated Press

Help Wanted

Looking for a fun, part-time job? Groton Dairy Queen is now hiring. Stop in for an application. (0216.0316)

School Announcements

The Groton Area School District will be opening two hours late on Wednesday, February 20.

There will be no 8:30 AM preschool. The Government class trip is cancelled. The FFA breakfast is postponed. OST will open at 7 a.m.

OPEN: Recycling Trailer in Groton

The recycling trailer is located at 10 East Railroad Ave. It takes cardboard, papers and aluminum cans.

Skating Rink Hours

Open Monday - Thursday: 4 p.m. to 9 p.m.

Friday: 4 p.m. to 10 p.m.

Saturday: 10 a.m. to 10 p.m.

Sunday: 1 p.m. to 9 p.m.

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HELP WANTED

Director of Nursing



Current RN licensure in SD
BSN/MSN degree preferred

Sign on bonus available

Full benefits included.

Contact Brynn Pickrel



GROTON
CARE & REHABILITATION CENTER

1106 North Second Street
605.397.2365

Girls' Basketball

Groton bench scores 15 of 18 points in loss to Milbank

The Lady Tigers had a rough night Monday at Milbank as the Bulldogs handed Groton Area a 56-18 loss in a Northeast Conference game.

The Lady Tigers shot 5 percent in the first half, making one of 20 shots as Milbank took a 28-3 lead at half time. It was 45-11 at the end of the third quarter.

The bench outscored the starting five, 15-3, as Kenzie McInerney led the way with six points followed by Gracie Traphagen with five, Payton Maine, Allissa Locke and Trista Keith each had two points and Jennie Doeden added one.

The Bulldogs were led by Makayla Johnson with 18 points, scoring 16 of them in the first half. Brooklyn Brandriet had 12, Taylor Hartman eight, Taylor The seven, Jacey Engebretson six, Katie Wollschlager three and Gabbie Cummins two.

The Bulldogs shot 22 of 47 from the field for 47 percent while Groton Area was eight of 34 for 24 percent. Groton Area had 17 turnovers while Milbank had five. The Tigers had 15 rebounds with Doeden having four, four steals, three assists and seven team fouls.

Boys' Basketball

DeHoet had double-double night against Milbank

Groton Area's boys basketball team lost all three games to Milbank in action played Feb. 15 in Groton.

The game had six lead changes and it was tied twice, all in the first half. Groton Area held a 16-13 lead after the first quarter and Milbank went up at half time, 27-24. The Bulldogs surged ahead in the third quarter and took a 46-35 lead into the fourth quarter and went on to win, 64-55.

Brodyn DeHoet had a double-double night, leading all scorers with 20 points and had 12 rebounds. Kaden Kurtz made two three-pointers on his way to a dozen points. Cade Guthmiller had a three-pointer and finished with seven points. Treyton Diegel had six points with four of them being free throws. Jonathan Doeden had four points and Austin Jones finished with three points.

In the first quarter, Milbank was five of 11 in shooting for 45 percent and Groton Area was five of 15 for 33 percent. Milbank was five of 13 in the second quarter for 38 percent while Groton Area cooled to two of 12 for 17 percent. Third quarter stats had Milbank making seven of 17 for 41 percent and Groton Area four of nine for 44 percent. In the fourth quarter, Groton Area was four of 13 for 31 percent and Milbank was five of 11 for 45 percent.

In three-pointers, the Tigers were five of 25 for 20 percent and Milbank was six of 16 for 38 percent. The Bulldogs made 43 percent of their field goals and the Tigers made 33 percent.

Groton Area was 16 of 26 from the line for 62 percent off of Milbank's 20 team fouls. Milbank was 14 of 19 for 74 percent off of Groton Area's 15 team fouls.

Milbank controlled the boards, 39-31. The Tigers had six turnovers with two of them being steals and the Bulldogs had five turnovers with two of them being steals, both by Jones.

Braden Brandriet and Max McCulloch led the Bulldogs with 17 points apiece while Bennett Schwenn had 13, Jordan Riley eight, Will Cummins seven and Mason Riley had two points.

Milbank won the junior varsity game, 39-25. Abdimalik Mohamed led the Tigers with eight points followed by Chandler Larson with seven, Tristan Traphagen had four, Jayden Zak three, Jordan Bjerke two and Isaac Smith added one point.

Milbank won the C game, 38-35. Lane Tietz had nine points, Wyatt Hearnen had seven, Tate Larson and Jordan Bjerke each had six, Jackson Cogley had four and Pierce Kettering had three points.

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Boys' Basketball

DeHoet had double-double night in Groton's win over Langford

Brodyn DeHoet had a double-double night in helping the Tigers to secure a 58-52 win over Langford Area on Feb. 14. DeHoet finished with 15 points and 15 rebounds.

The Lions jumped out to a 13-7 first quarter lead and led it at half time, 24-22. Langford Area went up by five points early in the third quarter and the Tigers came back to tie it at 31 and took a 33-31 lead thanks to a five-point run. The game was tied three more times and the lead switched hands three more times before the third quarter ended in a 41 tie. The lead changed hands three more times in the fourth quarter before Groton Area surged ahead, 55-48, to secure the win.

Treyton Diegel was four of four in three-pointers and finished with 12 points. Cade Guthmiller was three for four in three-pointers and finished with 11 points. Kaden Kurtz made two three-pointers and had nine points. Jayden Zak made two three-pointers for six points and Austin Jones added five points.

The Lions were led by Benton West with 16 points followed by Colin Frey with 10, Kade Larson and Bryce Peterson each had six, Zander Widener and Logan Block each had five points and Hayden Reints added four points.

Groton Area was 12 of 21 in three-pointers for 57 percent while Langford was four of 18 for 22 percent. For the game, the Tigers made 37 percent of their field goals and the Lions made 35 percent.

Both teams made eight free throws with the Tigers attempting 14 shots and the Lions 22 shots. Rebounds were equal as well with the Tigers having a slim edge, 36-34. Groton Area had more steals, 7-4, with DeHoet having four for Groton Area and Block having two for Langford Area. The Tigers had more turnovers, 13-11, and more assists, 17-9.

Langford Area won the junior varsity game, 30-22. Scoring for the Tigers were Chandler Larson with eight, Abdimalik Mohamed had five, Lane Tietz three, and Jayden Zak, Lucas Simon and Tristan Traphagen each had two points. Reints led Langford Area with 13 points and Smith had 10.



Kiwanis Potato Bar Feed

Thursday, February 21
serving 5pm - 7:30pm

Groton HS Arena

\$6 per person

Doubleheader GBB & BBB

Groton vs. Deuel



Noem Signs Six Bills Into Law

PIERRE, S.D. – Governor Kristi Noem signed the following pieces of legislation today:

HB1010 – An act to recodify, to make certain form and style changes, to clarify, and to repeal certain provisions related to the South Dakota Retirement System

HB1027 – An act to revise certain provisions regarding vote centers and precinct workers

HB1064 – An act to authorize temporary appointments to the State Government Accountability Board

HB1098 – An act to revise provisions regarding publication of official ballots in a legal newspaper

HB1121 – An act to repeal certain provisions regarding health inspections of food service establishments

SB22 – An act to place certain substances on the controlled substances schedule and to declare an emergency

Bald Eagle Awareness Days Events: Feb. 22 and 23

PIERRE, S.D. – Bald Eagle Awareness Days celebrates its 27th year of entertainment and education by emphasizing the need for conservation and appreciation of bald eagles and other birds of prey. Interested persons will have several free events to choose from to learn more about birds of prey.

On Friday, Feb. 22, The Outdoor Campus-East in Sioux Falls will have an open house and program beginning at 5 p.m. CST featuring live birds of prey presented by educators from The Raptor Center at the University of Minnesota. To register, please visit outdoorcampus.org or call 605.362.2777.

On Saturday, Feb. 23, educators from The Raptor Center at the University of Minnesota will present programs featuring live birds of prey at the Pierre Ramkota in Theatre II, in conjunction with the KCCR Farm, Home and Sports Show. Programs begin at 10:30 a.m., 12:30 p.m. and 2 p.m. CST.

In addition, South Dakota Game, Fish and Parks' (GFP) Outdoor Campus-West in Rapid City will host a raptor-themed open house on Saturday, Feb. 23 from 10 a.m. to 3 p.m. MST with a presentation by the Black Hills Raptor Center at 1 p.m. No registration is required.

The annual event is a joint effort sponsored by conservation and outdoor recreation organizations, and merchants and conservation agencies to increase public involvement and awareness about bald eagles and other birds of prey. All ages are encouraged to attend.



**Card Shower
for
Darlene Morton's
80th Birthday
on Feb. 24, 2019
Send to:
320 Grant Ave. NE
Conde, SD 57434**

Swarm Drones Could Change The Way Farmers Do Business



Shankarachary Ragi, Ph.D. an assistant professor of electrical engineering at Mines holds three hummingbird sized drones that his team is working with.

RAPID CITY, SD (Feb. 19, 2019) — If you've ever marveled at a flock of birds moving in complex patterns as if it were one single large organism, you're not alone. Researchers at South Dakota School of Mines & Technology are working to infuse similar cooperative behavior on a collection of flying robots. This is not an easy task, birds have millions of years of evolution that allow them to flock, researchers developing swarm robotics are writing mathematical models to mimic some of this behavior. Developing the ability for drones to work together in swarms could have wide-ranging applications—from agriculture to military use. But many scientific hurdles remain.

independent robot in the swarm has to predict how others will behave in the future and then make its own decisions accordingly," says Shankarachary Ragi, Ph.D., an assistant professor in the Department of Electrical and Computer Engineering at SD Mines who is leading the research. Ragi and his team are helping to develop mathematical models, or algorithms, that enable these kinds of cooperative behaviors in drones.

Decades ago, computer scientists realized they could build a virtual supercomputer by making several normal-sized computers work together in a network. Today relatively powerful computing is available in small packages. Similarly, a collection of drones the size of hummingbirds programmed to work cooperatively, can multiply their individual capabilities and act like a single powerful entity. In previous years, robotic swarms were controlled by a single centralized computer. The holy grail for those working on swarm technology is to develop algorithms that enable a swarm of drones to make decisions in a decentralized manner and recover from any mistakes in real time.

"Even if the swarm makes a mistake, something goes wrong, the swarm needs to learn from this mistake, by immediately reacting and then evolving," says Ragi. "Basically, we are developing robust algorithms to account for sudden, unexpected changes." It's a huge challenge; in truth, this process is not easy for living organisms—after all, birds occasionally fly into windows.

If fully developed, swarm technology has wide ranging applications. Each individual drone can use its own on-board sensors (e.g., optical/thermal cameras), to detect and identify objects of interest—so each drone in a swarm has its own version of part of the bigger picture. Researchers are also working to build software that allows a swarm of drones to piece together all images the swarm is seeing and then collectively identify and differentiate various objects of interest.

Imagine a new form of organic precision agriculture where swarms of drones are programmed to recognize and remove weeds from a field while leaving the crops intact. Or, drones with special sensors detecting one part of the field that is nutrient deficient, deploying fertilizer in exactly the right place with the amount needed.

Drone swarms could also be used for building or bridge inspection; detecting tiny changes or stress points in the structure enabling engineers to plan maintenance and repair well before any problems occur. These swarms also have military and public safety applications, such as taking down rogue drones.

Dr. Magesh Rajan, professor and department head of electrical and computer engineering says, "Our electrical engineering faculty at SD Mines work at the cutting edge of research in their fields providing invaluable learning opportunities for students and collaborate with colleagues across disciplines and around the world to address society's biggest challenges."

"These decision-making problems are very challenging because each



CONGRESSMAN
DUSTY JOHNSON
Representing **SOUTH DAKOTA** at large



Building Relationships

I came to Congress to solve real issues for South Dakotans. This office has awarded me the opportunity to meet and engage with constituents that perhaps I would not have otherwise had the opportunity to know. Every meeting that comes through my door is important, but I am particularly impressed with the purpose of South Dakota's tribal members.

Since being sworn in on January 3, I've had the privilege and honor of meeting with Rosebud Sioux President Rodney Bordeaux, Oglala Sioux President Julian Bear Runner and Cheyenne River Sioux Chairman Harold Frazier. Dozens of tribal program administrators, tribal educators and tribal citizens have also traveled to Washington to discuss education and healthcare shortfalls and opportunities. Meeting with tribal leaders almost daily leaves me with even more questions and the urge to research solutions. If one thing is clear, it's this – I've got a lot to learn.

I've certainly never pretended to know everything. If anything, I'm eager to share where my knowledge falls short and how learning from others can help fill in those gaps. The relationships I'm building with Indian Country emphasizes the importance of jointly recognizing our complicated history. We must work together through our differences to make South Dakota, and our country, better for all people.

Earlier this week, I was made aware that U.S. soldiers from the Wounded Knee Massacre received Congressional Medals of Honor. This is yet another dark stain on our nation's past. The time has come for all of us to learn more about what happened, come to grips with that truth and get a better sense of what should have happened in the aftermath and what should be done going forward.

Despite the tragedies of our past, tribal members are resilient and determined. They are not interested in the dependency the federal government tends to give. Instead, they want an opportunity to build the capacity needed to create jobs and prosperity. Infrastructure is a primary concern, which is all too common throughout South Dakota. Economies can only grow and develop if our communities, both on and off tribal lands, have reliable roads, bridges and telecommunications systems. We can do better.

As one of 435 members of Congress, I know I can't fix everything. Here's what I do know – I'll continue to build a meaningful and productive relationship with tribal members and tribal leadership throughout South Dakota.

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SOUTH DAKOTA GOVERNOR
KRISTI NOEM



Putting Knowledge to Work

Growing up, I loved working on the farm with my dad. It's a good thing, too, because there was plenty of work to get done. We'd stay in the fields from dawn to dusk, but we didn't know any other way. There was no Facebook or Instagram, so I didn't know what my classmates were doing after school or in the summers. I just knew that my siblings and I were expected to work hard. And I'm glad we did. That early experience taught me lessons that have served me well in life.

I know many of you share that same background and work ethic. It's our South Dakota way, and it must be something we pass down to the next generation. I strongly believe that the best way to prepare our young people for their careers is through work experience.

Much of this job-ready teaching is done through Career and Technical Education (or CTE) programs in high school. Shop and home-economics were the CTE classes of my generation – and maybe yours – but today, South Dakota's young people have access to courses that offer job-ready training in everything from IT and healthcare and business to skilled trades like plumbing and welding.

Earlier this month, dozens of students from all over South Dakota gathered in Pierre to celebrate February as Career and Technical Education (CTE) Month. It was incredibly encouraging to talk with them and hear about the skills they're learning. Programs like 4-H, Future Business Leaders of America (FBLA), FFA, Family, Career, and Community Leaders of America (FCCLA), and the Civic Air Patrol give young people hands-on experiences in leadership, problem solving and communication – translatable skills that students can take with them regardless of where the job market may lead.

In addition to offering opportunities for young people to pursue good-paying jobs in industries that are critical to our economy, a strong CTE program equips employers with a skilled workforce, ready to fill the jobs that are available.

I want more South Dakota student to embrace opportunities like this – opportunities that open doors to new passions and equip businesses with a strong and dependable workforce.

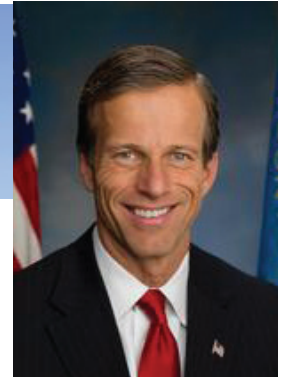
Over the coming year, I'm asking school leaders to work with me to increase work experience in our high schools. I want to see more CTE and skills training in high school, as well as bolstered apprenticeship programs. Students need the chance to step outside the classroom and put their knowledge to work.

That's why I'm partnering with local businesses and administrators to hold a "Week of Work." This will be a special week when every high school student will get out of the classroom to experience a day on the job. I hope this can lead to schools coordinating more internships and experience-based classes.

Learning about the world of work helps our young people figure out what fields aren't for them and the areas in which they excel. Perhaps more importantly, though, work experience teaches students the people skills they need. Work experience teaches young people to show up on time, to dress professionally, and to interact with customers. We do a disservice to our students if they graduate high school without these skills.

The work ethic of South Dakotans is second to none. I'm proud of that. Investing in CTE programs means we're investing into that work ethic and equipping young people with the skills needed to be successful in whatever career they choose.

John Thune
U.S. SENATOR - SOUTH DAKOTA



Here's What a Strong Economy Looks Like

When the American people hear politicians and pundits discuss the economy, the message is often framed in broad and subjective terms – one person says it's booming, another says it's weak, and they might use phrases like bulls, bears, and bubbles to describe what they mean.

Sure, politics sometimes shapes how a person views the state of the economy, but there are always undeniable truths that are shielded from even the strongest political force: facts. And as President Reagan duly noted, they can be stubborn things. With facts in mind and politics aside, an objective look at the economy, which grew by a solid 3.4 percent in the third quarter of 2018, I might add, is worth seeing.

January marked the 11th straight month that the national unemployment rate has been at or below 4 percent – the longest streak in nearly half of a century. The number of job openings hit a record high at the end of 2018, and there were more job openings than job seekers, which is great news for people who are looking for work. Wages have been growing at a rate of 3 percent or greater for six straight months – a level unmatched since 2009 – and the median household income is at an all-time inflation-adjusted record of \$61,372.

Again, those aren't my opinions, those are facts, and the facts reflect what a lot of Americans are feeling these days. According to Gallup, "Americans' optimism about their personal finances has climbed to levels not seen in more than 16 years, with 69% now saying they expect to be financially better off 'at this time next year,'" and more Americans "rate the economy good or excellent" than at any time since January 2001.

Some people might disagree, but I don't think today's strong economic growth and consumer optimism just magically happened on its own. A strong economy is built, at least in part, on strong policies that help create an environment in which businesses can grow and hire more workers and where workers can better position their families for future opportunities.

I strongly believe the Tax Cuts and Jobs Act, which became law just 14 months ago, set the stage for a lot of what we're seeing today, and I'm working with my colleagues to find additional ways we can further enhance the benefits of this historic effort.

Tax reform is working, but some people are determined to undermine its success for their own political gain, even if it means distorting the facts in order to do it. For example one of my Democrat colleagues who's running for president just recently stretched the facts to try to claim that preliminary tax refund figures suggest that tax reform is hurting, not helping middle-income families.

