

# Groton Daily Independent

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## Attention Tiger Volleyball Fans:

Restrictions in place for Groton Area @ Faulkton VB tonight night. Only 4 tickets available per athlete. You will not be admitted without a ticket. Masks are required and must be appropriately worn.

We are planning to Livestream the C match, the JV match and the varsity match on GDILIVE.COM. C match starts at 5:15 p.m.

## Monday, September 28, 2020

- 10:00am: Boys Region 1A Golf meet at Dakota Magic Golf Course
- 4:00pm: Groton Invitational Cross-Country Meet
- 4:30pm: Combined Junior High Football game at Redfield followed by JV Football Game
- 5:15pm: Volleyball at Faulkton with C match starting at 5:15 p.m. followed by JV and Varsity
- 7:00pm: School Board Meeting at Groton Elementary Commons Area



## **OPEN:** Recycling Trailer in Groton

The recycling trailer is located west of the city shop. It takes cardboard, papers and aluminum cans.

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The senior class float took first place



Groton Vet Clinic won Best Commercial Float



Sophomore class float placed third

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**Junior class float placed second**



**Sixth grade float**



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**St. John's Lutheran Church won Best Church Float**



**8th grade class float**



**Freshmen class float**

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**Seventh grade float**



**High School Marching Band**

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**Junior High Marching Band**



**Junior Kindergarten**

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**Kindergarten Class**



**First Grade Class**

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**Second Grade Class**



**Third Grade Class**



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**Fourth Grade Class**



**Fifth Grade Class**

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**Carnival of Silver Skates Queen  
Nicole Marzahn**



**Parade Marshals  
Tom and Barb Paepke**



**Queen Alexis Hanten  
King Chandler Larson**



**Junior Snow Queen  
Shaylee Peterson  
Senior Snow Queen  
Ashley Flihs**

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**Mike Nehls for Brown County Commission**



**GHS Royalty Court**

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Wednesday was Duo Dress-up Day. The four on the left (the Things) are two front sixth grades Avery Crank and Addison Hoffman and behind them are junior Maddy Bjerke and senior Chloe Daly. The next group of four are juniors (in back are Jordan Bjerke and Jackson Cogley and in front are Emilie Thurston and Madeline Flihs. Next group of four are sophomores. In back are Ellie Weismantel and Shaylee Peterson and in front are Ashtyn Bahr and Cadence Tullis. Next group of four are freshmen. In back are Anna Bisbee (red) and Emily Clark (angel) and in front of them are Abby Jensen (sign) and Karsyn Jangula (grandma). The Vikings are seventh graders Paisley Mitchell and Talli Wright. Not pictured are eighth graders Gretchen Dinger and Emma Kutter. (Photo by Julianna Kosel)

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Monday's Pajama Day winners were (front row) Addison Hoffman, sixth grade; Bradyn Wienk, seventh grade; and Karsyn Jangula, freshman; in back are Tiara DeHoet, senior; Emilie Thurston, junior; and Isaac Higgins, sophomore; not pictured is eighth grader Emma Bahr. (Photo by Julianna Kosel)

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Tuesday was Country Dress-up Day. In back are Faith Fliehs, freshman; Alexis Hanten, senior; Jackson Cogley, junior; and Colby Dunker, freshman; in front are Teagan Hanten, sixth grade; and Shaylee Peterson, sophomore. Not pictured are Gavin Englund, seventh grade; and eighth graders Kallen Antonsen and Carter Simon. (Photo by Julianna Kosel)

## GROTON AREA SCHOOL DISTRICT #06-6

### School Board Meeting

September 28, 2020 – 7:00 PM – Groton Area Elementary Commons

#### AGENDA:

1. Call to Order with members present. Approve agenda as proposed or amended.

#### POTENTIAL CONFLICTS DISCLOSURE PURSUANT SDCL 23-3

#### CONSENT AGENDA:

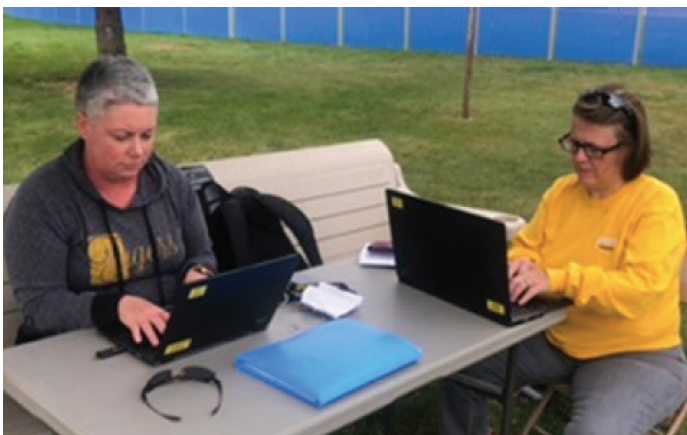
#### OLD/CONTINUING BUSINESS:

1. Open Forum for Public Participation...in accordance with Board Policy & Guidelines.
2. Program Overview Presentation  
**Food Service...** B. Clocksene  
**Transportation/Custodial...** M. Nehls, L. Bahr
3. Continued discussion and necessary action on District response to COVID-19.
  - a. Close Contacts/Quarantines
  - b. Discussion on School-Sponsored Activities
4. Administrative Reports: (a) Superintendent's Report; (b) Principal's Reports; (c) Business Manager Report

#### NEW BUSINESS:

1. Approve FY2021 district budgets with amendments and authorize Business Manager to file tax request with county auditor.
2. Appoint 2020-2021 ASBSD Delegate.
3. Adopt resolution establishing Flexible Spending Accounts.
4. Approve hiring Claire Flihs, custodian, at \$11.85/hour up to 20 hours/week.
5. Executive session pursuant SDCL 1-25-2(4) for negotiations.

#### ADJOURN



**Kiersten Sombke and Julie Milbrandt were working on school-related stuff at the soccer game on Saturday. It was a nice day (at least at the beginning) before the wind came up around 3 p.m.** (Photo

by Pual Kosel)



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## Area COVID-19 Cases

|               | Sept. 23  | Sept. 24  | Sept. 25  | Sept. 26  | Sept. 27  | Sept. 28  |
|---------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Minnesota     | 91,422    | 92,100    | 93,012    | 94,189    | 95,659    | 96,734    |
| Nebraska      | 41,785    | 42,278    | 42,731    | 43,162    | 43,596    | 44,063    |
| Montana       | 10,700    | 10,912    | 11,242    | 11,564    | 11,907    | 12,107    |
| Colorado      | 66,053    | 66,669    | 67,217    | 67,926    | 68,510    | 69,079    |
| Wyoming       | 4,231     | 4,368     | 4,488     | 4,585     | 4,618     | 4,780     |
| North Dakota  | 18,508    | 18,981    | 19,451    | 19,885    | 20,380    | 20,724    |
| South Dakota  | 19,189    | 19,634    | 20,097    | 20,544    | 21,133    | 21,541    |
| United States | 6,897,495 | 6,935,415 | 6,978,874 | 7,034,824 | 7,079,689 | 7,113,666 |
| US Deaths     | 200,818   | 201,920   | 202,819   | 203,789   | 204,499   | 204,750   |

|               |         |        |         |         |         |         |
|---------------|---------|--------|---------|---------|---------|---------|
| Minnesota     | +480    | +678   | +912    | +1,177  | +1,460  | +1,075  |
| Nebraska      | +397    | +493   | +453    | +431    | +434    | +467    |
| Montana       | +271    | +212   | +330    | +323    | +343    | +200    |
| Colorado      | +654    | +616   | +548    | +709    | +584    | +569    |
| Wyoming       | +42     | +137   | +120    | +97     | +33     | +162    |
| North Dakota  | +264    | +473   | +470    | +434    | +495    | +344    |
| South Dakota  | +320    | +445   | +463    | +457    | +579    | +412    |
| United States | +39,357 | 37,920 | +43,459 | +55,950 | +44,865 | +33,977 |
| US Deaths     | +928    | +1,102 | +899    | +970    | +710    | +251    |

|               | Sept. 16  | Sept. 17  | Sept. 18  | Sept. 19  | Sept. 20  | Sept. 21  | Sept. 22  |
|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Minnesota     | 85,351    | 85,813    | 86,722    | 87,807    | 88,721    | 90,017    | 90,942    |
| Nebraska      | 38,970    | 39,419    | 39,921    | 40,387    | 40,797    | 41,083    | 41,388    |
| Montana       | 9,244     | 9,431     | 9,647     | 9,871     | 10,163    | 10,299    | 10,429    |
| Colorado      | 62,099    | 62,686    | 63,145    | 63,750    | 64,356    | 64,857    | 65,399    |
| Wyoming       | 3,762     | 3,866     | 3,936     | 4,009     | 4,039     | 4,124     | 4,189     |
| North Dakota  | 16,066    | 16,333    | 16,723    | 17,230    | 17,607    | 17,958    | 18,244    |
| South Dakota  | 16,994    | 17,291    | 17,686    | 18,075    | 18,444    | 18,696    | 18,869    |
| United States | 6,606,674 | 6,631,561 | 6,676,410 | 6,726,480 | 6,766,631 | 6,799,141 | 6,858,138 |
| US Deaths     | 195,961   | 196,831   | 197,655   | 198,603   | 199,268   | 199,474   | 199,890   |

|               |         |         |         |         |         |         |         |
|---------------|---------|---------|---------|---------|---------|---------|---------|
| Minnesota     | +402    | +462    | +909    | +1,085  | +914    | 1,296   | +925    |
| Nebraska      | +328    | +449    | +502    | +466    | +410    | +286    | +305    |
| Montana       | +137    | +187    | +216    | +224    | +292    | +136    | +130    |
| Colorado      | +400    | +587    | +459    | +605    | +606    | +501    | +542    |
| Wyoming       | +39     | +104    | +70     | +73     | +30     | +85     | +65     |
| North Dakota  | + 235   | +267    | +390    | +507    | +377    | +351    | +286    |
| South Dakota  | +195    | +297    | +395    | +389    | +369    | +252    | +173    |
| United States | +51,431 | +24,887 | +44,849 | +50,070 | +40,151 | +32,510 | +58,997 |
| US Deaths     | +1,416  | +870    | +824    | +948    | +665    | +206    | +416    |

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## September 27th COVID-19 UPDATE

### Groton Daily Independent from State Health Lab Reports

There were 18 counties yesterday with double digit increases. That's down to 10 today.

I'm not sure where CNN is getting their data, but don't believe it. They had South Dakota with a positivity rate of 25 percent. The 14 day trend is 12 percent. Granted, they did say the last seven day trend, so let's look at the facts, according to the South Dakota Department of Health reports that have been compiled by the Groton Daily Independent. From Sept. 20th through Sept. 26th, there were 2,437 positive cases in South Dakota. There were 15,941 tests administered. That calculates out to 15.3 percent positivity rate for the past seven days, not 25 percent as reported by CNN. You can follow along with my daily reports as well by looking at the positivity rate for South Dakota. Today's rate is 15.2 percent. Yesterday at 14.6. That's a far cry from 25 percent.

Counties with double digit increases are Brookings 12, Brown 19, Codington 30, Davison 12, Lincoln 24, Meade 18, Minnehaha 70, Oglala Lakota 11, Pennington 62 and Yankton 11. No deaths were recorded in South Dakota, four more in North Dakota.

Locally, Brown had 19 positive and 16 recovered for a total of 195 active cases. Day had 2 positive and 1 recovered for a total of 19 active cases. Edmunds had 2 positive for a total of 20 active cases. Marshall and McPherson both remained stable at 6. Spink had 5 positive and 4 recoveries for a total of 33 active cases.

#### **Brown County:**

Total Positive: +29 (1,189) Positivity Rate: 11.1%  
Total Tests: 260 (10,494)  
Recovered: +16 (990)  
Active Cases: +13 (195)  
Ever Hospitalized: +2 (46)  
Deaths: +0 (4)  
Percent Recovered: 83.2%

#### **South Dakota:**

Positive: +412 (21,541 total) Positivity Rates: 15.2%  
Total Tests: 2,705 (262,924 total)  
Hospitalized: +39 (1,473 total). 216 currently hospitalized +3)  
Deaths: +0 (218 total)  
Recovered: +360 (17,533 total)  
Active Cases: +48 (3,790)  
Percent Recovered: 81.4%  
Staffed Hospital Bed Capacity: 9% Covid, 49% Non-Covid, 42% Available  
ICU Bed Capacity: 12% Covid, 60% Non-Covid, 27% Available  
Ventilator Capacity: 5% Covid, 14% Non-Covid, 82% Available

The following is the breakdown by all counties. The number in parenthesis right after the county name

represents the number of deaths in that county.

Aurora: +3 positive, +0 recovered (10 active cases)  
Beadle (9): +7 positive, +5 recovered (108 active cases)  
Bennett (1): +0 positive, +3 recovered (21 active cases)  
Bon Homme (1): +3 positive, +1 recovered (15 active cases)  
Brookings (2): +12 positive, +15 recovered (121 active cases)  
Brown (4): +19 positive, +16 recovered (195 active cases)  
Brule: +5 positive, +2 recovered (30 active cases)  
Buffalo (3): +3 positive, +0 recovered (23 active cases)  
Butte (3): +5 positive, +3 recovered (33 active cases)  
Campbell: +5 positive, +0 recovered (22 active cases)  
Charles Mix: +2 positive, +3 recovered (43 active cases)  
Clark: +0 positive, +0 recovered (10 active cases)  
Clay (5) +5 positive, +0 recovered (49 active cases)  
Codington (3): +30 positive, +25 recovered (226 active cases)  
Corson (1): +0 positive, +2 recovered (11 active cases)  
Custer (2): +3 positive, +4 recovered (37 active case)  
Davison (2): +12 positive, +2 recovered (105 active cases)  
Day: +2 positive, +1 recovered (19 active cases)  
Deuel: +1 positive, +2 recovered (12 active cases)  
Dewey: +0 positive, +4 recovered (53 active cases)  
Douglas (1): +1 positive, +3 recovered (28 active cases)  
Edmunds: +2 positive, +0 recovered (20 active cases)  
Fall River (3): +1 positive, +5 recovered (13 active cases)  
Faulk (1): +2 positive, +0 recovered (16 active cases)