While the IRS data is far from complete, it's true that up to this point (remember, tax filing season just opened at the end of January), the average tax refund is down in 2019, but that doesn't mean Americans are paying more in taxes. The whole point of a tax refund is to give money back to taxpayers who overpaid the government throughout the year. According to the Washington Post, "a smaller tax refund means you gave less of a loan to the U.S. government over the course of the year. Ideally, you should end up with no refund or tax due."

Since tax reform lowered rates across the board, Americans kept more of their hard-earned money in 2018. In fact, 90 percent of families that make between \$40,000 and \$200,000 should expect to see a lower tax burden this year. This is good news, not bad news for the American people.

Back to my original point, though, I believe the economy is strong, not purely in a rhetorical sense, but because the facts clearly highlight the reality. Policymakers can always do more, and the economy can always be stronger, which is why we'll continue to pursue pro-growth policies that help create more opportunities and greater financial security for the American people.



Indian Health Service Continues to Let Down Tribal Members

Tribal members have been in the midst of a government-induced health care crisis for decades due to poor leadership and mismanagement at the Indian Health Service (IHS). For far too long, tribal members who rely on IHS for health care have faced unimaginable horrors. Troubling reports from a number of IHS facilities have found gross mismanagement, dirty medical equipment, broken sanitizers and blatant corruption. In one outrageous case, a woman gave birth to her baby on a bathroom floor with no nurses or doctors around to help her. Many of these horror stories happen right here in South Dakota.

The financial, structural and administrative problems at IHS have resulted in tribal members receiving misdiagnoses, waiting too long in emergency rooms, and in some cases dying due to inadequate care. There is no excuse for hospitals not to reach basic benchmarks for providing proper care and protect patients and tribal members.

IHS has a trust and treaty responsibility to provide proper health care to tribal members and it has failed in its duty. To help get the agency on the right path, I recently reintroduced legislation that would require the Department of Health and Human Services (HHS) Secretary to contract an assessment of IHS' health care delivery and financial management processes. This is the same bill I introduced last Congress, which passed out of the Senate Indian Affairs Committee with bipartisan support. We're optimistic we can bring it past the finish line this Congress.

An assessment will allow us to take a close look at the failures of IHS so we can work in close consultation with the tribes to immediately solve these problems and begin providing the reliable care our tribal members deserve. During our research of the agency, we found that despite a large user population and an annual appropriation of more than \$5 billion, IHS does not have a funding formula. There are also no qualitative measurements to gauge quality of care. This mismanagement has taken a toll on tribal members, especially those in the IHS' Great Plains Region, which includes our state. We have the worst health care disparities of all the IHS regions, including the lowest life expectancy, highest diabetes death rate, highest tuberculosis death rate and highest overall age adjusted death rate.

A recent report from the Wall Street Journal and FRONTLINE PBS shed light on the failure of the federal government to stop a child predator—an IHS pediatrician—in Indian Country. IHS moved this person from reservation to reservation, covering up decades of sexual abuse of Native American children in Pine Ridge and elsewhere. This is appalling. Failing to protect these vulnerable children is unacceptable.

Following the news report, HHS Secretary Azar announced an investigation into IHS' policies regarding abuse allegations, which we welcome. However, IHS has had problems with abuse and other atrocities for decades. The problems are systemic. We need an assessment of the direct-service facilities within IHS as soon as possible.

IHS will continue to fail our tribal members unless we take a close look into the operations, funding, quality of care and management at the agency. My IHS assessment bill is a necessary first step toward making real changes so the IHS can deliver the timely, adequate care the federal government has a trust and treaty obligation to provide to tribal members.

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Girls' Basketball

Doeden's free throws lift Groton Area past Tiospa Zina

Jennie Doeden made three of four free throws with less than six seconds left in the game as Groton Area's Lady Tigers defeated Tiospa Zina, 39-36. The game was played Tuesday as a make-up game in Groton.

The lead changed sides three times in the first quarter before the Wambdi took a 9-7 lead at the end of the first quarter. The Tigers tied the game at nine and Tiospa Zina tied the game at 11 before the Tigers took a 19-13 lead at half time.

The Tigers had a comfortable, but close lead through the third quarter, leading by as much as six points several times in the quarter include the 31-24 lead at the break. Tiospa Zina's Lexus Redthunder scored 10 of her 19 points in the fourth quarter and the Wambdi tied the game at 34 and took a 35-34 lead just two minutes left in the game. The Wambdi went up by two, 36-34. Doeden was then fouled with 55 seconds left and she made both free throws to tie the game at 36. The Wambdi tried to take as much time off the clock, going for a shot, but the Wambdi threw the ball away with 26 seconds left. The Tiger brought the ball upcourt and Doeden went for a shot, was fouled and was sent to the free throw line with 3.5 seconds left. She made one of two free throws to give Groton Area the lead; but when she missed the second free throw, she got into the thick of things battled for the rebound. The result was a foul on Tiospa Zina. Groton Area got the back with 2.5 seconds left and the inbound pass went to Gracie Traphagen who made a shot at the buzzer as Groton Area secured the win, 39-36.

Doeden had a double-double night with 13 points, 10 rebounds and five assists. Eliza Wanner had seven points, Payton Maine had five, Gracie Traphagen and Allyssa Locke each had four points, and Miranda Hanson and Kaycie Hawkins each had three points. The Lady Tigers outrebounded Tiospa Zina, 33-25. Redthunder had nine rebounds for the Wambdi.

The Tigers had 12 turnovers and the Wambdi had 11. The Lady Tigers made four of 17 three-pointers with Maine, Hanson, Wanner and Locke each having one three-pointer. Both teams made seven free throws, but the Tigers made seven of 10 for 70 percent and the Wambdi made seven of 16 for 44 percent. Tiospa Zina had two more fouls, 14-12. Wanner had two steals.

Others scoring for Tiospa Zina were Kylie Deutsch with 10, Jordyn LaBlanc four, Lily Smith two and Omariya Bernard with one.

Groton Area won the junior varsity game, 35-29. Scoring for the Lady Tigers were Allyssa Locke with 15 points, Brooke Gengerke eight, Trista Keith five, Maddie Bjerke and Kenzie McInerney with three each and Caitlynn Barse added a free throw.

Groton Coffee Cup League

Feb. 19 Team Standings: James Valley 21, Kens 20, Biker Chix 19, Ten Pins 12.

High Games: Sam Bahr 213, Nancy Radke 179, Vicki Walter 167.

High Series: Nancy Radke 461, Sam Bahr 454, Vicki Walter 454, Mary Jane Jark 438.

Conde National League

Feb. 18 Team Standings: Pirates 21½, Braves 16½, Tigers 16, Cubs 15, Giants 15, Mets 12.

Men's High Games: Lance Frohling 212, 200, 190; Larry Frohling 201; Butch Farmen 190; John Lowery 190.

Men's High Series: Lance Frohling 602, Larry Frohling 540, John Lowery 507.

Women's High Games: Nancy Radke 178, Vickie Kramp 173, Joyce Walter 163.

Women's High Series: Vickie Kramp 479, Joyce Walter 469, Nancy Radke 449.

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Norman Anderson says, "Thank You!"

Norman Anderson came before the Groton City Council Tuesday evening to thank the city and also his neighbors and friends for helping him out after he had his fall earlier this winter. He said that he is thankful for living in such a good community as Groton. He contributed \$1,000 to the city for their fine work, especially with snow removal. He had given \$1,000 earlier this fall as well. (Photo by Paul Kosel)



Mayor Scott Hanlon (right) accepts a \$1,000 check from Norman Anderson as his way for saying "Thank You" to the City of Groton for their fine job. (Photo by Paul Kosel)

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Snow again!

Residents woke up to 2-3 inches of snow on the ground this morning with more expected throughout the day. The snow caused the Groton Area School to open two hours late this morning.

A winter weather advisory is in effect until 6 p.m. today. Additional snow accumulations of 2 to 3 inches is possible in Brown and Spink counties. Plan on slippery road conditions. The hazardous conditions could impact the morning or evening commute.

A Winter Weather Advisory for snow means periods of snow will cause primarily travel difficulties. Expect snow covered roads and limited visibilities, and use caution while driving.

Region 1	Girls	Seed Points	W-L
Aberdeen Roncalli		43.053	15-4
Redfield/Doland		42.167	12-6
Milbank		39.647	7-10
Groton Area		39.444	7-11
Tiospa Zina		37.842	7-12
Webster Area		36.176	3-14
Sisseton		35.842	3-16

Region 1	Boys	Seed Points	W-L
Tiospa Zina		43.850	17-3
Aberdeen Roncalli		42.895	13-6
Redfield/Doland		39.833	9-9
Milbank		39.611	7-11
Groton Area		39.474	6-13
Sisseton		39.176	6-11
Webster Area		37.471	5-12

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Today in Weather History

February 20, 1962: Another round of heavy snow fell across the southeastern half of the state from the 20th through the 22nd with up to 10 inches of new snowfall. Snowfall amounts included, 5 inches at Bryant, 6 inches at Kennebec, 7 inches at Redfield, Brookings, Mitchell, and Sioux Falls, 8 inches at Miller, and 10 inches at Huron. Snowfall amounts for the record-setting month of February 1962 ranged from 30 to 50 inches across much of the southeast part of the state.

February 20, 1997: Warm weather resulted in snowmelt runoff and ice breakup on the Bad River. As a result, the Bad River went above flood stage from Capa to Fort Pierre late in the evening of the 20th. Flood stage at Fort Pierre is 21 feet, and the river rose to around 25 feet on the 21st. The Bad River went below flood stage during the afternoon of the 22nd. Lowlands near the river were flooded along with some county roads with some of the roads damaged. Late in the evening of the 20th, the trailer court on the southern edge of Fort Pierre was evacuated where they did some sandbagging. Also, on the west side of Fort Pierre, some roads were flooded.

February 20, 2011: The snowfall/blizzard event on 20-21 February 2011 produced yet another round of impressive snowfall totals across central and northeastern South Dakota and west-central Minnesota. Storm total snowfall amounts ranged from 8" to 12" with locally higher amounts of more than 18" reported in a few locations.

1912: An F3 tornado killed nine people and injured 50 others as it crossed Centenary College in Shreveport, Louisiana. Centenary College would be hit again in 1940.

1995: The temperature at the Civic Center in Los Angeles, California soared to 95 degrees. This temperature is the highest ever recorded at the location during the month of February.

2004: A nor'easter brought heavy snow and strong winds to the Nova Scotia and Prince Edwards Island from the 17th through 20th. The Maritimers called this storm White Juan, a hurricane disguised as a blizzard. Halifax, Yarmouth, and Charlottetown broke all-time 24-hour snowfall records, receiving about 3 feet of snow. For Halifax, the 34.8 inches of snow on February 19 nearly doubled its previous record for a single day.

1805 - The Potomac River was opened after being closed by ice for a period of two months. (Sandra and TI Richard Sanders - 1987)

1898 - Eastern Wisconsin experienced their biggest snowstorm of record. Racine received thirty inches, and drifts around Milwaukee measured fifteen feet high. (David Ludlum)

1953 - A snowstorm in Nebraska, South Dakota, Iowa and Minnesota produced drifts ten feet high which derailed trains. (David Ludlum)

1987 - A storm system over Arizona spread heavy snow from the Southern Rockies into the Southern Plains Region. Thunderstorms in central Texas produced golf ball size hail about the same time north central Texas was being blanketed with up to 8 inches of snow, closing many schools. (The National Weather Summary) (Storm Data)

1988 - Snow and strong northerly winds ushered arctic air into the Great Lakes Region. The temperature at Sault Ste Marie MI plunged from 30 degrees at 5 AM to one below zero by 3 PM, with a wind chill reading of 40 degrees below zero. Five cities in Florida reported record high temperatures for the date. The afternoon high of 90 degrees at Lakeland was just a degree shy of their February record. (The National Weather Summary)

1989 - Thunderstorms developing during the early afternoon produced severe weather from eastern Texas to Alabama and northwest Florida. Thunderstorms spawned a dozen tornadoes during the afternoon and evening. Thunderstorms also produced 90 mph winds around Vicksburg MS, and 100 mph winds around Jackson MS. (The National Weather Summary) (Storm Data)

1990 - Heavy snow spread into southwestern Kansas and the panhandle region of Oklahoma and Texas. Heavier snowfall totals included 12 inches at Boise City OK, 11 inches at Liberal KS, and 10 inches at Spearman TX. Blowing and drifting snow closed roads in the Oklahoma panhandle. (The National Weather Summary) (Storm Data)

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Winter Weather Adv...



Snow then
Snow Likely

High: 17 °F



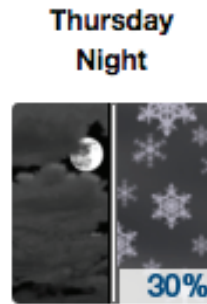
Slight Chance
Snow then
Mostly Cloudy

Low: 2 °F



Partly Sunny

High: 15 °F



Mostly Cloudy
then Chance
Snow

Low: 2 °F

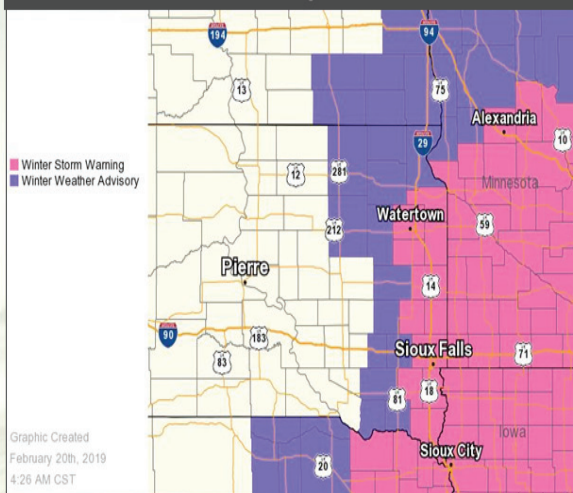


Chance Snow
then Snow
Likely

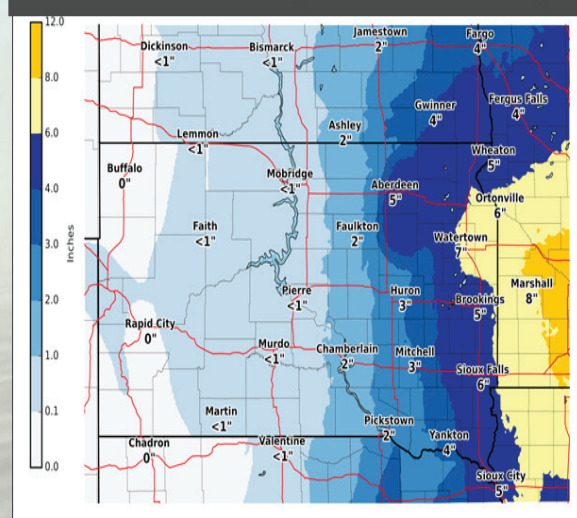
High: 17 °F

Accumulating Snow Will Continue Today, Mainly Along And East Of The James River Valley

Current Warnings/Advisories



Storm Total Snow Through 6 PM CST Wednesday



National Weather Service Aberdeen, SD

Updated: 2/20/2019 5:15 AM Central

Published on: 02/20/2019 at 5:22AM

The current round of mostly light to moderate snow will continue today before tapering off by early this evening. The highest snowfall totals will still be found along the border of South Dakota and Minnesota, with lesser amounts back toward the Missouri River valley.

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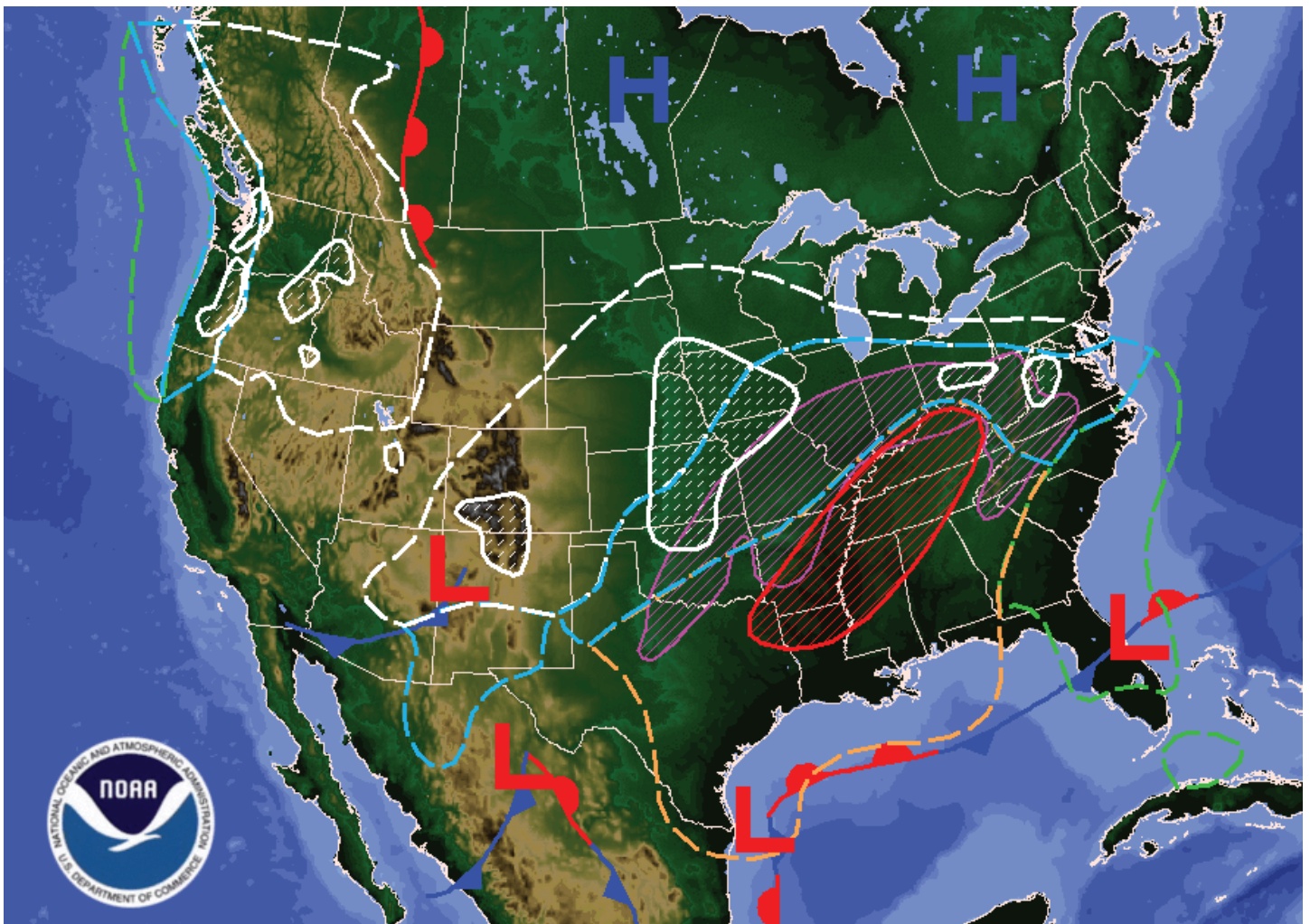
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Yesterday's Weather

High Outside Temp: 14 °F at 8:08 PM
Low Outside Temp: -13 °F at 4:02 AM
High Gust: 15 mph at 7:45 PM
Precip:

Today's Info

Record High: 61° in 1930
Record Low: -30° in 1918
Average High: 30°F
Average Low: 9°F
Average Precip in Feb.: 0.33
Precip to date in Feb.: 0.00
Average Precip to date: 0.80
Precip Year to Date: 0.00
Sunset Tonight: 6:08 p.m.
Sunrise Tomorrow: 7:26 a.m.