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Grant (1): +4 positive, +2 recovered (52 active cases)  
 Gregory (3): +2 positive, +9 recovered (58 active cases)  
 Haakon: +1 positive, +2 recovered (9 active case)  
 Hamlin: +2 positive, +0 recovered (22 active cases)  
 Hand: +2 positive, +0 recovered (15 active cases)  
 Hanson: +1 positive, +0 recovered (10 active cases)  
 Harding: -1 positive (1 active case)  
 Hughes (5): +8 positive, +86 recovered (129 active cases)  
 Hutchinson (2): +4 positive, +1 recovered (36 active cases)  
 Hyde: +0 positive, +1 recovered (6 active cases)  
 Jackson (1): +0 positive, +1 recovered (10 active cases)  
 Jerauld (1): +1 positive, +0 recovered (26 active cases)  
 Jones: +0 positive, +1 recovered (6 active cases)  
 Kingsbury: +0 positive, +1 recovered (13 active cases)  
 Lake (7): +5 positive, +3 recovered (33 active cases)  
 Lawrence (4): +7 positive, +4 recovered (103 active cases)  
 Lincoln (2): +24 positive, +14 recovered (203 active cases)

Lyman (3): +5 positive, +5 recovered (45 active cases)  
 Marshall: +0 positive, +0 recovered (6 active cases)  
 McCook (1): +3 positive, +0 recovered (22 active cases)  
 McPherson: +0 positive, +0 recovery (6 active case)  
 Meade (5): +18 positive, +9 recovered (120 active cases)  
 Mellette: +0 recovery (3 active cases)  
 Miner: +2 positive (4 active cases)  
 Minnehaha (81): +70 positive, +38 recovered (625 active cases)  
 Moody: +0 positive, +0 recovered (26 active cases)  
 Oglala Lakota (3): +11 positive, +3 recovered (72 active cases)  
 Pennington (37): +62 positive, +35 recovered (429 active cases)  
 Perkins: +1 positive, +2 recovered (9 active cases)  
 Potter: +1 positive, +3 recovered (11 active cases)  
 Roberts (1): +5 positive, +8 recovered (66 active cases)  
 Sanborn: +0 positive, +0 recovered (10 active cases)  
 Spink: +5 positive, +4 recovered (33 active cases)  
 Stanley: +0 positive, +0 recovery (12 active cases)  
 Sully: +0 positive, +0 recovered (2 active cases)  
 Todd (5): +2 positive, +2 recovered (19 active cases)  
 Tripp: +7 positive, +7 recovered (72 active cases)  
 Turner (2): +3 positive, +5 recovered (35 active cases)  
 Union (7): +8 positive, +3 recovered (67 active cases)  
 Walworth (1): +6 positive, +5 recovered (44 active cases)  
 Yankton (4): +11 positive, +6 recovered (90 active cases)  
 Ziebach: +1 positive, +4 recovered (10 active case)

## AGE GROUP OF SOUTH DAKOTA COVID-19 CASES

| Age Range   | # of Cases | # of Deaths |
|-------------|------------|-------------|
| 0-9 years   | 677        | 0           |
| 10-19 years | 2417       | 0           |
| 20-29 years | 5100       | 2           |
| 30-39 years | 3733       | 7           |
| 40-49 years | 2923       | 10          |
| 50-59 years | 2892       | 22          |
| 60-69 years | 2020       | 32          |
| 70-79 years | 1022       | 38          |
| 80+ years   | 757        | 107         |

## SEX OF SOUTH DAKOTA COVID-19 CASES

| Sex    | # of Cases | # of Deaths |
|--------|------------|-------------|
| Female | 11151      | 100         |
| Male   | 10390      | 118         |

North Dakota Dept. of Health Report  
 COVID-19 Daily Report, September 27:

- 6.7% rolling 14-day positivity
- 6.3% daily positivity
- 343 new positives
- 5,444 susceptible test encounters
- 96 currently hospitalized (-8)
- 3,766 active cases (+94)

Total Deaths: +4 (231)

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| County      | Positive Cases | Recovered Cases | Negative Persons | Deceased | Community Spread |
|-------------|----------------|-----------------|------------------|----------|------------------|
| Aurora      | 54             | 44              | 502              | 0        | Minimal          |
| Beadle      | 791            | 674             | 2530             | 9        | Substantial      |
| Bennett     | 67             | 45              | 662              | 1        | Substantial      |
| Bon Homme   | 84             | 68              | 1152             | 1        | Moderate         |
| Brookings   | 763            | 640             | 4541             | 2        | Substantial      |
| Brown       | 1189           | 990             | 6815             | 4        | Substantial      |
| Brule       | 120            | 90              | 1052             | 0        | Moderate         |
| Buffalo     | 138            | 112             | 767              | 3        | Minimal          |
| Butte       | 102            | 66              | 1303             | 3        | Moderate         |
| Campbell    | 29             | 7               | 144              | 0        | Moderate         |
| Charles Mix | 173            | 130             | 2169             | 0        | Moderate         |
| Clark       | 40             | 30              | 540              | 0        | Moderate         |
| Clay        | 563            | 509             | 2349             | 5        | Substantial      |
| Codington   | 872            | 642             | 4863             | 4        | Substantial      |
| Corson      | 91             | 79              | 722              | 1        | Moderate         |
| Custer      | 185            | 146             | 1056             | 2        | Substantial      |
| Davison     | 295            | 188             | 3346             | 2        | Substantial      |
| Day         | 76             | 57              | 932              | 0        | Moderate         |
| Deuel       | 84             | 72              | 621              | 0        | Substantial      |
| Dewey       | 144            | 91              | 2853             | 0        | Substantial      |
| Douglas     | 80             | 51              | 552              | 1        | Substantial      |
| Edmunds     | 93             | 73              | 584              | 0        | Substantial      |
| Fall River  | 94             | 78              | 1330             | 3        | Substantial      |
| Faulk       | 73             | 56              | 300              | 1        | Moderate         |
| Grant       | 128            | 75              | 1101             | 1        | Substantial      |
| Gregory     | 127            | 66              | 626              | 3        | Substantial      |
| Haakon      | 24             | 15              | 338              | 0        | Moderate         |
| Hamlin      | 99             | 77              | 957              | 0        | Moderate         |
| Hand        | 38             | 23              | 449              | 0        | Moderate         |
| Hanson      | 38             | 28              | 324              | 0        | Minimal          |
| Harding     | 4              | 3               | 66               | 0        | Minimal          |
| Hughes      | 437            | 303             | 2810             | 5        | Substantial      |
| Hutchinson  | 99             | 61              | 1196             | 2        | Moderate         |

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|               |      |      |       |    |             |
|---------------|------|------|-------|----|-------------|
| Hyde          | 19   | 13   | 210   | 0  | Moderate    |
| Jackson       | 34   | 23   | 560   | 1  | Moderate    |
| Jerauld       | 84   | 57   | 333   | 1  | Substantial |
| Jones         | 13   | 7    | 91    | 0  | Minimal     |
| Kingsbury     | 55   | 42   | 779   | 0  | Substantial |
| Lake          | 195  | 155  | 1296  | 7  | Substantial |
| Lawrence      | 402  | 295  | 3348  | 4  | Substantial |
| Lincoln       | 1355 | 1150 | 10055 | 2  | Substantial |
| Lyman         | 160  | 112  | 1229  | 3  | Moderate    |
| Marshall      | 38   | 32   | 641   | 0  | Moderate    |
| McCook        | 96   | 73   | 873   | 1  | Substantial |
| McPherson     | 33   | 27   | 304   | 0  | Moderate    |
| Meade         | 537  | 412  | 3146  | 5  | Substantial |
| Mellette      | 30   | 27   | 473   | 0  | Minimal     |
| Miner         | 23   | 19   | 336   | 0  | Minimal     |
| Minnehaha     | 6650 | 5944 | 39030 | 81 | Substantial |
| Moody         | 90   | 64   | 854   | 0  | Moderate    |
| Oglala Lakota | 281  | 206  | 3847  | 3  | Substantial |
| Pennington    | 2311 | 1845 | 15414 | 37 | Substantial |
| Perkins       | 38   | 29   | 314   | 0  | Moderate    |
| Potter        | 43   | 32   | 471   | 0  | Moderate    |
| Roberts       | 209  | 142  | 2676  | 1  | Substantial |
| Sanborn       | 29   | 19   | 317   | 0  | Minimal     |
| Spink         | 134  | 101  | 1485  | 0  | Substantial |
| Stanley       | 41   | 29   | 423   | 0  | Moderate    |
| Sully         | 11   | 9    | 136   | 0  | Minimal     |
| Todd          | 120  | 96   | 2789  | 5  | Moderate    |
| Tripp         | 155  | 83   | 842   | 0  | Substantial |
| Turner        | 162  | 125  | 1318  | 2  | Substantial |
| Union         | 402  | 328  | 2648  | 7  | Substantial |
| Walworth      | 123  | 78   | 1127  | 1  | Substantial |
| Yankton       | 413  | 319  | 4380  | 4  | Substantial |
| Ziebach       | 61   | 51   | 504   | 0  | Minimal     |
| Unassigned    | 0    | 0    | 14162 | 0  |             |

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- ✓ 30 year law enforcement veteran with city and county government experience
- ✓ Progressive thinker/ Conservative spender
- ✓ Common sense approach to solving issues



#### I pledge

- ✓ to put taxpayers first by no wasteful spending
- ✓ to increase transparency to taxpayers
- ✓ to maintain roads and bridges
- ✓ to the creation of a criminal justice task force addressing Meth, Opioid and other drug addictions

*Your vote will be much appreciated!*



**Absentee voting begins September 18th**



**Representation from eastern Brown County is long overdue! (35 years)**

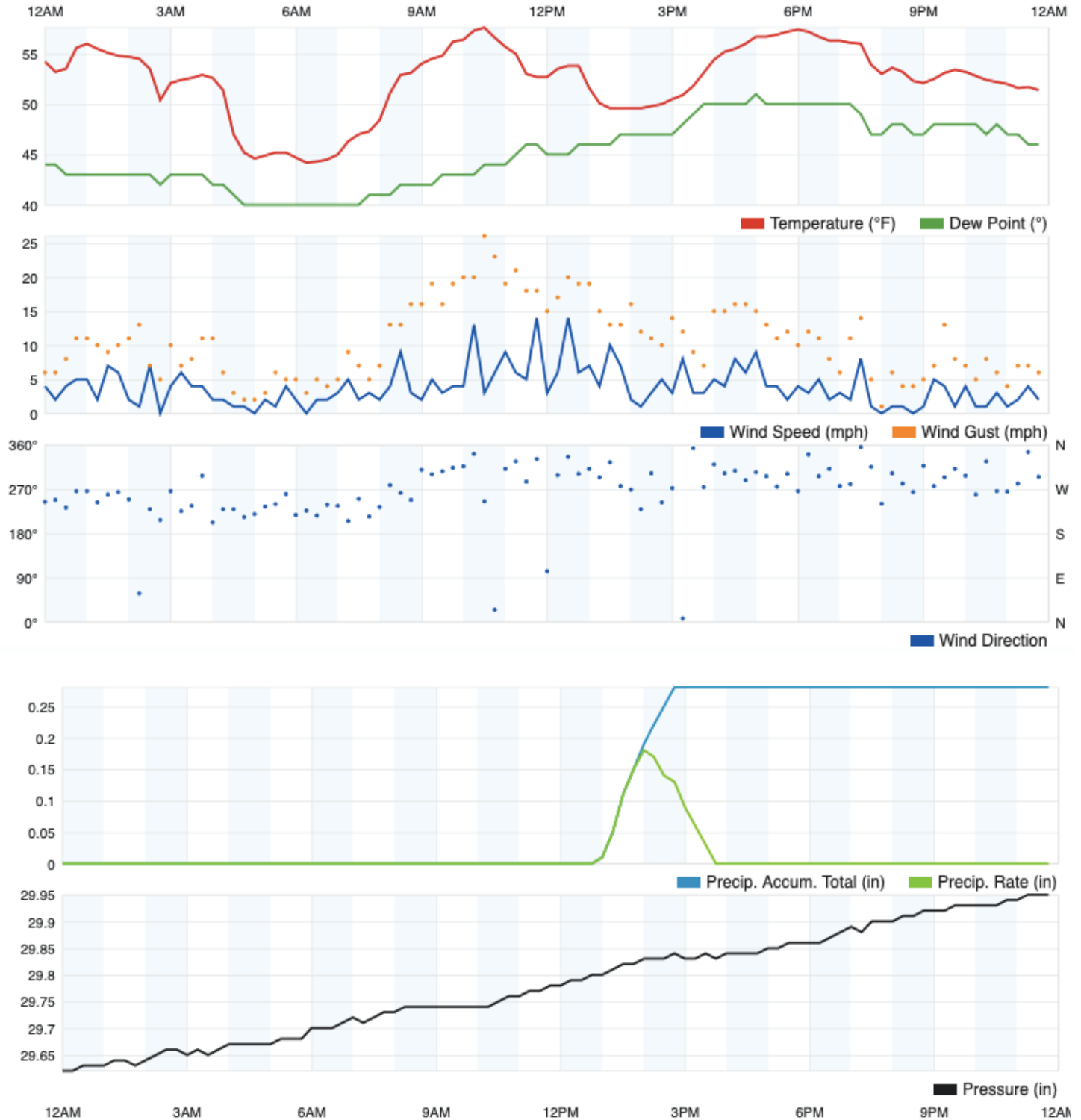
**Vote for Michael Nehls for Brown County Commission (your vote **only** for Mike could make a difference)**