Day 1 National Forecast Chart

Valid Tue, Feb 19, 2019, issued 4:50 AM EST
DOC/NOAA/NWS/NCEP/Weather Prediction Center
Prepared by McCreynolds 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)

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A DESPERATE CALL

Larry, he said to get my complete attention, dont go next door and play with Richard. Hes not good for you to be around.

OK, Dad. I wont. (At least not while you're looking, I said to myself, under my breath.)

Not long after the warning, I heard his penetrating whistle that could be heard throughout the neighborhood. However, I was next door, on the roof of Richards garage with some other friends having a great time. But now, the good time was over. I looked down from the roof, and there was my Dad standing at the foot of the ladder. I knew I was busted. He spoke, I refused to obey, and the party was over.

How long will you simple ones love your simple ways? wrote Solomon. Or, if he was talking to me to-day it would mean, Larry, why were you so careless to allow yourself to drift into temptation. Dont you remember that I gave you a warning? Why didn't you follow my advice?

This verse contains a certain sadness: How long... We are all slow learners! We refuse to hear God. I warned you, didnt I? When will you ever grow-up and accept the wisdom I offered you? I offered you my best: My wisdom that will last a lifetime and you rejected it.

Rejecting Gods wisdom is very costly. In verse 25 there are some tragic words to describe the results of disobeying God: Since you rejected me when I called...and ignored my advice...and would not accept my rebuke, I will laugh at you." Gods grace has its limits. Hear Him today!

Prayer: Lord, how blest are those who hear Your Word, accept it and follow it. Rejecting His wisdom has its consequences. We must listen to You, Lord. In Jesus Name, Amen.

Scripture For Today: Proverbs 1:22 How long will you who are simple love your simple ways?

2019 Groton SD Community Events

- 01/27/2019 Carnival of Silver Skates 2pm & 6:30pm
- 03/17/2019 Groton American Legion Spring Fundraiser
- 04/13/2019 Easter Egg Hunt (Saturday a week before Easter Weekend)
- 04/27/2019 Fireman's Stag
- 05/04/2019 Spring City-Wide Rummage Sales (1st Saturday in May)
- 05/27/2019 Groton American Legion Post #39 Memorial Day Program
- 06/13/2019 Transit Fundraiser (Middle Thursday in June)
- 06/14/2019 SDSU Golf Tournament at Olive Grove Golf Course
- 06/15/2019 Triathlon (Saturday before Father's Day)
- 06/21/2019 Best Ball Golf Tourney
- 07/04/2019 Firecracker Golf Tourney (4th of July)
- 07/14/2019 Summer Fest
- 08/22/2019 First Day of School
- 09/07/2019 Fall City-Wide Rummage Sales (1st Saturday after Labor Day)
- 09/08/2019 Sunflower Classic at Olive Grove Golf Course
- 10/12/2019 Pumpkin Fest (Saturday before Columbus Day)
- 10/11/2019 Lake Region Marching Band Festival (2nd Friday in October)
- 10/31/2019 Trunk or Treat/Halloween on Main
- 11/09/2019 Groton American Legion Post #39 Turkey Shoot (Saturday closest to Veteran's Day)
- 12/07/2019 Olive Grove Golf Course 2019 Holiday Party
- 12/07/2019 Santa Claus Day at Professional Management Services

News from the Associated Press

Sioux Falls shooting sends one person to the hospital

SIoux FALLS, S.D. (AP) — Police are investigating a shooting in downtown Sioux Falls.

Authorities say an altercation resulted in shots being fired from a handgun shortly before 10 p.m. Tuesday. The Argus Leader reports at least one gunshot victim was taken to the hospital, but his or her condition was not released.

Police found a suspect hiding in a residential garage and arrested him.

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

Scores of school districts close as storm advances

MINNEAPOLIS (AP) — Forecasters are warning residents in parts of Minnesota and western Wisconsin the advancing winter storm could produce up to 9 inches of snow.

Minneapolis and St. Paul schools are among scores of districts that canceled classes Wednesday. The National Weather Service issued a winter storm warning for much of central and southern Minnesota, through eastern South Dakota and into western Wisconsin.

The Twin Cities is in store for its snowiest February on record by the time the storm subsides. The area already has 22.6 inches of snow this month. Wednesday's snowfall will likely break a record of 26.5 inches in February set back in 1962.

The heaviest accumulation is expected Wednesday morning when snowfall rates of an inch per hour were expected.

Fouled waters reveal lasting legacy of US mining industry

By **MATTHEW BROWN**, Associated Press

RIMINI, Mont. (AP) — Every day many millions of gallons of water loaded with arsenic, lead and other toxic metals flow from some of the most contaminated mining sites in the U.S. and into surrounding lakes and streams without being treated, The Associated Press has found.

That torrent is poisoning aquatic life and tainting drinking water sources in Montana, California, Colorado, Oklahoma and at least five other states.

The pollution is a legacy of how the mining industry was allowed to operate in the U.S. for more than a century. Companies that built mines for silver, lead, gold and other "hardrock" minerals could move on once they were no longer profitable, leaving behind tainted water that still leaks out of the mines or is cleaned up at taxpayer expense.

Using data from public records requests and independent researchers, the AP examined 43 mining sites under federal oversight, some containing dozens or even hundreds of individual mines.

The records show that at average flows, more than 50 million gallons (189 million liters) of contaminated wastewater streams daily from the sites. In many cases, it runs untreated into nearby groundwater, rivers and ponds — a roughly 20-million-gallon (76-million-liter) daily dose of pollution that could fill more than 2,000 tanker trucks.

The remainder of the waste is captured or treated in a costly effort that will need to carry on indefinitely, for perhaps thousands of years, often with little hope for reimbursement.

The volumes vastly exceed the release from Colorado's Gold King Mine disaster in 2015, when an EPA cleanup crew inadvertently triggered the release of 3 million gallons (11.4 million liters) of mustard-colored mine sludge, fouling rivers in three states.

At many mines, the pollution has continued decades after their enlistment in the federal Superfund cleanup program for the nation's most hazardous sites, which faces sharp cuts under President Donald Trump.

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Federal officials fear that at least six of the sites examined by AP could have blowouts like the one at Gold King.

Some sites feature massive piles or impoundments of mine waste known as tailings. A tailings dam collapse in Brazil last month killed at least 169 people and left 140 missing. A similar 2014 accident in British Columbia swept millions of cubic yards of contaminated mud into a nearby lake, resulting in one of Canada's worst environmental disasters.

But even short of a calamitous accident, many mines pose the chronic problem of relentless pollution.

TAINTED WELLS

In mountains outside the Montana capital of Helena, about 30 households can't drink their tap water because groundwater was polluted by about 150 abandoned gold, lead and copper mines that operated from the 1870s until 1953.

The community of Rimini was added to the Superfund list in 1999. Contaminated soil in residents' yards was replaced, and the EPA has provided bottled water for a decade. But polluted water still pours from the mines and into Upper Tenmile Creek.

"The fact that bottled water is provided is great," said 30-year Rimini resident Catherine Maynard, a natural resources analyst for the U.S. Department of Agriculture. "Where it falls short is it's not piped into our home. Water that's piped into our home is still contaminated water. Washing dishes and bathing — that metal-laden water is still running through our pipes."

Estimates of the number of such abandoned mine sites range from 161,000 in 12 western states to as many as 500,000 nationwide. At least 33,000 have degraded the environment, according to the Government Accountability Office, and thousands more are discovered every year.

Officials have yet to complete work including basic risk analyses on about 80 percent of abandoned mining sites on federal lands. Most are controlled by the Bureau of Land Management, which under Trump is seeking to consolidate mine cleanups with another program and cut their combined 2019 spending from \$35 million to \$13 million.

PERPETUAL POLLUTION

Problems at some sites are intractable.

Among them:

— In eastern Oklahoma's Tar Creek mining district, waterways are devoid of life and elevated lead levels persist in the blood of children despite a two-decade effort to clean up lead and zinc mines. More than \$300 million has been committed since 1983, but only a small fraction of the impacted land has been reclaimed and contaminated water continues to flow.

— At northern California's Iron Mountain Mine, cleanup teams battle to contain highly acidic water that percolates through a former copper and zinc mine and drains into a Sacramento River tributary. The mine discharged six tons of toxic sludge daily before an EPA cleanup. Authorities now spend \$5 million a year to remove poisonous sludge that had caused massive fish kills, and they expect to keep at it forever.

— In Colorado's San Juan Mountains, site of the Gold King blowout, some 400 abandoned or inactive mine sites contribute an estimated 15 million gallons (57 million liters) of acid mine drainage per day.

This landscape of polluted sites occurred under mining industry rules largely unchanged since the 1872 Mining Act.

State and federal laws in recent decades have held companies more accountable than in the past, but critics say huge loopholes all but ensure that some of today's mines will foul waterways or require perpetual cleanups.

To avoid a catastrophe like Gold King, EPA officials now require advance approval for work on many mining sites. But they acknowledge they're only dealing with a small portion of the problem.

"We have been trying to play a very careful game of prioritization," said Dana Stalcup, deputy director of the Superfund program. "We know the Superfund program is not the answer to the hundreds of thousands of mines out there, but the mines we are working on we want to do them the best we can."

QUESTIONS OVER WHO SHOULD PAY

To date, the EPA has spent an estimated \$4 billion on mining cleanups. Under Trump, the agency has

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identified a small number of Superfund sites for heightened attention after cleanup efforts stalled or dragged on for years. They include five mining sites examined by AP.

Former EPA assistant administrator Mathy Stanislaus said more money is needed to address mining pollution on a systematic basis, rather than jumping from one emergency response to another.

"The piecemeal approach is just not working," said Stanislaus, who oversaw the Superfund program for almost eight years ending in 2017.

Democrats have sought unsuccessfully to create a special cleanup fund for old hardrock mine sites, with fees paid by the mining industry. Such a fund has been in place for coal mines since 1977, with more than \$11 billion in fees collected and hundreds of sites reclaimed.

The mining industry has resisted doing the same for hardrock mines, and Republicans in Congress have blocked the Democratic proposals.

Montana Mining Association director Tammy Johnson acknowledged abandoned mines have left a legacy of pollution, but added that companies still in operation should not be forced to pay for those problems.

"Back in the day there really wasn't a lot known about acid mine drainage," she said. "I just don't think that today's companies bear the responsibility."

In 2017, the EPA proposed requiring companies still operating mines to post cleanup bonds or offer other financial assurances so taxpayers don't end up footing cleanup bills. The Trump administration halted the rule, but environmental groups are scheduled to appear in federal court next month in a lawsuit that seeks to revive it.

"When something gets on a Superfund site, that doesn't mean it instantly and magically gets cleaned up," said Earthjustice attorney Amanda Goodin. "Having money immediately available from a responsible party would be a game changer."

Follow Matthew Brown at <https://twitter.com/matthewbrownap>

Tuesday's Scores By The Associated Press

BOYS PREP BASKETBALL

Aberdeen Central 60, Pierre 44
Custer 65, Hill City 45
Dakota Valley 78, Lennox 70
Dell Rapids 76, Canton 42
Faulkton 63, Edmunds Central 38
Harrisburg 74, Huron 67
Hot Springs 81, Spearfish 42
Ipswich 69, Sunshine Bible Academy 49
Marshall, Minn. 73, Sioux Falls Roosevelt 54
McCook Central/Montrose 56, Mt. Vernon/Plankinton 43
Morris Area/Chokio-Alberta, Minn. 60, Milbank 44
Parker 69, Flandreau 42
Platte-Geddes 62, Wagner 56, OT
Rapid City Christian 69, Lead-Deadwood 38
Sioux Falls Christian 65, Madison 61
Sioux Falls O'Gorman 62, Sioux Falls Lincoln 44
Sioux Falls Washington 57, Mitchell 47
St. Thomas More 60, Belle Fourche 44
Sturgis Brown 70, Douglas 46
Vermillion 47, Beresford 33
Yankton 67, Brookings 47

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GIRLS PREP BASKETBALL

Brookings 66, Yankton 50
Chamberlain 56, Stanley County 19
Cheyenne-Eagle Butte 70, Mobridge-Pollock 35
Dell Rapids 65, Canton 34
Flandreau 58, Parker 31
Garretson 60, Baltic 23
Groton Area 39, Tiospa Zina Tribal 36
Harrisburg 65, Huron 38
Lead-Deadwood 48, Rapid City Christian 32
Lennox 68, Dakota Valley 47
Little Wound 75, Pine Ridge 55
Marshall, Minn. 47, Sioux Falls Roosevelt 39
Milbank 58, Madison 43
Mitchell 63, Sioux Falls Washington 57
Mt. Vernon/Plankinton 57, McCook Central/Montrose 55
Pierre 48, Aberdeen Central 42
Rapid City Central 52, Rapid City Stevens 44
Sisseton 51, Webster 30
Spearfish 53, Hot Springs 33
Tea Area 69, Tri-Valley 49
Wagner 70, Platte-Geddes 62
West Central 42, Sioux Falls Christian 33
Winner 53, Miller 36
Class B Region 1
Quarterfinal
Clark/Willow Lake 75, Northwestern 45
Warner 59, Great Plains Lutheran 29
Waubay/Summit 50, Langford 44
Waverly-South Shore 71, Florence/Henry 45
Class B Region 2
Quarterfinal
Faulkton 61, Edmunds Central 25
Herreid/Selby Area 56, Eureka/Bowdle 37
Ipswich 67, Potter County 46
Sully Buttes 61, Highmore-Harrold 38
Class B Region 3
Quarterfinal
Arlington 37, Estelline/Hendricks 33
Castlewood 63, Hitchcock-Tulare 32
DeSmet 77, Lake Preston 42
Deubrook 58, James Valley Christian 30
Class B Region 4
Quarterfinal
Chester 83, Howard 78
Ethan 54, Mitchell Christian 9
Hanson 77, Dell Rapids St. Mary 57
Sanborn Central/Woonsocket 45, Colman-Egan 38
Class B Region 5
Quarterfinal
Bridgewater-Emery 65, Alcester-Hudson 51

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Freeman 55, Gayville-Volin 20
Irene-Wakonda 51, Canistota 42
Menno 51, Viborg-Hurley 41
Class B Region 6
Quarterfinal
Andes Central/Dakota Christian 41, Kimball/White Lake 33
Avon 46, Scotland 43
Corsica/Stickney 54, Gregory 19
Tripp-Delmont/Armour 64, Burke 44
Class B Region 7
Quarterfinal
Kadoka Area 47, Philip 38
Lower Brule 64, Wall 57
New Underwood 66, Lyman 29
White River 64, Edgemont 44
Class B Region 8
Quarterfinal
Dupree 52, Lemmon 47
Faith 73, Harding County 38
Newell 44, McIntosh 37
Timber Lake 57, Wakpala 24

Some high school basketball scores provided by Scorestream.com, <https://scorestream.com/>

SD Lottery

By The Associated Press

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

Mega Millions

17-24-34-56-65, Mega Ball: 3, Megaplier: 2

(seventeen, twenty-four, thirty-four, fifty-six, sixty-five; Mega Ball: three; Megaplier: two)

Estimated jackpot: \$206 million

Powerball

Estimated jackpot: \$282 million

Opponent: Transgender athletes bill perpetuates myths

PIERRE, S.D. (AP) — Opponents are calling on South Dakota lawmakers to defeat a bill taking aim again at a policy allowing transgender students to play on the athletic team that matches their gender identity.

The House Health and Human Services Committee began hearing testimony Tuesday. The Argus Leader reports the panel is expected to vote Thursday.

The bill would require a student's sex to be determined by their birth certificate or a South Dakota High School Activities Association physical exam form.

Opponent Miranda Gohn, a transgender woman, says the bill perpetuates myths and would put a target on the back of all transgender South Dakotans.

Gohn pointed out the association already has strict guidelines to determine on which team a transgender student can participate.

A Senate panel killed a similar bill last month. Supporters in the Senate argued the bill was necessary

to ensure fair competition.

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

Arkansas governor signs 'triggered' abortion ban into law

LITTLE ROCK, Ark. (AP) — Arkansas' governor has signed into law a measure that would ban abortion in the state if the U.S. Supreme Court overturns its landmark 1973 ruling legalizing the procedure nationwide.

Gov. Asa Hutchinson's office says the Republican on Tuesday signed the legislation, making Arkansas the fifth state with a "trigger" abortion ban on the books. The majority-Republican Legislature gave the bill final approval last week.

The proposal would ban all abortions, except for medical emergencies, if the nation's high court overturns the Roe v. Wade decision.

Louisiana, Mississippi, North Dakota and South Dakota have similar "trigger" bans on the books. Abortion opponents have been pushing for the measures in other states, saying they hope that the high court may be open to more sweeping bans after President Donald Trump's appointed two conservatives.

Also Tuesday, a House panel endorsed a proposal that would ban most abortions 18 weeks into a woman's pregnancy. That proposal now heads to the full House for a vote.

Arkansas already bans abortion 20 weeks into a woman's pregnancy.

Noem admin projects big cost to ending presumptive probation

By JAMES NORD, Associated Press

PIERRE, S.D. (AP) — Gov. Kristi Noem's administration is projecting that a measure to reverse South Dakota's presumptive probation policy could spur an influx of prisoners, potentially costing the state millions of dollars each year and requiring at least \$33.3 million for new prison facilities.

Opposition from the governor's finance agency and the Corrections Department during a Tuesday bill hearing put Noem's administration at odds with Attorney General Jason Ravnsborg over the cornerstone of his legislative agenda. Noem and Ravnsborg both took office last month.

The presumptive probation law requires judges to sentence people who have committed certain nonviolent, lower-level felonies — including drug possession and use — to probation rather than prison, unless there's a "significant risk" to the public. It's credited with helping avert expensive prison population growth, but critics say it ties judges' hands.

Ravnsborg told lawmakers on the Senate Judiciary Committee that the measure seeks to give law enforcement, prosecutors and judges their "discretion back." It's part of a platform that's also focused on prevention, rehabilitation and bolstering work programs.

"I would ask that you give me the tools to keep South Dakota safe and tackle the meth problem we all know is present in our state," Ravnsborg said.

Law enforcement representatives also backed the change, which is expected to get a committee vote on Thursday. Supporters of ending presumptive probation argue it's driven up county jail budgets across the state as courts send offenders there rather than prison.

"We've pushed the cost from the state down to the county, so the taxpayers are already paying the burden, they're just paying it in a different way," Ravnsborg said.

But Department of Corrections official Laurie Feiler said the bill would add significantly to the number of inmates in the state prison system for drug possession and require "substantial" additional funding for correctional staffing, operations and building construction.

Noem's administration is projecting the measure could add operating costs ranging from more than \$8.7 million to \$35 million annually, depending on the number of presumptive probation offenders who would instead get sent to prison. Building costs to house the additional inmates could range from \$33.3 million to \$150 million, according to the analysis.

"I do urge a no vote on this bill because of the significant increase needed in the Department of Correc-

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tions' already lean budget," said Brittni Skipper of the Bureau of Finance and Management.

The officials' testimony gives a window into Noem's views on the bill. Noem said last month that presumptive probation has been described to her as frustrating, but she doesn't want to be in the "business of building new prisons and jails."

Local chapters of the ACLU and Americans for Prosperity also opposed the bill. ACLU of South Dakota policy director Libby Skarin said South Dakota should preserve presumptive probation because it presents an alternative to incarceration that helps families stay together. She said it gives offenders the ability to work and provide for their children and get treatment rather than sit in prison cells.

"I would love to see bills that would enhance prevention and that would focus on treatment," Skarin said. "So let's start with that and not with doubling down on enforcement."

Supporters of presumptive probation contend courts have enough discretion now: Judges can deviate from probation if they find aggravating circumstances that pose a major risk to the public. Judges sent 20 percent of people eligible for presumptive probation directly to the penitentiary in the 2018 budget year, according to a state report.

Presumptive probation was part of a 2013 Republican-led justice overhaul to tackle prison overcrowding, cut costs and expand drug addiction treatment options.

Officials said at the time of the overhaul that if nothing was done to curb the rapid increase of inmates, the state would have to spend more than \$200 million to build and operate new prisons over the following decade. Former Republican Gov. Dennis Daugaard was among those who championed the package.

A 2016 report from the Urban Institute found presumptive probation and other changes played a major role in avoiding growth in the state prison population, and the latest state analysis credits the overhaul with saving taxpayers about \$28 million.

The committee couldn't vote on the bill Tuesday morning because a legislative prison and jail population cost estimate wasn't available. Ravensborg said that's "extremely frustrating" because the bill was filed before the session began.

South Dakota Senate votes down campus carry legislation

PIERRE, S.D. (AP) — The South Dakota Senate has rejected a bill that would have barred public universities and technical schools from restricting people's ability to carry guns on campus.

Senators voted 24-10 Tuesday against the measure. It has faced opposition from student officials, the Board of Regents and the Board of Technical Education.

Republican Sen. Lance Russell, the sponsor, says he thinks it's important that "we as a society make sure that we are, in fact, protecting our young people."

Sen. Bob Ewing is a Republican from Spearfish, home of Black Hills State University. Ewing asked lawmakers to oppose the bill, saying that he's heard from the administration and students who feel the measure would make it an even "more unsafe environment."

Board of Regents policy prohibits firearms on campus with some exceptions.

Pierre rescue squad saves dog from Missouri River

PIERRE, S.D. (AP) — Pierre firefighters have saved the life of a dog that plunged into the icy Missouri River.

Rescue Squad Capt. Brandon McCarthy says crews were called to the river Monday afternoon where the dog had chased a goose onto the river and then plunged into open water. The ice conditions prevented the dog from getting back to shore.

McCarthy tells KCCR the pet owners did the right thing by calling for help instead of trying to rescue the dog on their own. He says ice on the river can be unpredictable and the Rescue Squad trains for these types of winter water rescue events.

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Radio station owners sue over purchase default

SIoux FALLS, S.D. (AP) — A Minnehaha County couple is suing a businessman in federal court saying he still owes them hundreds of thousands of dollars from an agreement to purchase radio station KZOY.

John and Heidi Small say Chuck Brennan defaulted on the 2015 purchase agreement and instead bought another radio station from the University of Sioux Falls. After the default, the Smalls sued Brennan and his company, Badlands Airtime, in state court and won a \$750,000 judgment. The federal lawsuit says Brennan still owes them more than \$450,000.

The federal lawsuit claims Badlands Airtime had no operating funds, bank account or capital when it made the agreement to purchase the station from the Smalls and therefore “engaged in fraud and misconduct.”

Brennan did not immediately return a call for comment.

Civilians evacuated from last Islamic State holdout in Syria

By SARAH EL DEEB, Associated PRESS

BAGHOUZ, Syria (AP) — A convoy of trucks carrying hundreds of civilians, including men, women and children, left the last enclave held by Islamic State militants in eastern Syria on Wednesday, signaling a possible end to a standoff that has lasted for more than a week.

An Associated Press team in Baghouz, a village near the Iraqi border where the Islamic State group is making its final stand, counted at least 17 trucks that emerged through a humanitarian corridor used in past weeks to evacuate people from the militants’ last patch of territory along the Euphrates River.

Women, children and men, some with checkered headscarves, or keffiyehs, could be seen through a flap opening on the flatbed trucks. One man carried a crutch; the women were engulfed in conservative black garments covering their faces known as niqabs.

Mustafa Bali, a spokesman for the Syrian Democratic Forces, the U.S.-backed militia spearheading the fight against IS in Syria, confirmed the trucks were carrying civilians out of the enclave.

It was not immediately clear if IS militants were also on board the trucks. Around 300 militants are believed to be holed up in the enclave, along with several hundred civilians. On Tuesday, Bali said a military operation aimed at ousting the extremists from the area will begin if they don’t surrender, adding that such an operation would take place after separating or evacuating the civilians from the militants.

An SDF commander, Zana Amedi, said most of the militants remaining inside the enclave are seriously wounded or sick.

The Islamic State group has been reduced from its self-proclaimed “caliphate” that once spread across much of Syria and Iraq at its height in 2014 to a speck of land on the countries’ shared border.

The SDF has been encircling the remaining IS-held territory for days, waiting to declare the territorial defeat of the extremist group.

Nearly 20,000 civilians had left the shrinking area in recent weeks before the evacuation halted last week when the militants closed all the roads out of the tiny area.

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. POSSIBLE PEACE DECLARATION LOOMS OVER KIM-TRUMP SUMMIT

Such an announcement ending the six-decade-old Korean War could open up a whole new set of problems for Washington if not done carefully.

2. CALIFORNIA VS. TRUMP ESCALATES

Disputes over the president’s border wall and California’s bullet train are intensifying the feud between the White House and the nation’s most populous state.

3. DEADLY CRACKDOWN STOKES FEAR IN VENEZUELA

Hyperinflation and food and medicine shortages have eroded support for socialist President Maduro and

rights groups say an elite police unit is resorting to targeted killings.

4. BERNIE SANDERS MAY NOT NEED 2016 MAGIC

The 77-year-old Vermont senator will push his progressive agenda and might not need to depend on his last bid's sparkle in 2020 to win his party's presidential nomination.

5. CIVILIANS EVACUATE FROM LAST IS HOLDOUT IN SYRIA

A convoy of trucks carrying civilians leaves the last enclave held by Islamic State militants in eastern Syria.

6. WHERE MILITARY IS TRAINING FOR NEXT CONFLICT

High up in the California mountains, Marines undergoing advanced cold-weather training are learning how to battle future enemies and the unforgiving environment.

7. WHAT FEDS ARE SHARING WITH PRIVATE GROUPS

The U.S. government is acknowledging it shares its terrorist watchlist with more than 1,400 private entities, including hospitals and universities, prompting concerns from civil libertarians.

8. CONTAMINATED WASTEWATER FLOWING FROM US MINING SITES

The AP finds that the toxic torrent is killing aquatic life and tainting drinking water sources in Montana, California, Colorado, Oklahoma and at least five other states.

9. CHICAGO POLICE DISMISSED JUSSIE SMOLLETT TIP

Authorities investigated but dismissed a tip that on the night "Empire" actor reported being attacked he was in an elevator of his apartment building with two brothers later arrested and released from custody in the probe.

10. 'A LITTLE MORE ON THE SIDES'

At a barbershop in Vietnam's capital, a hairdresser is offering free Trump or Kim hairstyles as summit frenzy ratchets up.

Possible peace declaration looms large over Trump-Kim summit

By ERIC TALMADGE, Associated Press

TOKYO (AP) — With their second summit fast approaching, speculation is growing that U.S. President Donald Trump may try to persuade North Korean leader Kim Jong Un to commit to denuclearization by giving him something he wants more than almost anything else: an announcement of peace and an end to the Korean War.

Such an announcement could make history. It would be right in line with Trump's opposition to "forever wars." And, coming more than six decades after the fighting essentially ended, it just seems like common sense.

But, if not done carefully, it could open up a whole new set of problems for Washington.

Here's why switching the focus of the ongoing talks between Pyongyang and Washington from denuclearization to peace would be a risky move — and why it might be exactly what Kim wants when the two leaders meet in Hanoi on Feb. 27-28.

THE STANDOFF

The Korean Peninsula was divided at the 38th parallel after World War II, with the U.S. claiming a zone of influence in the south and the Soviet Union in the north. Within five years, the two Koreas were at war.

Though the shooting stopped in 1953, the conflict ended with an armistice, essentially a cease-fire signed by North Korea, China and the 17-nation, U.S.-led United Nations Command that was supposed to be replaced by a formal peace treaty. But both sides instead settled ever deeper into Cold War hostilities marked by occasional outbreaks of violence.

The conflict in Korea is technically America's longest war.

North Korea, which saw all of its major cities and most of its infrastructure destroyed by U.S. bombers during the war, blames what it sees as Washington's unrelenting hostility over the past 70 years as ample justification for its nuclear weapons and long-range missiles. It claims they are purely for self-defense.

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The U.S., on the other hand, maintains a heavy military presence in South Korea to counter what it says is the North's intention to invade and assimilate the South. It has also implemented a long-standing policy of ostracizing the North and backing economic sanctions.

Trump escalated the effort to squeeze the North with a "maximum pressure" strategy that remains in force.

A combination of that strategy and the North's repeated tests of missiles believed capable of delivering its nuclear weapons to the U.S. mainland are what brought the two countries to the negotiating table.

WHY KIM WANTS A TREATY

Getting a formal peace treaty has been high on the wish list of every North Korean leader, starting with Kim Jong Un's grandfather, Kim Il Sung.

A peace treaty would bring international recognition, probably at least some easing of trade sanctions, and a likely reduction in the number of U.S. troops south of the Demilitarized Zone.

If done right, it would be a huge boost to Kim's reputation at home and abroad. And, of course, to the cause of peace on the Korean Peninsula at a time when Pyongyang says it is trying to shift scarce resources away from defense so that it can boost its standard of living and modernize its economy with a greater emphasis on science and technology.

Washington has a lot to gain, too.

Trump has said he would welcome a North Korea that is more focused on trade and economic growth. Stability on the peninsula is good for South Korea's economy and probably for Japan's as well.

Though Trump hasn't stressed human rights, eased tensions could create the space needed for the North to loosen its controls over political and individual freedoms.

But it's naive to expect North Korea to suddenly change its ways.

According to a recent estimate, it has over the past year continued to expand its nuclear stockpile. And even as it has stepped up its diplomatic overtures to the outside world, Pyongyang has doubled down internally on demanding loyalty to its totalitarian system.

PEACE OR APPEASEMENT?

After his first summit with Kim, in Singapore last June, Trump declared the nuclear threat was over.

He isn't saying that anymore.

Trump made no mention of the word "denuclearization" during his State of the Union address. Instead, he called his effort a "historic push for peace on the Korean Peninsula" and stressed that Kim hasn't conducted any recent nuclear or missile tests and has released Americans who had been jailed in the North and returned the remains of dozens of Americans killed in the war.

Kim, meanwhile, has good reason to want to turn his summits with Trump into "peace talks."

The biggest win for the North would be to get a peace declaration while quietly abandoning denuclearization altogether, or by agreeing to production caps or other measures that would limit, but not eliminate, its nuclear arsenal. Simply having a summit without a clear commitment to denuclearization goes a long way toward establishing him as the leader of a de facto nuclear state.

Unless Washington is willing to accept him as such, that will only make future talks all the more difficult.

The U.S. has, however, continued to take a hard line in lower-level negotiations leading up to the summit.

Stephen Biegun, Trump's new point man on North Korea, stressed in a recent speech that as a prerequisite for peace, Washington wants a "complete understanding of the full extent of the North Korean weapons of mass destruction missile programs," expert access and monitoring of key sites and, ultimately, "the removal and destruction of stockpiles of fissile material, weapons, missiles, launchers, and other weapons of mass destruction."

The question is whether Trump will similarly challenge Kim or choose an easier and splashier — but less substantive — declaration of peace.

TALK VS TREATY

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If he chose to do so, Trump could unilaterally announce the end of the Korean War.

It would be great TV. But it wouldn't necessarily mean all that much.

Trump can't by himself conclude an actual peace treaty. China, and possibly a representative of the U.N. Command, would have to be involved. South Korea would naturally want to be at the table. The U.S. Senate would have to ratify whatever they came up with.

Back in 1993, the administration of President Bill Clinton reached a familiar-sounding agreement with Pyongyang "to achieve peace and security on a nuclear-free Korean Peninsula."

The next year the two sides vowed to reduce barriers to trade and investment, open a liaison office in the other's capital and make progress toward upgrading bilateral relations to the ambassadorial level. In 2000, Clinton and Kim's father, Kim Jong Il, added a promise "of respect for each other's sovereignty and non-interference in each other's internal affairs."

But by 2002, George W. Bush was back to calling the North part of an "axis of evil." In 2006, North Korea tested its first nuclear device.

The lesson? Whatever grand proclamations are made, establishing real peace will go well beyond just another Trump and Kim summit.

But it could be a start.

Talmadge has been the AP's Pyongyang bureau chief since 2013. Follow him on Twitter and Instagram: @EricTalmadge.

APNewsBreak: Feds share watchlist with 1,400 private groups

By MATTHEW BARAKAT, Associated Press

FALLS CHURCH, Va. (AP) — The federal government has acknowledged that it shares its terrorist watchlist with more than 1,400 private entities, including hospitals and universities, prompting concerns from civil libertarians that those mistakenly placed on the list could face a wide variety of hassles in their daily lives.

The government's admission that it shares the list so broadly comes after years of insistence that the list is generally not shared with the private sector.

Gadeir Abbas, a lawyer with the Council on American-Islamic Relations, which has filed a constitutional challenge to the government's use of the watchlist, called the government's admission shocking.

"We've always suspected there was private-sector dissemination of the terror watchlist, but we had no idea the breadth of the dissemination would be so large," Abbas said.

The watchlist is supposed to include only those who are known or suspected terrorists but contains hundreds of thousands of names. The government's no-fly list is culled from a small subset of the watchlist.

Critics say that the watchlist is wildly overbroad and mismanaged, and that large numbers of people wrongly included on the list suffer routine difficulties and indignities because of their inclusion.

The government's admission comes in a class-action lawsuit filed in federal court in Alexandria by Muslims who say they regularly experience difficulties in travel, financial transactions and interactions with law enforcement because they have been wrongly added to the list. The Associated Press is the first to report on the disclosure after reviewing the case documents.

Abbas said now that the government has disclosed how many private entities receive access to the Terrorist Screening Database, the official name of the watchlist, it now needs to explain exactly which private entities are receiving it and what they're doing with it. He's asked a judge to require the government to be more specific. A hearing is scheduled for Friday.

"Are universities taking TSDB status into account in making admission or disciplinary decisions? Are Inova Alexandria Hospital's building security personnel screening visitors against the TSDB and denying entry to listees? Is Motorola screening its software engineers who work on cellular infrastructure equipment against the TSDB and firing listees? Plaintiffs have no idea," Abbas and co-counsels Lena Masri and Carolyn Homer wrote in a brief submitted Friday.

In depositions and in court hearings, government officials had denied until very recently that the watch-

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list compiled by the FBI's Terrorist Screening Center is shared with private entities. At a pretrial hearing in September, government lawyer Dena Roth told U.S. District Judge Anthony Trenga that the Terrorist Screening Center "does not work with private partners, and that watchlist status itself ... is considered law enforcement sensitive information and is not shared with the public."

Despite that assurance, the judge ordered the government to be more specific about how it disseminates the watchlist. Trenga said the plaintiffs are entitled to the information to try to prove their case that inclusion on the list causes them to suffer "real world consequences."

In response to Trenga's order, TSC Deputy Director of Operations Timothy Groh filed a written statement earlier this month acknowledging that 1,441 private entities have received permission to access the watchlist. Groh says those private entities must be in some way connected to the criminal justice system. He cited police forces at private universities, hospital security staff and private correctional facilities as examples.

It is not clear what restrictions are placed on how private institutions use the list.

The FBI did not respond to emails and phone calls seeking comment.