Paid for by the committee to elect Mike Nehls to Brown County Commission

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## Yesterday's Groton Weather Graphs



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Today



Increasing  
Clouds and  
Breezy

High: 57 °F

Tonight



Increasing  
Clouds

Low: 43 °F

Tuesday



Mostly Sunny

High: 71 °F

Tuesday  
Night



Partly Cloudy

Low: 44 °F

Wednesday

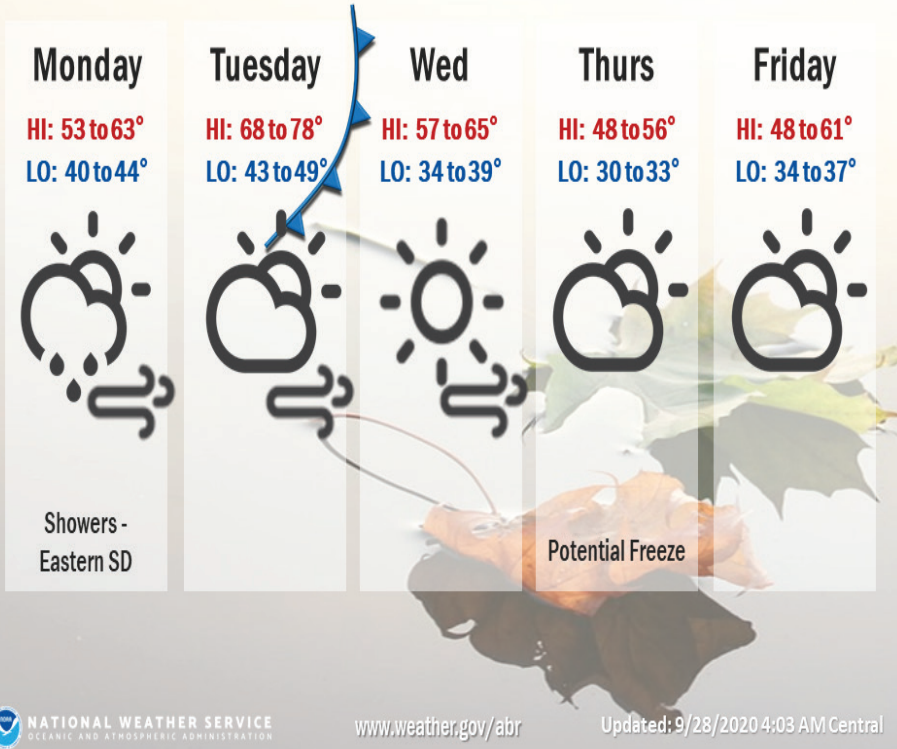


Sunny and  
Windy

High: 61 °F

## The Week Ahead...

*Cooler Temperatures & Windy*



Looks like we better start appreciating fall weather because this is what it looks like. Just a few showers are expected today across far eastern South Dakota and western Minnesota, otherwise the week looks dry, with a windy first half. Cold air will settle over the region Thursday and Friday at which point temperatures could fall below freezing across most of the forecast area.



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## Today in Weather History

September 28, 1951: During the early morning hours, near-record to record cold covered central and northeast South Dakota as well as west-central Minnesota. Temperatures across the area fell into the upper teens and 20s. Aberdeen recorded a record low of 18 degrees; Kennebec dropped to 20 degrees, Pierre fell to 21 degrees while Timber Lake had a record low of 23 degrees. The overnight low in Mobridge was 23 degrees, 24 degrees at Watertown, and 26 degrees at Sisseton.

1836 - The first of three early season snows brought four inches of snow to Hamilton, NY, and two inches to Ashby MA. (David Ludlum)

1837: The first recorded storm to rake the entire Texas coast was Racer's Storm, named for a British sloop of war which encountered the system in the extreme northwestern Caribbean on September 28th. It is remembered as one of the most destructive storms of the nineteenth century due to its extreme duration and 2000 mile path of destruction.

1874: A strong category 1 hurricane went by Charleston and Georgetown, South Carolina. The tide was unprecedented height, inundating the entire riverfront of the city of Charleston. 1998: On the morning of September 28th, Hurricane George made landfall near Biloxi, Mississippi with maximum winds of 110 mph and a minimum pressure of 964 mb, making it a Category 2 hurricane. After landfall, Georges moved very slowly across southern Mississippi and weakened to a tropical depression by the morning of the 29th when the center was about 30 miles north-northeast of Mobile, Alabama. The storm dissipated near the northeast Florida/southeast Georgia coast by the morning of October 1, 1998.

1893 - Albuquerque, NM, was soaked with 2.25 inches of rain, enough to establish a 24 hour record for that city. (The Weather Channel)

1929: A hurricane-spawned tornado hit Fort Lauderdale, Florida. While the path length of this estimated F2 tornado was 0.8 miles, it caused 16 injuries.

1917 - A hurricane hit Pensacola, FL. Winds gusted to 95 mph, and the barometric pressure dipped to 28.50 inches. Winds at Mobile AL gusted to 75 mph. (The Weather Channel)

1987 - Thunderstorms produced up to ten inches of rain in southern Kansas and north central Oklahoma overnight. The Chikaskia River rose 2.5 feet above flood stage at Blackwell OK during the day causing flooding in Kay and Grant counties of north central Oklahoma. Early morning thunderstorms in the Lower Rio Grande Valley of Texas produced 3.07 inches of rain in six hours at McAllen. Thunderstorms produced up to six inches of rain in southeastern Texas later in the day. (National Weather Summary) (Storm Data)

1988 - Thunderstorms developing ahead of a cold front in the central U.S. produced severe weather from northern Texas to the Lower Missouri Valley during the late afternoon and evening hours. Hail three inches in diameter was reported at Nolan TX, and wind gusts to 80 mph were reported at Lawrence KS. Thunderstorms drenched downtown Kansas City MO with up to four inches of rain, leaving some cars stranded in water six feet deep. (Storm Data) (The National Weather Summary)

1989 - Thunderstorms over northeastern Florida drenched Jacksonville with 4.28 inches of rain between midnight and 6 AM EDT. Unseasonably cool weather prevailed in the northeastern U.S. Five cities reported record low temperatures for the date, including Binghamton NY with a reading of 30 degrees. Morning lows were in the 20s in northern New England. Unseasonably mild weather prevailed in the northwestern U.S., with afternoon highs in the upper 70s and 80s. In Oregon, Astoria reported a record high of 83 degrees. (The National Weather Summary) (Storm Data)

1998: On the morning of September 28th, Hurricane George made landfall near Biloxi, Mississippi with maximum winds of 110 mph and a minimum pressure of 964 mb, making it a Category 2 hurricane. After landfall, Georges moved very slowly across southern Mississippi and weakened to a tropical depression by the morning of the 29th when the center was about 30 miles north-northeast of Mobile, Alabama. The storm dissipated near the northeast Florida/southeast Georgia coast by the morning of October 1, 1998.