Hugh Handeyside, attorney with the ACLU's National Security project, said the government's disclosure is "noteworthy in that it corroborates what we've long suspected, but it still leaves unanswered several important questions." He said more information is needed to know how private entities use the information.

"The likelihood of stigma or adverse consequences is increased" every time the government shares the list with a private organization, a foreign government or any other agency, he said.

The exact number on the list is kept secret by the government, but it acknowledged in an earlier lawsuit that it adds hundreds of thousands of names to the list every year. It also emphasized that names are routinely removed from the list.

In some quarters, the government has been criticized for failing to widely disseminate the list to private agencies who might need to know about suspected terrorists. A 2007 report from a government watchdog criticized the government for just that.

Abbas, though, said the problem with disseminating the list is that the list itself is so faulty and littered with so many innocent names that, for all practical matters, the list is merely a compilation of "innocent Muslims who have never committed a crime."

"It is a fool's errand," Abbas said of the watchlist's purported goal. "They are trying to predict, among the innocent, which people will be terrorists. That is an impossibility."

This story has corrected the spelling Gadeir Abbas' first name.

Fouled waters reveal lasting legacy of US mining industry

By **MATTHEW BROWN**, Associated Press

RIMINI, Mont. (AP) — Every day many millions of gallons of water loaded with arsenic, lead and other toxic metals flow from some of the most contaminated mining sites in the U.S. and into surrounding lakes and streams without being treated, The Associated Press has found.

That torrent is poisoning aquatic life and tainting drinking water sources in Montana, California, Colorado, Oklahoma and at least five other states.

The pollution is a legacy of how the mining industry was allowed to operate in the U.S. for more than a century. Companies that built mines for silver, lead, gold and other "hardrock" minerals could move on once they were no longer profitable, leaving behind tainted water that still leaks out of the mines or is cleaned up at taxpayer expense.

Using data from public records requests and independent researchers, the AP examined 43 mining sites under federal oversight, some containing dozens or even hundreds of individual mines.

The records show that at average flows, more than 50 million gallons (189 million liters) of contaminated wastewater streams daily from the sites. In many cases, it runs untreated into nearby groundwater, rivers and ponds — a roughly 20-million-gallon (76-million-liter) daily dose of pollution that could fill more than

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2,000 tanker trucks.

The remainder of the waste is captured or treated in a costly effort that will need to carry on indefinitely, for perhaps thousands of years, often with little hope for reimbursement.

The volumes vastly exceed the release from Colorado's Gold King Mine disaster in 2015, when an EPA cleanup crew inadvertently triggered the release of 3 million gallons (11.4 million liters) of mustard-colored mine sludge, fouling rivers in three states.

At many mines, the pollution has continued decades after their enlistment in the federal Superfund cleanup program for the nation's most hazardous sites, which faces sharp cuts under President Donald Trump.

Federal officials fear that at least six of the sites examined by AP could have blowouts like the one at Gold King.

Some sites feature massive piles or impoundments of mine waste known as tailings. A tailings dam collapse in Brazil last month killed at least 169 people and left 140 missing. A similar 2014 accident in British Columbia swept millions of cubic yards of contaminated mud into a nearby lake, resulting in one of Canada's worst environmental disasters.

But even short of a calamitous accident, many mines pose the chronic problem of relentless pollution.

TAINTED WELLS

In mountains outside the Montana capital of Helena, about 30 households can't drink their tap water because groundwater was polluted by about 150 abandoned gold, lead and copper mines that operated from the 1870s until 1953.

The community of Rimini was added to the Superfund list in 1999. Contaminated soil in residents' yards was replaced, and the EPA has provided bottled water for a decade. But polluted water still pours from the mines and into Upper Tenmile Creek.

"The fact that bottled water is provided is great," said 30-year Rimini resident Catherine Maynard, a natural resources analyst for the U.S. Department of Agriculture. "Where it falls short is it's not piped into our home. Water that's piped into our home is still contaminated water. Washing dishes and bathing — that metal-laden water is still running through our pipes."

Estimates of the number of such abandoned mine sites range from 161,000 in 12 western states to as many as 500,000 nationwide. At least 33,000 have degraded the environment, according to the Government Accountability Office, and thousands more are discovered every year.

Officials have yet to complete work including basic risk analyses on about 80 percent of abandoned mining sites on federal lands. Most are controlled by the Bureau of Land Management, which under Trump is seeking to consolidate mine cleanups with another program and cut their combined 2019 spending from \$35 million to \$13 million.

PERPETUAL POLLUTION

Problems at some sites are intractable.

Among them:

— In eastern Oklahoma's Tar Creek mining district, waterways are devoid of life and elevated lead levels persist in the blood of children despite a two-decade effort to clean up lead and zinc mines. More than \$300 million has been committed since 1983, but only a small fraction of the impacted land has been reclaimed and contaminated water continues to flow.

— At northern California's Iron Mountain Mine, cleanup teams battle to contain highly acidic water that percolates through a former copper and zinc mine and drains into a Sacramento River tributary. The mine discharged six tons of toxic sludge daily before an EPA cleanup. Authorities now spend \$5 million a year to remove poisonous sludge that had caused massive fish kills, and they expect to keep at it forever.

— In Colorado's San Juan Mountains, site of the Gold King blowout, some 400 abandoned or inactive mine sites contribute an estimated 15 million gallons (57 million liters) of acid mine drainage per day.

This landscape of polluted sites occurred under mining industry rules largely unchanged since the 1872 Mining Act.

State and federal laws in recent decades have held companies more accountable than in the past, but

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critics say huge loopholes all but ensure that some of today's mines will foul waterways or require perpetual cleanups.

To avoid a catastrophe like Gold King, EPA officials now require advance approval for work on many mining sites. But they acknowledge they're only dealing with a small portion of the problem.

"We have been trying to play a very careful game of prioritization," said Dana Stalcup, deputy director of the Superfund program. "We know the Superfund program is not the answer to the hundreds of thousands of mines out there, but the mines we are working on we want to do them the best we can."

QUESTIONS OVER WHO SHOULD PAY

To date, the EPA has spent an estimated \$4 billion on mining cleanups. Under Trump, the agency has identified a small number of Superfund sites for heightened attention after cleanup efforts stalled or dragged on for years. They include five mining sites examined by AP.

Former EPA assistant administrator Mathy Stanislaus said more money is needed to address mining pollution on a systematic basis, rather than jumping from one emergency response to another.

"The piecemeal approach is just not working," said Stanislaus, who oversaw the Superfund program for almost eight years ending in 2017.

Democrats have sought unsuccessfully to create a special cleanup fund for old hardrock mine sites, with fees paid by the mining industry. Such a fund has been in place for coal mines since 1977, with more than \$11 billion in fees collected and hundreds of sites reclaimed.

The mining industry has resisted doing the same for hardrock mines, and Republicans in Congress have blocked the Democratic proposals.

Montana Mining Association director Tammy Johnson acknowledged abandoned mines have left a legacy of pollution, but added that companies still in operation should not be forced to pay for those problems.

"Back in the day there really wasn't a lot known about acid mine drainage," she said. "I just don't think that today's companies bear the responsibility."

In 2017, the EPA proposed requiring companies still operating mines to post cleanup bonds or offer other financial assurances so taxpayers don't end up footing cleanup bills. The Trump administration halted the rule, but environmental groups are scheduled to appear in federal court next month in a lawsuit that seeks to revive it.

"When something gets on a Superfund site, that doesn't mean it instantly and magically gets cleaned up," said Earthjustice attorney Amanda Goodin. "Having money immediately available from a responsible party would be a game changer."

Follow Matthew Brown at <https://twitter.com/matthewbrownap>

Border wall, bullet train: California vs. Trump escalates

By KATHLEEN RONAYNE, Associated Press

SACRAMENTO, Calif. (AP) — Disputes over President Donald Trump's border wall and California's bullet train are intensifying the feud between the White House and the nation's most populous state.

The Trump administration on Tuesday said it plans to cancel or claw back \$3.5 billion in federal dollars allocated to California's high-speed rail project, a move Gov. Gavin Newsom called "political retribution" for the state's lawsuit against Trump's declaration of a national emergency. California led a 16-state coalition in filing the suit Monday, challenging Trump's power to declare an emergency to earn more money to build a wall along the U.S.-Mexico border.

"It's no coincidence that the Administration's threat comes 24 hours after California led 16 states in challenging the President's farcical 'national emergency,'" Newsom said in a statement. "This is clear political retribution by President Trump, and we won't sit idly by."

It's the latest spat between Trump and California, which has styled itself as the Democratic-led "resistance" to the administration. Newsom, less than two months into his tenure, has appeared more eager to hit back at Trump than former California Gov. Jerry Brown. The lawsuit is California's 46th against the

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Trump administration.

Using a broad interpretation of his executive powers, Trump declared an emergency last week to obtain wall funding beyond the \$1.4 billion Congress approved for border security. The move allows the president to bypass Congress to use money from the Pentagon and other budgets.

Trump's use of the emergency declaration has drawn bipartisan criticism and faces a number of legal challenges.

Still the president has told reporters he expects to prevail.

"I think in the end we're going to be very successful with the lawsuit," Trump told reporters, calling it an "open and closed" case.

Trump had earlier singled out California for its lead role in the suit, seeking to link the state's high-speed rail project to his plan for the wall.

On Twitter, Trump claimed the "failed Fast Train project" was beset by "world record setting" cost overruns and had become "hundreds of times more expensive than the desperately needed Wall!"

The estimated cost for a San Francisco-to-Los Angeles train has more than doubled to \$77 billion. That's about 13 times the \$5.7 billion Trump sought unsuccessfully from Congress to build the wall.

Hours later, the U.S. Department of Transportation told California it planned to cancel nearly \$1 billion in federal money allocated to the rail project and wanted the state to return \$2.5 billion it had already spent.

Trump's comments about a "failed" project followed Newsom's comments last week that the current plan for an LA-San Francisco train would cost too much and take too long. Instead, he said he'd focus immediately on a line through the Central Valley while still doing environmental work on the full line. That work is a requirement for keeping the federal money.

Still, the U.S. Department of Transportation said Newsom's remarks reinforced concerns about the project's ability to deliver. The department wrote Newsom's comments mark a "significant retreat from the State's initial vision and commitment and frustrated the purpose for which the Federal funding was awarded."

California Republicans who have long called the project a waste of money applauded the Trump administration's move to take back the money.

"It is time to move on from the broken high-speed rail project and redirect our efforts to infrastructure projects that work for Californians," said U.S. House Minority Leader Kevin McCarthy of Bakersfield, a city on the train's route.

But Newsom said the state intends to keep the money. Losing it would be a major blow to the chronically underfunded project.

"This is California's money, and we are going to fight for it," he said.

The agreement with the federal government allows the administration to withhold or take back the money if the state fails to make "adequate progress" or "complete the project or one of its tasks."

If the federal government decides to take the money back, it doesn't have to wait for California to write a check. Instead it could withhold money from other transportation projects.

Tuesday's comments won't be the last; the administration has given California until March 5 to formally respond.

Associated Press writer Catherine Lucey in Washington contributed.

Royale rumble: 'Apex Legends' smashing 'Fortnite' records

By JAKE SEINER, AP Sports Writer

NEW YORK (AP) — For the first time since its meteoric rise, "Fortnite" is no longer a no-doubt victory royale atop the video game industry.

"Apex Legends" — a battle royale from Electronic Arts — has charged into the market and smashed "Fortnite" records for downloads and viewership since its release three weeks ago. Tyler "Ninja" Blevins and other streaming stars have powered that surge, as has the emergence of an 18-year-old "Apex" superstar. Esports teams are already scrambling to sign talented players and invest long-term, while others

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are raising concerns about overcommitting to the suddenly volatile battle royale genre.

Developed by Respawn Entertainment and published by EA, "Apex" has shaken the industry by building on many of its shining successes. It has pulled popular elements from other battle royales — a type of video game where players are dropped into a map and fight in a last-man-standing format against up to 100 other gamers — while making a few key changes.

Like "Fortnite" and "PlayerUnknown's Battlegrounds," "Apex" is free to download and play, making its money by selling outfits and other upgrades for use in the game. Among its key differences: "Apex" players compete exclusively in teams of three and can choose characters with varying abilities, features essential to team-based esports like "League of Legends" and "Overwatch."

The game also went hard after the existing battle royale audience. EA recruited Blevins, Richard "King-Richard" Nelson and other famous gamers, asking them to put down "Fortnite" and stream "Apex" following its release Feb. 4. Blevins alone has over 13 million subscribers on Twitch, immediately giving "Apex" a massive audience. It's unclear if EA paid those influencers to play the game, and EA did not respond to repeated requests for comment.

"Apex" had 25 million downloads in its first week, crushing the "Fortnite" mark of 10 million over its first two weeks after launching in 2017.

"I think 'Apex' has caught everybody by storm," said Andy Miller, CEO of NRG Esports, which rosters teams across various video game titles. "They did a phenomenal job of getting the influencers to play it first, feeding the market on Twitch and then watching everybody starting to play the game, and the game is good."

Six days after the game launched, NRG announced it was recruiting "Apex" players, making it the first esports organization to seek a pro specifically for that title. General manager Jaime Cohenca led the search, combing through applications and Twitch streams. With the game being so new, Cohenca wasn't entirely sure what he was looking for other than an "exceptional talent."

He "knew immediately" when he came across Dizzy.

Coby "Dizzy" Meadows is an 18-year-old from Florida, and he is believed to be the best "Apex" player in the world. NRG signed him Feb. 12, and later that day, Meadows made major waves in the esports community by killing 33 of his 59 opponents in one match — a viral moment that generated nearly 500,000 views on YouTube alone. The next day, Meadows teamed up with Blevins and Nelson, also an NRG player, to win the \$200,000 Twitch Rivals Apex Legends tournament against a lineup of streaming megastars.

Behind big draws for Dizzy, Ninja and KingRichard, "Apex" smashed another "Fortnite" record that day: 8.28 million hours of "Apex" were streamed on Twitch, topping the "Fortnite" mark of 6.6 million from July 20, per The Esports Observer.

Meadows has played regularly with Blevins and Nelson since. They won another tournament together later that week, and in the finals, Meadows had as many kills on his own as the entire opposing team.

"We knew this was a kid we had to take a flyer on," Cohenca said. "Dizzy was a rock star."

The question now: What comes next for "Apex," "Fortnite," and the stars and companies building up around their popularity? No doubt, NRG's fast move on Meadows has paid off, and other top esports organizations have since begun recruiting their own "Apex" pros. But it's still not clear what kind of scene they're staffing up for.

Epic Games, the developer behind "Fortnite," hasn't prioritized that game's competitive sphere in the same way that companies behind "League of Legends" or "Overwatch" have. Top "Fortnite" players like Blevins aren't necessarily stars because they win every tournament. Ninja is a skilled gamer, for sure, but what has separated him is that he's entertaining, a talent that pairs well with a goofier game like "Fortnite."

"Apex" lacks those cartoonish vibes, and its rules and structure could lend it better to competitive esports — where skill and teamwork become more important than engaging on Twitch. EA has experience building leagues around its games, too, most notably with sports titles like Madden and FIFA.

Right now, it's unclear where "Apex" is going, and for how long it can hold that space. That's part of why Ari Segal, CEO at Immortals, has been hesitant to invest in battle royale players. He remains cautious, especially now that "Apex" has drawn up such a spectacular blueprint for entering the market.

"It's a well-oiled flywheel that likely means new battle royale games will increasingly be able to launch to faster and larger success, at least initially," he said.

Immortals and NRG are at opposite ends of that spectrum, in many ways. NRG already has plans to build out a full "Apex" team so it's ready to put a talented squad in the field no matter the competitive and streaming structure. It also plans to maintain its "Fortnite" roster, which features entertaining streamers like Nelson.

Segal's concern is that if one battle royale can so quickly pull eyeballs from the others, how do you build around each title? Formerly an executive with the NHL's Arizona Coyotes, his ambitions are to turn Immortals into a longstanding franchise like those in traditional sports. Quickly turning over rosters to keep up with the hot new thing isn't part of his plan.

"We believe that by selling sizzle, your customer is buying sizzle, and that by definition will flame out," Segal said. "We're not selling sizzle; we're building community."

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Kim or Trump? Hanoi barber offers leaders' hairdos for free

By HAU DINH, Associated Press

HANOI, Vietnam (AP) — At a barbershop tucked away in a small Hanoi alley, Le Phuc Hai patiently waits for his hair dye to bleach his natural black into the color of the president of the United States.

On a chair next to him, 9-year-old To Gia Huy emerges as a spitting image of a miniature Kim Jong Un. "Many people say that I look like Kim Jong Un, especially when I have this hairstyle," said Huy, who was nicknamed "Un" for his likeness to the North Korean leader.

He was unable to hide his excitement that Kim is coming to the Vietnamese capital next week for his second summit with President Donald Trump, and hopes for a chance to see him in person.

As the summit frenzy shakes Hanoi, hairdresser Le Tuan Duong has joined in, offering free Trump or Kim hairstyles to about a dozen customers.

"Hanoi is a city of peace. When Donald Trump and Kim Jong Un decide to come here to talk about restoring peace, I think I should do something to show that Hanoi people welcome the summit," Duong said.

He said Kim's hairstyle shows youth while Trump's displays power.

"But Kim's style is a lot more popular among customers," he said.

Hai, a motorcycle taxi driver, went for Trump's orange because he confessed, "I really like Donald Trump so I want to have (his) hairstyle."

Police dismiss tip Smollett, 2 brothers together in elevator

By DON BABWIN, Associated Press

CHICAGO (AP) — Chicago police investigated but dismissed a tip that on the night "Empire" actor Jussie Smollett reported being attacked by two masked men he was in an elevator of his apartment building with two brothers later arrested and released from custody in the probe, a department spokesman said Tuesday.

Police spokesman Anthony Guglielmi said a person who lives in the building or was visiting someone there reported seeing the three together the night in question last month. However, he said video evidence allowed investigators to determine the report wasn't credible.

Guglielmi said the two brothers did meet with prosecutors and police Tuesday in a Chicago courthouse. There was no immediate information about what they discussed.

Smollett said two masked men hurled racial and homophobic slurs at him, beat him and looped a rope around his neck. Last week, Guglielmi said media reports about the attack being a hoax were unconfirmed by case detectives.

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But on Saturday, police announced that the "investigation had shifted" following interviews with the brothers and their release from custody without charges. Police have requested another interview with Smollett.

Smollett's lawyers have said the actor was angered and "victimized" by reports he may have played a role in staging the attack.

"Nothing is further from the truth and anyone claiming otherwise is lying," the statement from attorneys Todd Pugh and Victor P. Henderson said in a statement late Saturday.

Anne Kavanagh, a spokeswoman for Smollett's lawyers, said they would "keep an active dialogue with Chicago police on his behalf." Kavanagh didn't immediately respond to a request for comment Tuesday.

A California misdemeanor complaint against Jussie Smollett in 2007 shows the actor pleaded no contest to giving false information to police when he was pulled over for driving while under the influence.

Court records show that Smollett was accused of identifying himself as his younger brother and signing a false name on the promise to appear in court. Smollett also was later charged with false impersonation, driving under the influence and driving without a valid license. He pleaded no contest to a reduced charge and took an alcohol education and treatment program.

The details of the complaint were first reported by NBC News.

Also Tuesday, Cook County State's Attorney Kim Foxx said that she is recusing herself from the current investigation in Chicago.

"Out of an abundance of caution, the decision to recuse herself was made to address potential questions of impartiality based upon familiarity with potential witnesses in the case," Foxx's spokeswoman Tandra Simonton said. Asked who Foxx is familiar with, Simonton said Foxx would have no further comment.

Smollett, who is African-American and openly gay, reported he was physically attacked while he was getting a sandwich around 2 a.m. on Jan. 29 near his home in downtown Chicago. He said the men shouted the slurs and yelled "This is MAGA country," an apparent reference to President Donald Trump's campaign slogan, "Make America Great Again." Smollett also said the attackers poured some kind of chemical on him.

Police looked through hours of video surveillance from the area but found no footage of an attack. They did find and release images of two people they said they wanted to question.

On Wednesday police picked up two brothers at Chicago's O'Hare Airport as they returned from Nigeria and questioned them about the attack. They also searched the apartment where the men live.

The men, who had been held for nearly 48 hours on suspicion of assaulting Smollett, were released Friday. Guglielmi said the next day that information police received from the men "has in fact shifted the trajectory of the investigation."

This version of the story corrects the 4th paragraph to say that last week police said reports the attack was a hoax were unconfirmed. Corrects earlier version saying that police had declined to comment on whether it was a hoax.

Check out the AP's complete coverage of the Jussie Smollett case: <https://www.apnews.com/JussieSmollett>

US steps up winter-warfare training as global threat shifts

By LOLITA C. BALDOR, Associated Press

MARINE MOUNTAIN WARFARE TRAINING CENTER, Calif. (AP) — Hunkered down behind a wall of snow, two U.S. Marines melt slush to make drinking water after spending the night digging out a defensive position high in the Sierra Nevada. Their laminated targeting map is wedged into the ice just below the machine gun.

Nearly 8,000 feet up at a training center in the California mountains, the air is thin, the snow is chest high and the temperature is plunging. But other Marines just a few kilometers away are preparing to attack, and forces on both sides must be able to battle the enemy and the unforgiving environment.

The exercise is designed to train troops for the next war — one the U.S. believes will be against a more capable, high-tech enemy like Russia, North Korea or China. The weather conditions on the mountain

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mimic the kind of frigid fight that forces could face in one of those future hotspots.

"We haven't had to deal with these things. We've been very focused on Iraq and Afghanistan," said Maj. Gen. William F. Mullen, head of the Marines' Training and Education Command. "What we really have to do is wake folks up, expose them to things that they haven't had to think about for quite a while."

After 17 years of war against Taliban and al-Qaida-linked insurgents, the military is shifting its focus to better prepare for great-power competition with Russia and China, and against unpredictable foes such as North Korea and Iran. U.S. forces must be able to survive and fight while countering drones, sophisticated jamming equipment and other electronic and cyber warfare that can track them, disrupt communications and kill them — technology they didn't routinely face over the last decade.

"If you were to draw a line from here to the DMZ between North and South Korea, both of these sites are on the 38th parallel. And so the weather here accurately replicates the weather that we would encounter in North and South Korea," said Col. Kevin Hutchison, the training center commander. "What you're seeing here is Marines fighting Marines, so we are replicating a near-peer threat."

As a snowstorm swirls around them, Mullen and Hutchison move through the woods, checking in with the young Marines designated as the adversary force of about 250 troops who must prevent more than 800 attackers from gaining control of nearby Wolf Creek Bridge. An Associated Press team was allowed to accompany them to the Marine Corps' Mountain Warfare Training Center south of Lake Tahoe and watch the training.

Lance Cpl. Reese Nichols, from Pensacola, Florida, and Lance Cpl. Chase Soltis of Bozeman, Montana, dug their defensive position a day ago, and they've been watching all night for enemy movement, while using a small burner to melt snow to stay hydrated.

The hardest part, said Nichols, is "boiling water 24/7. And the cold. It's cold."

The cold and wet conditions force the Marines to use snowshoes and cross-country skis to get around. They wrap white camouflage around their weapons, struggle to keep the ammunition dry and learn how to position their machine guns so they don't sink into the powdery snow.

"It's kind of overwhelming coming up here. Many of them have never been exposed to snow before," said Staff Sgt. Rian Lusk, chief instructor for the mountain sniper course. "You're constantly having to dig or move up the mountain range. So, it's physically taxing, but more than anything, I think, it's mentally taxing."

The Marine Corps has changed its training in the mountain course and at Twentynine Palms Marine base 400 miles south. Instead of scripted exercises, trainers map out general objectives and let the Marines make their own battle decisions, replicating a more unpredictable combat situation.

Rather than fighting from forward operating bases that stretched across Iraq and Afghanistan, complete with security forces and chow halls, troops now have to be more independent, commanders say, providing their own protection and support. And they must prepare for a more formidable, high-tech enemy.

Mullen recalled speaking to a commander in Ukraine in the aftermath of Russia's annexation of Crimea. "He said that within two minutes of keying his handset he had rockets coming in on his position," said Mullen, who spent two days at Twentynine Palms, watching a battlefield exercise, before flying to the Bridgeport base in California's Toiyabe National Forest.

The key in both places, said Mullen, is whether the Marines can stay undetected and adjust their battle plan quickly when faced with unexpected threats.

Back on the mountain, Mullen and Hutchison have seized on that issue. The attacking force, members of 2nd Battalion, 1st Marine Regiment out of Camp Pendleton, California, spotted one of the adversary's fighting positions and fired on it. The simulated attack didn't hurt anyone, but the competition is real for the defending forces from 2nd Battalion, 7th Marine Regiment, out of Twentynine Palms.

"You took casualties today, and you didn't respond to it," Hutchison told the platoon leader, 2nd Lt. Brendan Dixon of Hampton Roads, Virginia.

Why, pressed Mullen, didn't Dixon move his Marines to a safer location?

In the face of questioning from senior leaders, Dixon held his ground, confident his forces were in the right place to defend the bridge.

It turns out, he was right.

Moving toward the bridge, the attacking forces became trapped on a ridgeline, exposed to the enemy and unable to move through a ravine filled with snow. Gunfire exploded across the ridge.

The final assessment by the trainers was that the attackers suffered 30-40 percent casualties, while Dixon's troops lost about 10 percent.

The attacking force, said Hutchison, made some decisions that would have resulted in Marine deaths in a real battle, but it's better to learn now, than in combat.

"In the Far East, whether it's in northern Europe, etc., we're replicating that here. And what we're finding is, it's an extremely challenging problem," said Hutchison. "And it's a problem that, frankly, if we don't train to, it's going to cost a lot of Marine lives."

Analysis: Sanders may not need 2016 magic to be 2020 force

By STEVE PEOPLES, AP National Political Writer

NEW YORK (AP) — Can Vermont Sen. Bernie Sanders recapture the magic that fueled his first presidential campaign?

To win the nomination, he may not need to.

As Sanders, a 77-year-old self-described democratic socialist, formally launches his 2020 campaign, the lessons of President Donald Trump's victory in the GOP's packed 2016 contest loom large.

With better-established Republican contenders dividing the GOP primary vote that year, Trump began racking up primary victories with 30 to 40 percent of each state's vote. He captured his party's nomination even as six or seven of every 10 primary voters backed another Republican candidate.

Sanders' team is betting that the bar for victory in the more-crowded 2020 Democratic field could be even lower. That simple math — and an extraordinary small-dollar fundraising operation — suggests that Sanders is poised to maintain his status as a political force in 2020 whether most of his party wants him to or not.

Sanders is showing no desire to change his approach to broaden his appeal, as is sometimes the case with ambitious second-time candidates. Nina Turner, president of Our Revolution, the political arm of Sanders' expansive network, said the 2020 campaign "is really about him finishing what he started."

In a political world in which windows of opportunity rarely stay open long, it's possible that Sanders' moment may have passed.

In 2016, he was the sole option for anti-establishment Democrats who didn't support Hillary Clinton. Today, Democrats are sorting through a far more diverse field that could ultimately exceed two dozen high-profile contenders. Many of them — and there are exceptions — have adopted Sanders' far-left policy priorities and anti-establishment rhetoric.

Signs of erosion are easy to find.

While many grassroots activists cheered Sanders' decision, New York Rep. Alexandria Ocasio-Cortez, another self-described democratic socialist and a worker for Sanders' first presidential campaign, remained silent.

"We're excited to see so many progressives in the race," Ocasio-Cortez spokesman Corbin Trent said, declining to address Sanders' big announcement directly. "We're not thinking at all about the next election."

Sanders enters a field that already includes progressive favorites like Massachusetts Sen. Elizabeth Warren, New Jersey Sen. Cory Booker and California Sen. Kamala Harris. They have adopted much of Sanders' agenda to provide free universal health care, free college tuition and a \$15 minimum wage. Still unknown is whether former Texas Rep. Beto O'Rourke or former Vice President Joe Biden will join the race, two prospects who could peel away some of Sanders' base of support beyond the ultra-liberal wing of the party.

At the same time, Sanders has little hope of winning over many establishment-minded former Clinton supporters, still bitter from their perception that he didn't work hard enough to defeat Trump once Clinton

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captured the Democratic nomination.

"Amazing how Bernie and his 3,708,294 fewer supporters squandered two years. They quadrupled down on their rigging rant and now there are 10 alternatives," longtime Clinton adviser Philippe Reines tweeted. "Get ready to Feel the Fizzle."

But it is Sanders' consistency that has endeared him to a passionate base of liberal activists across the country who remain deeply loyal to him and his decadeslong fight for income equality and universal health care. Some of his competitors — particularly Warren and Harris — have also developed nationwide followings, but no one starts out with the same kind of fundraising appeal or organized network of like-minded groups such as Our Revolution, Justice Democrats and the Democratic Socialists of America.

"We're more powerful than ever in the politics. We changed the game," said 28-year-old Moumita Ahmed, the co-founder of Millennials Want Bernie 2020. "Bernie Sanders is still the only candidate that's not the status quo."

Anticipating Sanders' decision, her organization had already organized chapters in Michigan, California, Nevada, New York, South Carolina and Washington state. She also donated \$27 to Sanders on Tuesday, matching the often-touted average donation that fueled his first run.

Overall, Sanders raised more than \$4 million from nearly 150,000 individual donors in the first 12 hours after launching his 2020 bid, his campaign said Tuesday.

Previously, the biggest first-day fundraiser in the race had been Harris, who raised \$1.5 million in the first 24 hours of her campaign.

Even before Tuesday's fundraising haul, however, Sanders had more cash in the bank than any of his competitors. He entered the contest with roughly \$15 million to devote to his 2020 campaign, a combination of his Senate campaign fund and what's left over from his 2016 presidential bid.

"Bernie Sanders is the front-runner," tweeted former Clinton staffer Zac Petkanas. "Let's see how he likes it."

Indeed, with a higher profile comes higher scrutiny.

Sanders' team expects to face more negative attention in his second run — both from rivals who view him as a legitimate threat and the broader political world that takes him seriously enough to devote more time and energy to dig deeper into his policies and personal background.

He will face particularly difficult questions over his campaign's handling of allegations of sexual harassment and gender inequity during his 2016 campaign. The senator has already apologized and instituted a series of changes designed to prevent similar abuse in the future, but in a Democratic field that currently features more women than men, the issue is not going away anytime soon.

Former Vermont Gov. Howard Dean warned Democrats against underestimating Sanders.

"Bernie's political career is littered with people who don't take him seriously," said Dean, who has encouraged Democrats to embrace a younger generation of candidates in 2020.

At the White House, meanwhile, Trump offered a mixed view of Sanders' 2020 chances when asked during an unrelated event.

"Personally, I think he missed his time," Trump said, even as he praised Sanders' trade policies. "I wish Bernie well. It'll be interesting to see how he does."

EDITOR'S NOTE: Steve Peoples has covered presidential politics for The Associated Press since 2011.

Trump wants California to pay back billions for bullet train

By KATHLEEN RONAYNE, Associated Press

SACRAMENTO, Calif. (AP) — The Trump administration said Tuesday that it plans to cancel \$929 million awarded to California's high-speed rail project and wants the state to return an additional \$2.5 billion that it has already spent.

The U.S. Department of Transportation announcement follows through on President Donald Trump's threats to claw back \$3.5 billion that the federal government gave to California to build a bullet train be-

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tween Los Angeles and San Francisco.

Gov. Gavin Newsom vowed a fight to keep the money and said the move was in response to California again suing the administration, this time over Trump's emergency declaration to pay for a wall along the U.S.-Mexico border.

"This is clear political retribution by President Trump, and we won't sit idly by," Newsom said in a statement. "This is California's money, and we are going to fight for it."

It's the latest spat between the White House and California. Trump earlier in the day linked the emergency declaration lawsuit to the train, noting that California filed the challenge on behalf of 16 states.

"California, the state that has wasted billions of dollars on their out of control Fast Train, with no hope of completion, seems in charge!" the president tweeted.

The train project has faced repeated cost overruns and delays since California voters approved it in 2008. The Trump administration argued Tuesday that the state hasn't provided required matching dollars and can't complete certain construction work by a 2022 deadline.

Newsom declared in his first State of the State address last week that he planned to scale back the project and focus immediately on building 171 miles (275 kilometers) of track in central California. His office said he still plans to complete the full line, although he said the current plan would cost too much and take too long.

He's pledged to continue environmental work on the full line, which is required to keep the federal money.

But the U.S. Department of Transportation said Newsom's comments last week reinforced the administration's concerns about the project.

"Governor Newsom presented a new proposal that represents a significant retreat from the State's initial vision and commitment and frustrates the purpose for which Federal funding was awarded," read the letter outlining the case for cancelling the money.

Congress nearly a decade ago approved the \$929 million that Trump wants to cancel. The state has not started spending that money. But it has already spent the extra \$2.5 billion that Trump now wants back.

The U.S. Department of Transportation said it is "actively exploring every legal option" to get back the money.

The grant agreement between California and the federal government, signed in 2010, outlines several scenarios in which the federal government could take the money back. It can take the money back, for example, if the grantee fails to make "adequate progress" or "fails to complete the project or one of its tasks" or if the state doesn't meet its matching fund requirements.

If the federal government decides to take the money back, it doesn't have to wait for California to write a check. The agreement states the federal government could offset the money it would pay California for different transportation or other projects.

California hasn't yet fully matched the \$2.5 billion in stimulus money. It's in the process of doing so now, using money from the 2008 bond passed by voters and revenue from the state's cap-and-trade program. It can't unlock the \$929 million grant until it completes its match.

Still, the California High-Speed Rail Authority has already budgeted for the full \$3.5 billion. It's put toward constructing a 119-mile (191.5-kilometer) segment of track in the Central Valley expected to cost \$10.6 billion.

Dan Richard, the outgoing chair of the California High-Speed Rail Authority's board of directors, said people's livelihoods depend on the project through jobs and other economic development in the Central Valley.

"It would be very important to avoid anything that would disrupt the economic recovery in the Central Valley that has been brought about by high-speed rail," he said.

Deadly crackdown stokes fear among protesters in Venezuela

By **FABIOLA SANCHEZ**, Associated Press

CARACAS, Venezuela (AP) — Jhonny Godoy had taken to Twitter to proclaim his opposition to President Nicolas Maduro, posting a video that showed him running through the streets waving the national flag as protests erupted across Venezuela's capital.

Two days later, his family said, rifle-wielding special police agents wearing black masks stormed into their home in the Caracas slum of La Vega, pulled him outside and shot him to death.

The slaying of the 29-year-old was part of a crackdown that has spread fear among young protesters in poor neighborhoods of Venezuela, where a history of steadfast loyalty to Maduro has begun to crack amid hyperinflation and shortages of food and medicine. At least 43 people have been killed in the round of protests that began last month, when Juan Guaido, the head of the opposition-controlled congress, declared himself interim president of the crisis-wracked country.

Human rights groups say some of those deaths appear to be targeted slayings by the National Police Action Force, or FAES, an elite commando unit created in 2017 for anti-gang operations. Rights groups say it is now acting against disaffected youths living in the slums.

"Maduro seeks to sow fear," said Rafael Uzcategui, coordinator of the respected rights group Venezuelan Education-Action Program on Human Rights, known as PROVEA. More than 700 opponents of Maduro have been arrested during the latest push by Venezuela's opposition to oust the socialist leader, according to PROVEA and a crime monitoring group, Observatory of Social Conflict.

Maduro is facing more pressure than ever to cede power in the oil-rich nation. The Trump administration recently sanctioned Venezuela's state-owned oil company, squeezing the country's damaged economy even harder, and Guaido has been recognized as the country's rightful leader by the U.S. and dozens of other nations that argue Maduro's re-election to a second six-year term last year was fraudulent. A new round of sanctions Friday targeted four high-ranking intelligence officials, including the heads of the FAES commando unit and the feared SEBIN intelligence police.

The country has seen the largest protests since 2017, when 120 people died in clashes with national guardsmen and pro-government civilians who fired on the masked demonstrators in middle-class neighborhoods. Now, critics say, Maduro is hitting back by sending security forces into the slums to try to suppress dissent.

PROVEA and Observatory say they recorded 35 deaths during a single week in January — most at night in poor neighborhoods — in addition to eight cases of apparent targeted killings by members of the elite commando unit.

Godoy's cousin, Marvelis Sinai, said that when agents burst into the family's home on Jan. 25, Godoy's mother Ana Buitrago saw her son beaten and dragged out as she begged for his life. Minutes later, she heard two gunshots.