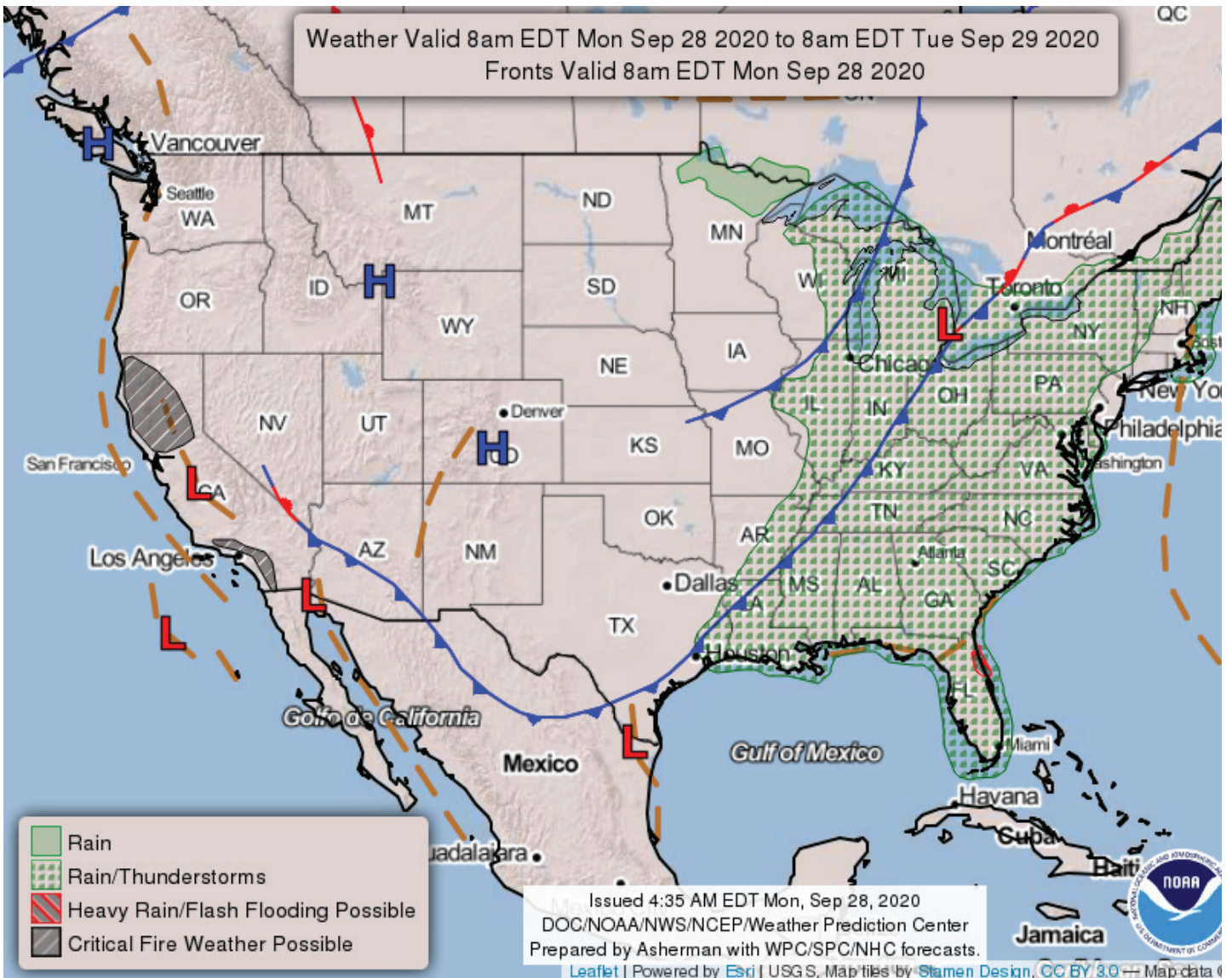
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## Yesterday's Groton Weather Today's Info

**High Temp: 58 °F at 10:33 AM**  
**Low Temp: 44 °F at 6:22 AM**  
**Wind: 26 mph at 10:23 AM**  
**Precip: .28**

**Record High: 92° in 1897, 2011**  
**Record Low: 18° in 1895, 1951**  
**Average High: 67°F**  
**Average Low: 40°F**  
**Average Precip in Sept...: 1.97**  
**Precip to date in Sept.: 1.80**  
**Average Precip to date: 18.26**  
**Precip Year to Date: 15.15**  
**Sunset Tonight: 7:19 p.m.**  
**Sunrise Tomorrow: 7:30 a.m.**



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## GRATITUDE OR GREED?

Aesop was a Greek slave who became famous for writing a number of intriguing fables. One of his stories involved a dog and a bone.

He once told the story of a dog that was crossing a bridge carrying a bone in its mouth. Seeing his reflection in the water beneath him, he thought that the bone in the mouth of the "other dog" was larger.

In his greed, he opened his mouth to try to snatch the bigger bone from the other dog. However, when he opened his mouth, he dropped his bone into the water. Then he had nothing - for the water in the stream carried the bone to the river and then into the sea.

Paul compares people who are greedy with those who are immoral and impure and assures his readers that they will not inherit the Kingdom of Christ and of God. In fact, he says, "greedy people are actually idolaters" - and indeed they are. An idolater is one who worships and wants "things" more than they do God. Sadly, this lifestyle leads to the worship of things, and the "things" above and beyond the worship of God.

It is not wrong to want nice things. But if we want nice things more than we want God, it takes our minds away from Him and changes our priorities to the things of this world. As Christians, we must be careful to focus our minds and place our thoughts on Heaven with Jesus.

Prayer: Give us discerning minds and faithful hearts, Father, to desire those things that are best for us. May we be careful and cautious at all times to honor You. In Jesus' Name, Amen.