Godoy was shot in the abdomen and foot, and a disposable diaper was shoved in his mouth, apparently to suffocate him, Sinai said.

She said the family believes his killing was linked to the video he posted on Twitter two days earlier.

"I'm going to continue demonstrating because I learned it from my cousin," said Sinai, who works for an opposition politician who hands out free food in the slums. "He died so we can have a free Venezuela."

The case gained special prominence when a tearful Guaido met with Godoy's mother at her home and assured her that her son's death wouldn't be in vain. Later, during a news conference, Guaido blamed the elite police commando unit for the killing.

Authorities have not commented on the case. But it's not the first time the special agents have been linked to deadly operations. PROVEA released a report last month accusing the unit of involvement in more than 200 killings in 2018.

Human Rights Watch also detailed widespread abuses by members of Venezuela's security forces in reports published in 2014 and 2017. It quoted Foro Penal, a Venezuelan group that provides legal aid to detainees, as saying that more than 13,000 people have been arrested since 2014 in connection with

anti-government protests.

The Prague-based CASLA Institute, headed by Venezuelan lawyer Tamara Suju, recently gave the U.N. International Criminal Court reports of 536 victims of torture in Venezuela since 2014, including 106 since the beginning of last year. Six nations also made the unprecedented move of asking the court to investigate Venezuela for possible crimes against humanity.

Socialist party chief Diosdado Cabello and Venezuela's defense minister, Gen. Vladimir Padrino Lopez, have denied the accusations of targeted killings. They insist the military follows the constitution and respects human rights.

The attorney general's office has not given a figure for those killed in the recent protests, though Attorney General Tarek William Saab told a local TV channel that eight members of the national guard and the army had been detained for the killings of four people in the rural states of Bolivar and Yaracuy.

Among those who died when the latest protests broke out Jan. 23 was 19-year-old Nick Samuel Oropeza. His family says he was last seen alive fleeing alongside other protesters through the dusty streets of the capital's Las Adjuntas slum as national guardsmen opened fire on people who had blocked streets with mounds of trash. Minutes later, he was found on the ground, his shirt drenched in blood.

A bullet destroyed his kidney and punctured a lung, said his mother, Ingrid Borjas, a 38-year-old lawyer. "This needs to be investigated," Borjas said, her voice breaking with emotion. "Justice needs to be served for my son and for others."

Fabiola Sanchez on Twitter: <https://twitter.com/fisanchezn>

Flynn pushed to share nuclear tech with Saudis, report says

By CHAD DAY, Associated Press

WASHINGTON (AP) — Senior White House officials pushed a project to share nuclear power technology with Saudi Arabia despite the objections of ethics and national security officials, according to a new congressional report citing whistleblowers within the Trump administration.

Lawmakers from both parties have expressed concerns that Saudi Arabia could develop nuclear weapons if the U.S. technology were transferred without proper safeguards.

The Democratic-led House oversight committee opened an investigation Tuesday into the claims by several unnamed whistleblowers who said they witnessed "abnormal acts" in the White House regarding the proposal to build dozens of nuclear reactors across the Middle Eastern kingdom.

The report raises concerns about whether some in a White House marked by "chaos, dysfunction and backbiting" sought to circumvent national security procedures to push a Saudi deal that could financially benefit close supporters of the president.

The report comes at a time when lawmakers are increasingly uneasy with the close relationship between the Trump administration and Saudi Arabia, which has raised alarms even among members of the president's party in Congress. President Donald Trump has made the kingdom a centerpiece of his foreign policy in the Middle East as he tries to further isolate Iran. In the process, he has brushed off criticism over the killing of Washington Post columnist Jamal Khashoggi and the Saudis' role in the war in Yemen.

At the same time, Trump son-in-law and senior adviser Jared Kushner is developing a Middle East peace plan that could include economic proposals for Saudi Arabia.

The White House did not immediately respond to a request for comment.

According to the report, the nuclear effort was pushed by former National Security Adviser Michael Flynn, who was fired in early 2017. Derek Harvey, a National Security Council official brought in by Flynn, continued work on the proposal, which has remained under consideration by the Trump administration.

Rep. Elijah Cummings of Maryland, the chairman of the House Oversight and Reform Committee, announced the investigation Tuesday.

Relying on the whistleblower accounts, email communications and other documents, the committee's report details how NSC and ethics officials repeatedly warned that the actions of Flynn and a senior aide

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could run afoul of federal conflicts of interest law and statutes governing the transfer of nuclear technology to foreign powers.

Flynn is awaiting sentencing for lying to the FBI in the Russia investigation.

On Tuesday, a person close to Flynn's legal team said that Russia special counsel Robert Mueller's team thoroughly reviewed the matters raised in the congressional report and no charges related to it were filed. The person spoke on condition of anonymity because they weren't authorized to publicly discuss the ongoing investigation.

Congressional investigators are also probing the role of Tom Barrack, a proponent of the nuclear proposal who ran Trump's presidential inaugural committee, which is under separate investigation by federal prosecutors in New York. Rick Gates, a former Barrack employee and cooperator in Mueller's investigation, was also involved in advocating for the nuclear proposal.

A spokesman for Barrack said in a statement that he will cooperate with the House probe.

"Mr. Barrack's engagement in investment and business development throughout the Middle East for the purpose of better aligned Middle East and U.S. objectives are well known, as are his more than four decades of respected relationships throughout the region," the statement said, noting that Barrack never joined the Trump administration.

Harvey did not immediately return a request for comment.

According to the report, the whistleblowers came to the committee because they had concerns "about efforts inside the White House to rush the transfer of highly sensitive U.S. nuclear technology to Saudi Arabia in potential violation of the Atomic Energy Act and without review by Congress as required by law — efforts that may be ongoing to this day."

A 2017 article by the nonprofit news outlet ProPublica detailed some of the concerns raised inside the National Security Council about the nuclear proposal — known as the "Marshall Plan for the Middle East" — advocated by a company called IP3 International.

IP3 is led by a group of retired U.S. military officers and national security officials, including retired Rear Adm. Michael Hewitt, retired Army Gen. Jack Keane and former Reagan National Security Adviser Bud McFarlane.

IP3 and other proponents of nuclear power in the Middle East argue that the U.S. needs to be involved because otherwise it will lose out to Russia, China and others on billions of dollars in business. They also say that U.S. involvement — and the limits on nuclear fuel that come with it— are essential to stem an arms race in the region.

"The only way to address concerns over development of weapons of mass destruction is for the U.S. to participate in the introduction and secure operation of international nuclear power plants," the company said in a statement Tuesday. It also said it "looks forward to sharing what we know" with the House committee.

Up until the month before he joined the Trump administration, Flynn listed himself on public documents as an adviser to an iteration of Hewitt's company advocating for the nuclear power proposal.

Last year, IP3 told The Washington Post that Flynn was offered a role in the company but never formally came aboard. On Tuesday, the company said Flynn "was never an advisor to IP3 or its affiliate, he had no stake in the company and was never compensated or reimbursed for expenses by IP3."

Still, according to the report, Flynn served as a conduit for IP3 inside the White House.

Just days after Trump's inauguration, the company sent Flynn a draft memo for the president's signature that would have appointed Barrack as a "special representative" in charge of carrying out the nuclear power proposal and called on the director of the CIA and the secretaries of State, Energy, Treasury and Defense to lend him support. The report also quotes former Deputy National Security Adviser K.T. McFarland as saying Trump personally told Barrack he could lead the plan's implementation.

The report also catalogs the actions of Harvey, the Flynn confidant who was put in charge of the NSC's Middle East and North African affairs.

According to the report, upon entering the White House in January 2017, Harvey saw his mission as getting Trump to adopt the nuclear proposal despite the objections of ethics and national security officials.

Even when H.R. McMaster, who replaced Flynn as national security adviser, and NSC lawyer John Eisen-

berg directed that work stop on the proposal because of concerns about its legality, Harvey continued pursuing the proposal, according to the report.

Harvey was fired from the NSC in July 2017. He then joined the staff of GOP Rep. Devin Nunes of California, a Trump ally and the former Republican chairman of the House intelligence committee.

Associated Press writers Darlene Superville, Ben Fox and Stephen Braun in Washington, Jim Mustian in New York and Jon Gambrell in Dubai, United Arab Emirates, contributed to this report.

Read the report: <http://apne.ws/yuaJskv>

Trump chooses Jeffrey Rosen for deputy attorney general

By MICHAEL BALSAMO, Associated Press

WASHINGTON (AP) — President Donald Trump on Tuesday said he intends to nominate Jeffrey Rosen, a longtime litigator and deputy transportation secretary, to replace Rod Rosenstein as deputy attorney general.

In his current post, the 60-year-old Rosen serves as the Transportation Department's chief operating officer and is in charge of implementing the department's safety and technological priorities. He rejoined DOT in 2017 after previously serving as general counsel from 2003 to 2006.

From 2006 until 2009, Rosen was the general counsel and a senior policy adviser at the White House Office of Management and Budget. He also worked as an adjunct professor at Georgetown University Law Center.

Rosen held a variety of positions, including senior partner, at Kirkland & Ellis LLP, the same law firm as the new attorney general, William Barr. Rosen spent nearly 30 years at Kirkland & Ellis in a variety of management roles, including acting as the co-head of the firm's Washington office, he told senators at his confirmation hearing in March 2017.

"His years of outstanding legal and management experience make him an excellent choice to succeed Deputy Attorney General Rod Rosenstein, who has served the Department of Justice over many years with dedication and distinction," Barr said in a statement.

Rosenstein is expected to leave his post in mid-March. His departure had been expected since Barr was confirmed as attorney general last week.

Rosenstein has served as deputy for almost two years and it is common for new attorneys general to have their own deputies. Barr told people close to him that he wanted his own No. 2 as part of taking the job.

Rosenstein began overseeing special counsel Robert Mueller's investigation after then-Attorney General Jeff Sessions recused himself from the investigation. Barr now has control of Mueller's investigation, which is probing Russia's meddling in the 2016 election and contacts with the Trump campaign.

Rosen, a Virginia resident who is married with three adult children, is a graduate of Harvard Law School.

A look at rival Branson vs Maduro concerts for Venezuela

By LUIS ANDRES HENAO, Associated Press

CARACAS, Venezuela (AP) — Dueling concerts are being staged this week on both sides of Venezuela's border with Colombia. After billionaire Richard Branson announced an aid concert in Colombia on Friday to benefit Venezuelans suffering food and medicine shortages amid their country's economic crisis, Nicolas Maduro's government ordered up a rival concert of its own.

Maduro denies any humanitarian crisis exists, and has blocked food and medicine from the United States that is being warehoused on the Colombian border from entering Venezuela, claiming the relief effort led by opposition leader Juan Guaido is part of U.S.-orchestrated "coup" to oust him from power.

Branson told The Associated Press in an interview Monday that the concert he's throwing on Friday will save lives by raising money for "much-needed medical help" and other aid for crisis-torn Venezuela.

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Minutes later, Maduro's government announced what it called a "massive" concert for Friday and Saturday on the Venezuelan side of the border.

Here are some of the details for the dueling concerts:

LIVE AID CONCERT VENEZUELA-STYLE

Although he backs Guaido's claim to the presidency, Branson told the AP that his concert is not funded by any government and that all the artists are performing for free. The wealthy British adventurer and founder of the Virgin Group said he's aiming to raise \$100 million from donations from viewers worldwide watching the concert on a livestream over the internet.

Branson's concert plan and even its name — Venezuela Aid Live — immediately evoked comparisons to Irish rock star Bob Geldof's 1985 Live Aid concert that raised money for famine relief in Ethiopia. It is to be held in Cucuta, a Colombian border city of some 700,000 that has been swollen by hundreds of thousands of Venezuelans who have fled hyperinflation and widespread shortages of food and medicine in their homeland.

"Venezuela sadly has not become the utopia that the current administration of Venezuela or the past administration were hoping for, and that has resulted in a lot of people literally dying from lack of medical help," Branson told AP in a telephone interview from Necker, his private island in the British Virgin Islands. "I think it will draw attention to the problem on a global basis."

BATTLE OF THE BANDS

Branson says up to 300,000 people are expected to attend Friday's concert, which is free to the public so impoverished Venezuelans can attend. Its lineup includes Mexican band Mana, Spanish singer-songwriter Alejandro Sanz and Dominican artist Juan Luis Guerra. The organizers confirmed Tuesday that despite reports, Manu Chao would not be performing, and Branson said Peter Gabriel could not attend.

Branson said he hopes Venezuela's armed forces, who remain loyal to Maduro, will allow the U.S. aid to cross the barricaded Las Tienditas Bridge connecting the two countries and reach Venezuela.

"We want to make it a joyous occasion," Branson said of the concert. "And we're hoping that sense prevails and that the military allows the bridge to be open so that much-needed supplies can be sent across."

"HANDS OFF VENEZUELA"

Maduro's government will throw what it has dubbed a "Hands Off Venezuela" concert Friday and Saturday on Venezuela's side of the border. The government has not announced the lineup, but Maduro said that Venezuela will import 300 tons of aid from Russia and his government has promised to send 20,000 boxes of government-subsidized food to the poor in Cucuta, where tons of U.S. aid is sitting earmarked for Venezuelans.

Saturday's government concert coincides with the date Guaido has called for "caravans" of tens of thousands of Venezuelans to assemble to carry the aid from Colombia into Venezuela.

Calling the government plans "cynical," Guaido said it would not change the opposition's plans to bring in the aid. "If it doesn't enter on the 23rd, it will enter on the 24th, it will enter on the 25th" of February, he said.

POWER STRUGGLE BETWEEN TWO PRESIDENTS

The rival bids for aid and concerts to shore up support are part of a tense bid by Maduro and the opposition to break a nearly monthlong stalemate over power in Venezuela. Guaido declared himself Venezuela's rightful president on Jan. 23, a claim backed by the U.S. and dozens of other countries that argue Maduro's re-election was fraudulent because popular opposition candidates were banned from running.

Maduro has held on to the support of the military, the country's main powerbroker, and relies on powerful allies like Russia and China in a conflict with increasingly Cold War-like dimensions.

US automakers to Trump: Don't slap tariffs on imported cars

By TOM KRISHER and PAUL WISEMAN, AP Business Writers

DETROIT (AP) — America's auto industry is bracing for a potential escalation in President Donald Trump's tariff war with the world, one that could weaken the global auto industry and economy, inflate car prices

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and trigger a backlash in Congress.

Late Sunday, the Commerce Department sent the White House a report on the results of an investigation Trump had ordered of whether imported vehicles and parts pose a threat to U.S. national security. Commerce hasn't made its recommendations public, and the White House has so far declined to comment. If Commerce did find that auto imports imperil national security, Trump would have 90 days to decide whether to impose those import taxes.

Trump has repeatedly invoked his duty as president to safeguard national security in justifying previous rounds of tariffs. An obscure provision in trade law authorizes a president to impose unlimited tariffs on particular imports if his Commerce Department concludes that those imports threaten America's national security.

Whatever Commerce has concluded in this case, Trump has made clear his enthusiasm for tariffs in general and for auto tariffs in particular. Some analysts say they think Commerce has likely endorsed the tariffs, not least because the president has conveyed his preference for them.

Among Commerce's recommendations "will certainly be tariffs because, hey, he's a Tariff Man," said William Reinsch, a former U.S. trade official and now a senior adviser at the Center for Strategic and International Studies, referring to a nickname that Trump gave himself.

Industry officials took part in a conference call Tuesday to discuss the possible steps Trump could take. They include tariffs of up to 25 percent on imported parts only; on assembled vehicles only; or on both vehicles and parts — including those from Mexico and Canada. The last option would be an especially unusual one given that the United States, Mexico and Canada reached a new North American trade deal late last year, and the legislatures of all three nations must still ratify it.

In public hearings last year, the idea of imposing import taxes on autos drew almost no support. Even U.S. automakers, which ostensibly would benefit from a tax on their foreign competitors, opposed the potential tariffs. Among other concerns, the automakers worry about retaliatory tariffs that the affected nations would impose on U.S. vehicles. Many U.S. automakers also depend on imported parts that could be subject to Trump's tariffs and could become more expensive.

A similar Commerce investigation last year resulted in the Trump administration imposing taxes on imported steel and aluminum in the name of national security. The administration has adopted an extraordinarily broad view of national security to include just about anything that might affect the economy.

In addition to steel and aluminum, Trump has imposed tariffs on dishwashers, solar panels and hundreds of Chinese products. Targeting autos would further raise the stakes. The United States imported \$340 billion in cars, trucks and auto parts in 2017.

If the administration imposed 25 percent tariffs on imported parts and vehicles including those from Canada and Mexico, the price of imported vehicles would jump more than 17 percent, or an average of around \$5,000 each, according to estimates by IHS Markit. Even the prices of vehicles made in the U.S. would rise by about 5 percent, or \$1,800, because all of them use some imported parts.

Luxury brands would absorb the sharpest increase: \$5,800 on average, IHS concluded. Mass-market vehicle prices would rise an average of \$3,300.

If the tariffs were fully assessed, IHS predicts that price increases would cause U.S. auto sales to fall by an average of 1.8 million vehicles a year through 2026. Auto industry officials say that if sales fall, there almost certainly will be U.S. layoffs. Dealers who sell German and some Japanese brands would be hurt the most by the tariffs.

"The economic fallout would be significant, with auto tariffs hurting the global economy by distorting prices and creating inefficiencies, and the impact would reverberate across global supply chains," Moody's Investors Service said in a report. "The already weakening pace of global expansion would magnify global growth pressures, causing a broader hit to business and consumer confidence amid tightening financial conditions."

Congress could resist the auto tariffs. Sens. Pat Toomey, R-Penn., and Mark Warner, D-Va., have introduced legislation to reassert congressional control over trade. Their bill would give Congress 60 days to approve

any tariffs imposed on national security grounds. It would also shift responsibility for such investigations away from Commerce to the Pentagon.

Some analysts say they suspect that Trump intends to use the tariffs as leverage to pressure Japan and Europe to limit their auto exports to the United States and to prod Japanese and European automakers to build more vehicles at their U.S. plants.

Reinsch notes that Trump's top trade negotiator, Robert Lighthizer, worked in the Reagan administration, which coerced Japan into accepting "voluntary" limits on its auto exports.

"This is the way Lighthizer thinks," Reinsch said.

Even if the tariff threat resulted in negotiations, Europe and Japan would have demands of their own. A likely one: Compelling the U.S. to drop its longstanding 25 percent tax on imported light trucks.

Trump is "pursuing something that, as near as I can tell, the domestic (auto) industry doesn't want," Reinsch said. "Once he pursues it, he is going to be under pressure to give up the one thing the auto industry really does want" — the U.S. tariff on imported light trucks.

For now, many in the industry are upset that the Commerce Department report remains secret, feeding uncertainty.

"The 137,000 people who work for Toyota across America deserve to know whether they are considered a national security threat," Toyota said in a statement Tuesday. "And the American consumer needs to know whether the cost of every vehicle sold in the U.S. may increase."

The American International Automobile Dealers Association this week called the Commerce Department's investigation "bogus."

"Now, dealerships must continue to operate under a cloud of uncertainty, not knowing if at any moment their products will be slapped with 25 percent tariffs, raising vehicle and repair costs by thousands of dollars and slashing sales," the association's CEO, Cody Lusk, said in a statement.

Wiseman reported from Washington.

Follow Paul Wiseman on Twitter at <https://twitter.com/PaulWisemanAP> and Tom Krisher at @tkrisher

Trump says he has 'absolute right' to declare emergency

By CATHERINE LUCEY, Associated Press

WASHINGTON (AP) — President Donald Trump declared Tuesday that he would prevail over a multistate lawsuit challenging his emergency declaration to pay for a U.S.-Mexico border wall.

Speaking to reporters at the White House, Trump said he expected to do "very well" against the suit, adding that he had an "absolute right" to make the declaration.

"I think in the end we're going to be very successful with the lawsuit," Trump said. "I actually think we might do very well, even in the 9th Circuit, because it's an open and closed case."

A group of 16 states, including California, New York and Colorado, filed a lawsuit Monday against Trump's emergency declaration. The lawsuit, filed in the U.S. District Court for the Northern District of California, alleges Trump's declaration is unconstitutional.

All the states involved in the lawsuit have Democratic attorneys general.

Using a broad interpretation of his executive powers, Trump declared an emergency last week to obtain wall funding beyond the \$1.4 billion Congress approved for border security. The move allows the president to bypass Congress to use money from the Pentagon and other budgets.

Trump's use of the emergency declaration has drawn bipartisan criticism and is already facing a number of legal challenges. Another suit was filed Tuesday in the Northern District of California by the American Civil Liberties Union. Filed on behalf of the Sierra Club and the Southern Border Communities Coalition, it says there is no emergency to justify the president's action and accuses Trump and other members of his administration of violating Constitutional limits on their authority.

Democrats are also planning to introduce a resolution disapproving of the declaration once Congress

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returns to session and it is likely to pass both chambers. Several Republican senators are already indicating they would vote against Trump — though there do not yet appear to be enough votes to override a veto by the president.

Sen. Lisa Murkowski, a Republican from Alaska, would not explicitly say Tuesday whether she would support a resolution of disapproval if one came before the Senate. But she made clear she was worried about the precedent that could be set by Trump going around Congress to fund the wall.

"I'll be very direct. I don't like this. I don't like this. I think it takes us down a road, and with a precedent, that if it's allowed, that we may come to regret," said Murkowski, who said she supports efforts to bolster security at the border but is concerned about an erosion of checks and balances.

A top White House adviser said Sunday that Trump was prepared to issue his first veto if Congress votes to disapprove his declaration of a national emergency. Stephen Miller told "Fox News Sunday" that "the president is going to protect his national emergency declaration."

Trump argued Tuesday that the wall was needed to "stop drugs and crime and criminals and human trafficking." He has repeatedly sought to paint a dire picture of conditions at the border, though illegal border crossings are down from a high of 1.6 million in 2000.

After weeks spent battling with Congress over border funding and what constituted a wall versus a fence, Trump said, "I can call it a barrier, but I think I don't have to do that so much anymore, we'll call it whatever we want."

Democrats quickly seized on the move as an example of executive overreach. The office of House Speaker Nancy Pelosi, D-Calif., issued a press release Tuesday that stated: "No one is above the law. Republicans must join Democrats to uphold the Constitution and stand with the American people — against the President's brazen assault."

Earlier Tuesday, Trump singled out California for its lead role in the suit, seeking to link the state's high-speed rail project to his plan for the wall.

On Twitter, Trump claimed the "failed Fast Train project" was beset by "world record setting" cost overruns and had become "hundreds of times more expensive than the desperately needed Wall!"

The estimated cost for a San Francisco-to-Los Angeles train has more than doubled to \$77 billion. That's about 13 times the \$5.7 billion Trump sought unsuccessfully from Congress to build the wall.

Hours later, the U.S. Department of Transportation announced it planned to cancel \$929 million in federal money allocated to California's rail project and seek to claw back \$2.5 billion the state has already spent.

California Gov. Gavin Newsom charged it was a reaction to the lawsuit and pledged a fight to keep the money.

"It's no coincidence that the Administration's threat comes 24 hours after California led 16 states in challenging the President's farcical 'national emergency,'" Newsom said in a statement. "This is clear political retribution by President Trump, and we won't sit idly by."

The spat over the rail project comes after Newsom said last week the project "as currently planned, would cost too much and take too long." He said the state would focus on completing a shorter segment in the state's Central Valley while seeking new funding sources for the longer route.

Associated Press writers Becky Bohrer in Juneau, Alaska, and Kathleen Ronayne in Sacramento, Calif., contributed.

This story corrects that the 16-state lawsuit was filed in the U.S. District Court for the Northern District of California, not the 9th U.S. Circuit Court of Appeals.

Legal hurdles would look familiar in any new R. Kelly case

By MICHAEL TARM, AP Legal Affairs Writer

CHICAGO (AP) — Prosecutors will have to clear a series of high legal hurdles if they intend to charge R. Kelly and convict him, even if there's video evidence.

One case illustrates the difficulties: The R&B star's own 2008 trial at which he was acquitted. At the heart of that child pornography trial was a VHS recording that prosecutors said showed Kelly, in his 30s at the time, having sex with a girl as young as 13 sometime between 1998 and 2000.

Speculation that Kelly, now 52, could face new charges arose after attorney Michael Avenatti said he recently gave prosecutors a VHS tape of Kelly having sex with an underage girl, although it's not clear when it allegedly was recorded.

The office of Cook County State's Attorney Kim Foxx hasn't commented about whether a grand jury has convened to consider charges against Kelly. But Foxx may feel emboldened to bring new charges in the #MeToo era, said one legal scholar.

"Because they couldn't get the conviction in 2008, the state's attorney's office may feel justice wasn't done and they may want to take another stab at it," said DePaul University College of Law professor Monu Bedi, who teaches criminal law and procedure and has followed the Kelly case closely.

Kelly's attorney, Steve Greenberg, has said his client "never knowingly had sex with an underage woman."

"If R. Kelly is charged with anything, we will address it in court. I am confident he will leave through the front door," Greenberg told The Associated Press.

Prosecutors in 2008 played the 27-minute VHS tape — entered as "People's Exhibit No. 1" — nearly every day for jurors during the monthlong trial. In it, a man has sex with a young female, who is not wearing any clothes for most of the recording. He speaks to her in a hushed voice, and she calls him "Daddy."

But in the end, jurors took just seven hours to deliberate before acquitting Kelly on all 14 child pornography counts. As the verdict was read aloud, tears streamed down Kelly's face.

"Thank you, Jesus," the singer said over and over in a soft voice.

Afterward, lead trial prosecutor Shauna Boliker told reporters the acquittal "shows the world how difficult this crime is to prosecute."

Prosecutors didn't explain in 2008 why they chose not to charge and try Kelly for sexual assault, though legal experts said it almost certainly had to do with the alleged victim's unwillingness to testify. Child pornography is, or should have been, easier to prove without a cooperating victim.

Statute of limitations is also an issue.

If prosecutors now hope to charge Kelly anew, determining the time of any alleged crime will be crucial to seeing if too much time has passed for him to be charged under Illinois law.

The tape handed over to prosecutors recently was recorded in VHS format, which suggests the incident also dates to around or before 2000. So any crime could be 20 or more years old.

Illinois legislators in 2017 did erase all time limits for charging sexual assault of children and it unambiguously applies to such crimes that happened anytime since 2017. But it can't apply retroactively to older crimes.

Bedi said older sexual assault crimes against children are governed by the statute of limitations as it existed before 2017, when prosecutors had 20 years to charge an assault against children. So, if Kelly sexually assaulted a minor as far back as the late 1990s, prosecutors could still charge him under the 20-year charging window.

Other factors, including when an abused child turned 18, can extend that charging window.

Kelly's across-the-board acquittal in 2008 stunned many legal observers, and a future Kelly trial team may try to use similar defense strategies.

Defense lawyers in 2008 focused on Kelly's insistence that the man in the video was not him. They showed jurors that Kelly has a large mole on his back, but played excerpts of the video in which a mole was not visible on the man appearing on the screen. Prosecutors used different excerpts to show a dark spot was visible.

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One of Kelly's attorneys, Sam Adam Jr., told jurors during closings there was no mole on Kelly's back and that meant one thing: "It ain't him. And if it ain't him, you can't convict."

Defense attorneys even suggested the video footage could have all been computer-generated to make the man look like Kelly.

One reason child pornography and child sexual abuse cases are difficult is that the accusers find it traumatizing to recount what happened to them. The situation can be more intense if the setting is a high-profile trial involving a celebrity defendant.

In the 2008 trial, Kelly's alleged victim, who by then was around 23 years old, did not testify. She denied before trial that she was on the video. Instead, prosecutors relied on friends of hers and four relatives to identify her as the girl in the video.

Prosecutors also called on Kelly acquaintances who said the man in the video was clearly Kelly.

Jurors who spoke to reporters after the trial ended said they had difficulty convicting someone when the alleged victim didn't testify. One said he wasn't convinced the girl was a minor when the tape was made. Another said jurors had reasonable doubts about the identity of the people in the video.

"You want to be 100 percent sure it's Kelly and (the alleged victim)," one juror said. "What we had wasn't enough."

Follow Michael Tarm on Twitter at <http://twitter.com/mtarm>

Asian shares mostly higher, extending Wall St advance

By ELAINE KURTENBACH, AP Business Writer

BANGKOK (AP) — Shares were mostly higher in Asia on Wednesday after a modestly high finish on Wall Street that extended the market's gains into a fourth week.

The Nikkei 225 index rose 0.6 percent despite news that Japan's exports sank 8.4 percent in January from a year earlier, far more than forecast.

Hong Kong's Hang Seng index jumped 0.7 percent, while the Shanghai Composite slipped 0.2 percent. South Korea's Kospi jumped 0.9 percent to 2,225.67 and the S&P ASX 200 slipped 0.4 percent to 6,084.10.

Uncertainty over the costly trade conflict between the U.S. and China has clouded the outlook for trade as well as company profits. But stocks shook off an early wobble on Wall Street as solid earnings from Walmart encouraged investors to bid up other retailers and consumer goods companies. Communication services stocks and banks also contributed to the broad gains.

Roughly 81 percent of S&P 500 companies have reported results for the last three months of 2018, delivering earnings growth of 13.1 percent versus a year earlier, according to FactSet. First-quarter snapshots are expected to result in a 2.5 percent decline in earnings, however.

The benchmark S&P 500 index gained 0.1 percent to 2,779.76, while the Dow Jones Industrial Average was almost flat at 25,891.32. The Nasdaq composite added 0.2 percent to 7,486.77. The Russell 2000 index of smaller companies picked up 0.3 percent, to 1,574.47.

Major European indexes finished mostly lower.

Investors are keeping a close eye on talks between U.S. and Chinese negotiators in Washington that are aimed at ending a trade war between the world's largest economies.

JAPAN TRADE: A 17 percent drop in Japan's exports to China and 13 percent decline in exports to the rest of Asia including China helped drag overall exports sharply lower. Japan's imports fell 0.6 percent, leaving a deficit of 1.4 trillion yen (\$12.8 billion), up 50 percent from a year earlier. The weak numbers suggest China's slowdown and trade tensions with the United States are hurting demand.

CURRENCIES: The dollar rose to 110.79 yen from 110.63 yen on Tuesday. The euro strengthened to \$1.1345 from \$1.1343.

ENERGY: U.S. benchmark crude gained 22 cents to \$56.67 per barrel in electronic trading on the New York Mercantile Exchange. It rose 0.8 percent to settle at \$56.45 a barrel on Tuesday. Brent crude, the standard for international oil prices, added 7 cents to \$66.52 per barrel.

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AP Business Writer Alex Veiga contributed to this report.

Today in History By The Associated Press

Today in History

Today is Wednesday, Feb. 20, the 51st day of 2019. There are 314 days left in the year.

Today's Highlight in History:

On Feb. 20, 2003, a fire sparked by pyrotechnics broke out during a concert by the group Great White at The Station nightclub in West Warwick, Rhode Island, killing 100 people and injuring about 200 others.

On this date:

In 1792, President George Washington signed an act creating the United States Post Office Department.

In 1862, William Wallace Lincoln, the 11-year-old son of President Abraham Lincoln and first lady Mary Todd Lincoln, died at the White House, apparently of typhoid fever.

In 1905, the U.S. Supreme Court, in *Jacobson v. Massachusetts*, upheld, 7-2, compulsory vaccination laws intended to protect the public's health.

In 1907, President Theodore Roosevelt signed an immigration act which excluded "idiots, imbeciles, feeble-minded persons, epileptics, insane persons" from being admitted to the United States.

In 1938, Anthony Eden resigned as British foreign secretary following Prime Minister Neville Chamberlain's decision to negotiate with Italian dictator Benito Mussolini.

In 1942, Lt. Edward "Butch" O'Hare became the U.S. Navy's first flying ace of World War II by shooting down five Japanese bombers while defending the aircraft carrier USS Lexington in the South Pacific.

In 1950, the U.S. Supreme Court, in *United States v. Rabinowitz*, ruled 5-3 that authorities making a lawful arrest did not need a warrant to search and seize evidence in an area that was in the "immediate and complete control" of the suspect.

In 1962, astronaut John Glenn became the first American to orbit the Earth as he flew aboard Project Mercury's Friendship 7 spacecraft, which circled the globe three times in a flight lasting 4 hours, 55 minutes and 23 seconds before splashing down safely in the Atlantic Ocean 800 miles southeast of Bermuda.

In 1965, America's Ranger 8 spacecraft crashed on the moon, as planned, after sending back thousands of pictures of the lunar surface.

In 1971, the National Emergency Warning Center in Colorado erroneously ordered U.S. radio and TV stations off the air; some stations heeded the alert, which was not lifted for about 40 minutes.

In 1987, a bomb left by Unabomber Ted Kaczynski exploded behind a computer store in Salt Lake City, seriously injuring store owner Gary Wright. Soviet authorities released Jewish activist Josef Begun.

In 1999, movie reviewer Gene Siskel died at a hospital outside Chicago at age 53.

Ten years ago: President Barack Obama warned a gathering of mayors at the White House that he would "call them out" if they wasted the money from his massive economic stimulus plan. The Dow Jones industrial average ended the week at 7,365.67, the lowest level in more than six years. Israeli President Shimon Peres chose Benjamin Netanyahu to form a new government. The WTA fined Dubai Tennis Championships organizers a record \$300,000 after Israeli player Shahar Peer was denied a visa by the United Arab Emirates.

Five years ago: Protesters advanced on police lines in the heart of the Ukrainian capital of Kiev, prompting government snipers to shoot and kill scores of people. In Sochi, Canada beat the U.S. 3-2 in overtime to win its 4th straight Olympic women's hockey gold. Adelina Sotnikova became Russia's first gold medalist in women's Olympic figure skating, defeating defending champion Yuna Kim of South Korea.

One year ago: Students who survived the Florida school shooting traveled to Tallahassee to urge state lawmakers to prevent another massacre, but procedural moves in the legislature effectively halted any effort to ban assault-style rifles like the one used in the attack. President Donald Trump directed the Justice Department to move to ban devices like the rapid-fire bump stocks used in the Las Vegas massacre. Canadians Tessa Virtue and Scott Moir became the most decorated figure skaters in history, capturing the

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gold medal in ice dancing on Day 11 of the Winter Olympics in South Korea.

Today's Birthdays: Socialite Gloria Vanderbilt is 95. Actor Sidney Poitier is 92. Racing Hall of Famer Bobby Unser is 85. Actress Marj Dusay is 83. Racing Hall of Famer Roger Penske is 82. Singer-songwriter Buffy Sainte-Marie is 78. Hockey Hall of Famer Phil Esposito is 77. Senate Majority Leader Mitch McConnell, R-Ky., is 77. Movie director Mike Leigh is 76. Actress Brenda Blethyn is 73. Actress Sandy Duncan is 73. Actor Peter Strauss is 72. Rock musician Billy Zoom (X) is 71. Former British Prime Minister Gordon Brown is 68. Country singer Kathie Baillie is 68. Actor John Voldstad is 68. Newspaper heiress Patricia Hearst is 65. Actor Anthony Head is 65. Country singer Leland Martin is 62. Actor James Wilby is 61. Rock musician Sebastian Steinberg is 60. Comedian Joel Hodgson (HAHD'-suhn) is 59. Basketball Hall of Famer Charles Barkley is 56. Rock musician Ian Brown (Stone Roses) is 56. Actor Willie Garson is 55. Actor French Stewart is 55. Actor Ron Eldard is 54. Model Cindy Crawford is 53. Actor Andrew Shue is 52. Actress Lili Taylor is 52. Actress Andrea Savage is 46. Singer Brian Littrell is 44. Actress Lauren Ambrose is 41. Actor Jay Hernandez is 41. Actress Chelsea Peretti is 41. Country musician Coy Bowles is 40. Actor Michael Zegen is 40. Actress Majandra Delfino is 38. Actor Jocko Sims is 38. Singer-musician Chris Thile (THEE'-lee) is 38. Actress-singer Jessie Mueller is 36. Comedian Trevor Noah is 35. Actor Jake Richardson is 34. Actress Daniella Pineda is 32. Actor Miles Teller is 32. Singer Rihanna is 31. Actor Jack Falahee is 30.

Thought for Today: "The life of the nation is secure only while the nation is honest, truthful, and virtuous." — Frederick Douglass, American abolitionist (born circa 1817, died this date in 1895).

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