Scripture For Today: You can be sure that no immoral, impure, or greedy person will inherit the Kingdom of Christ and of God. For a greedy person is an idolater, worshiping the things of this world. Ephesians 5:5

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## 2020 Groton SD Community Events

- **CANCELLED** Groton Lions Club Easter Egg Hunt - City Park (Saturday a week before Easter Weekend)
- **CANCELLED** Dueling Piano's Baseball Fundraiser at the American Legion
- **CANCELLED** Fireman's Fun Night (Same Saturday as GHS Prom)
- **POSTPONED** Front Porch 605 Rural Route Road Trip
- **CANCELLED** Father/Daughter dance.
- **CANCELLED** Spring City-Wide Rummage Sales, (1st Saturday in May)
- **CANCELLED** Girls High School Golf Meet at Olive Grove Golf Course
- 05/25/2020 Groton American Legion Post #39 Memorial Day Services
- 07/04/2020 Firecracker Golf Tourney at Olive Grove Golf Course
- 07/12/2020 Summer Fest/Car Show
- 07/16/2020 Olive Grove Golf Course Pro Am Golf Tourney
- 07/24/2020 Olive Grove Golf Course Ferney Open Golf Tourney
- 07/25/2020 City-Wide Rummage Sales
- **CANCELLED** State American Legion Baseball Tournament in Groton
- 08/07/2020 Wine on Nine Event at Olive Grove Golf Course
- 09/12-13/2020 Groton Fly-In/Drive-In at the Groton Airport north of Groton
- 09/12/2020 Fall City-Wide Rummage Sales (1st Sat. after Labor Day)
- 09/13/2020 Olive Grove Golf Course Couples Sunflower Classic
- 10/09/2020 Lake Region Marching Band Festival (2nd Friday in October)
- 10/10/2020 Pumpkin Fest (Saturday before Columbus Day)
- 10/30/2020 Downtown Trick or Treat
- 10/31/2020 Groton United Methodist Trunk or Treat
- **CANCELLED** Groton Legion Annual Turkey Party (Saturday closest to Veteran's Day)
- 11/26/2020 Community Thanksgiving at the Community Center
- 12/05/2020 Olive Grove Golf Course Tour of Homes & Holiday Party
- 12/05/2020 Santa Claus Day at Professional Management Services
- 01/--/2021 83rd Annual Carnival of Silver Skates

## News from the Associated Press

### Run for the roses: South Dakota man achieves lifelong dream

By RANDY DOCKENDORF Yankton Press and Dakotan

WAGNER, S.D. (AP) — Wayne Scherr can credit COVID-19 for making a lifelong dream come true.

Because of the pandemic, the Kentucky Derby — one of horse racing's most revered events — was postponed from May 2 to Sept. 5.

Scherr, a long-time horse owner from Wagner, took advantage of the scheduling delay to win a spot in the Derby at Churchill Downs in Louisville. He believes he became the first South Dakotan to own a Derby horse in at least a half-century, the Yankton Press and Dakotan reports.

"With COVID, they ran an extended season so you had more races to qualify," he said. "A lot of the seasons, the derby is the first Saturday in May. If the race had been run in May, I doubt we would have had the points and our horse would ever had made it. But by having the race moved from May to September, it was better for us."

The 62-year-old Scherr has spent his life around horses dating back to his boyhood in Napoleon, North Dakota. He rode, raced and owned horses until the 1980s when he became a teacher and wrestling coach at Wagner. At that point, he decided he no longer had the time to devote to horse racing and got out of the pursuit.

But he never lost the passion.

Scherr got back into horse racing at the urging of others. And this year, the most unusual circumstances allowed him to qualify for the Kentucky Derby. In the span of just a few months, he purchased a horse that placed in races earning points toward the Derby. Scherr remained just outside qualifying for the 20-horse field at Churchill Downs, but he then saw other entrants drop out of the race and make his spot a reality.

"It's always been a dream of mine to race in the Kentucky Derby, and now the dream came true," he said.

About seven years ago, the race organizers changed the method of qualifying the 20-horse field. While still a long shot, Scherr and other horse owners could compete for the Derby against millionaires and even a billionaire sheik who spend incredible wealth on horses.

"It had gotten too political, so they used a group of individuals with a lot of knowledge of the horse racing industry (to set up a fairer system). Those persons set up a circuit of races and put points on first, second, third and fourth," Scherr said. "You knew at the start of the season what you needed to qualify, and you earned your points during the racing season. Sometimes you had (qualifying) horses drop out, and the next ones would enter the Derby."

In recent years, Scherr had retired from teaching/coaching and his masonry business. He had gotten back into racing and was buying and selling horses. While he still dreamed of the Kentucky Derby, he hadn't entered the financial stratosphere it took for a serious shot at the field.

And then came the call earlier this year that set off a whirlwind 12 weeks leading to the Derby.

Scherr's horse trainer, Chris Hartman, was watching a field of horses preparing for a race, and one of the entries caught his eye. The horse was listed with an allowance optional claim race, which meant the horses were up for sale for about the same price until the race started.

"Chris said, 'Wayne, I've been watching this horse race three times and I think we can have some fun with him,'" Scherr said, recalling the conversation and the need for an immediate decision.

Scherr trusted his trainer's judgment but received jarring news — the horse required a \$100,000 claim for seeking ownership. If multiple people put down the amount, it would require a "shake" to determine the owner.

Most claim races are for \$10,000 or \$20,000, with few in the U.S. carrying a \$100,000 price tag, Scherr said. However, he looked at the thoroughbred's pedigree, history and previous ownership. The horse also stood larger at 1,200 pounds and 17 hands (with one hand equaling four inches).

"I told (my trainer) to put in the claim and I would get the money wired down there," Scherr said. "I

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called down (to my banker) and said, 'I need a wire out of my account to Churchill Downs.' And he told me, 'Wayne, there's no wiring on a Saturday.' Now, I had a predicament."

With some quick work, Hartman located two Kentucky businessmen — Ray Daniels and Greg Harbut — who would cover the rest. Harbut's great-grandfather, Will Harbut, was the groom of legendary stallion Man o' War for 16 years.

Scherr owned 75% and the other two partners owned a combined 25%. As it turned out, the trio won the shake and the horse's ownership.

Scherr named the horse Necker Island after the private island owned by Virgin Atlantic airlines owner Richard Branson. The horse won points in the Indiana Derby and Ellis Park Derby and needed to move in front of seven horses to get into the Kentucky Derby.

"A few others dropped out, and we got a phone call from the racing secretary that we were accepted into the Derby," Scherr said. "I was working on my daughter's home in Platte when I got the call. My body just went limp. It was my whole dream, my whole life, and it came down to everything falling into place. We won the claim, placed in races, and now we had the right amount of horses drop out."

The pandemic raised questions on whether spectators would be allowed at the track, particularly when Kentucky became a hot spot with the virus. Scherr was prepared to watch the race at home.

Instead, race officials announced they would allow a limited number of spectators, and Scherr received 16 tickets. He took his family along with his three brothers and their families.

To make it a true family experience, Wayne sold 5% shares to each of his brothers — Kyle Scherr of Westminster, Colorado; Rick Scherr of Great Falls, Montana; and David Scherr of Colorado Springs, Colorado.

"I only charged them \$5 each, but I wanted them to have a share in the ownership," Wayne said with a laugh.

Scherr arrived early in the race week, attending the post drawing and watching Necker Island at the stable and during his workouts. The thoroughbred was listed as a distant favorite, but Scherr liked the horse's look heading into race day. The financial stakes were high, as the Kentucky Derby carries a \$3 million purse with \$1.8 million for the winner.

Just qualifying for the race marked a major achievement. According to one report, about 20,000 thoroughbreds are foaled every year in the U.S., and the Kentucky Derby takes only 20 three-year-olds. Qualifying horses from Japan and Europe are normally eligible for one spot each in the race, creating even greater odds for a U.S. horse to make the field.

Scherr became one of the few South Dakotans to qualify for the derby, and with his North Dakota roots, reportedly the first one from that state. His two business partners also made history, as Daniels and Harbut became the first African-American owners of a Derby horse in 13 years.

The Scherrs arrived at Churchill Downs attired in the trademark suits for the men and the dresses and hats for the women. "There was no way you were wearing jeans at the Kentucky Derby. They wouldn't even let you in," Wayne said.

Churchill Downs provided every bit of the anticipated splendor and thrills, Scherr said. However, the sparse attendance and tight security felt surreal.

"The place holds about 155,000 to 160,000 people, and here we had 1,200 security guards for 800 people," he said. "Normally, we would be packed shoulder to shoulder (at the race)."

As the race time neared, Scherr felt similar emotions to when he guided the Wagner wrestling teams to state championships in 1992 and 1994.

"Both times, you had no control," he said. "A kid's wrestling career and state championship comes down to six minutes on the mat. And with the Derby, it's two minutes long with so much going on in those two minutes. It's really hard to rate one (achievement) over the other."

Scherr literally experienced a sick feeling as the horses lined up for the Derby. "For a minute before they went to post, I felt like I was going to throw up. My stomach was all churned up. It was so nerve racking," he confessed.

The race started poorly for Necker Island, as he fell behind early.

"I said, 'He's gotta do something, he's gotta make a move' — and he did. He just took off and passed

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six horses in front of him during the last one-eighth of a mile," Scherr said. "He kept going when a lot of others would have given up. Afterwards, the jockey said, 'I think I see how much I should have pushed him some more. The way he finished, he had too much in him.'"

For Scherr, Necker Island achieved more than he had imagined. "I never dreamed I would finish in the top 10 to come across the finish line. It was my dream just to be here," he said.

As part of the post-race congratulations, Scherr received an unexpected email from Richard Branson, who said he was honored the horse was named after his private island.

Scherr joked that his return to racing started out a bit rocky, as he purchased the first horse for \$37,000 without telling his wife, Candy. He returned home to find her enraged with the invoice that came in the mail.

"I guess I forgot to tell her," Wayne said sheepishly. "That was the one time in our marriage that she didn't talk to me for three days. But she's fine with it now."

Wayne was glad to share the Kentucky Derby moment with other family members.

"It was a happy moment we all enjoyed together," he said. "The only thing that would have been better was if my (late) mom and dad were with us, but I'm sure they were looking down and watching with us."

Regardless of whether he races again, Necker Island holds a profitable future in front of him, Scherr said. The horse stands to make \$60 million in stud fees, far more than any purse from winning a race.

Scherr wants to stay involved with horse racing, admitting it has gotten in his blood. "I've had a little bit of success, why quit now?" he asked.

As a show of his intent to remain in racing, he has purchased a yearling that he named "Pray For Peace."

"I wanted that name before, but it was taken, so I named all my other horses with the word 'dream' in it," he said. "Now, racing in the Kentucky Derby was like realizing a dream."

## South Dakota reports nearly 2,900 COVID-19 cases in 7 days

SIOUX FALLS, S.D. (AP) — South Dakota Department of Health officials on Sunday reported 412 new cases of the coronavirus, for a total of 2,849 positive tests in seven days and 21,541 cases since the pandemic began.

The number of active cases increased by 48, to a record 3,790. Hospitalizations rose by three to 216 and the death toll remained unchanged at 218, health officials said.

The update showed 70 new cases of COVID-19 in Minnehaha County in the last day, followed by Pennington County with 62, Codington County with 30, Brown County with 29, Lincoln County with 24 and Meade County with 18.

South Dakota ranks second in the country behind North Dakota in the number of new cases per capita in the last two weeks, according to The COVID Tracking Project.

For most people, the new coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. For some, especially older adults and people with existing health problems, it can cause more severe illness, including pneumonia and death.

## The Latest: Russia reports over 8,000 new cases

By The Associated Press undefined

MOSCOW — Russian health officials have reported over 8,000 new coronavirus cases for the first time since mid-June.

The 8,135 new confirmed cases brought the country's total to nearly 1.16 million, the fourth largest caseload in the world. Almost 27% of Monday's new cases — 2,217 — were registered in Moscow.

The number of daily new cases started to rapidly grow this month in Russia, which had earlier lifted most of the virus-related restrictions and resumed air traffic with several countries.

Officials have repeatedly dismissed rumors of a second lockdown, saying the growth in the autumn was expected and Russia's health care infrastructure was prepared for it.

Last week Moscow authorities asked the elderly to stay at home starting from Monday, and employers to allow as many people as possible to work from home amid the surge of new cases.

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Russia was the first country in the world to approve a vaccine against the virus last month. The move elicited criticism from experts worldwide as the shots have only been tested on a few dozen people and further studies are needed to establish the vaccine's safety and effectiveness.

## HERE'S WHAT YOU NEED TO KNOW ABOUT THE VIRUS OUTBREAK

- India's confirmed coronavirus tally reaches 6 million cases
- Nearly 1 million who died of COVID-19 helped scientists better understand disease
- Lockdowns are fading, but Republican outrage isn't in U.S. campaigns
- UN failures on coronavirus underscore the need for reforms
- University students in Britain are decrying hasty lockdowns that make them feel like prisoners in their dorms, while politicians are debating whether students will be allowed to return home for Christmas.

Follow AP's pandemic coverage at <http://apnews.com/VirusOutbreak> and <https://apnews.com/UnderstandingtheOutbreak>

## HERE'S WHAT ELSE IS HAPPENING:

**BERLIN** — The German government has expressed concern about the rising number of COVID-19 cases in the country.

Official figures released Monday show almost 1,192 confirmed infections in the past 24 hours. The actual number is likely to be higher due to reporting delays over the weekend.

Government spokesman Steffen Seiber says "the development of the infection numbers is causing us great concern." He says that the number of cases in Germany has roughly tripled since June.

While some regions have seen few new cases, others have recorded a sharp jump.

Chancellor Angela Merkel is scheduled to meet Tuesday with the governors of Germany's 16 states to discuss which measures are needed to cope with the pandemic going into the fall.

The country has managed better than many of its neighbors to contain the spread of the virus and keep the mortality rate low.

According to official figures, there have been 285,332 confirmed coronavirus cases in Germany since the start of the outbreak, and 9,460 deaths.

**LONDON** — People across England face tough new fines if they fail to self isolate after testing positive for COVID-19.

Starting Monday, those who fail to follow the rules face a 1,000-pound (\$1,200) fine, which increases to 10,000 pounds for repeat offenders. The Department of Health and Social Care says those who test positive also will be fined if they knowingly provide false information to contact tracers.

Health Secretary Matt Hancock says the government will "not hesitate" to introduce further measures to restrict the spread of the coronavirus.

The House of Commons on Wednesday may consider an amendment to existing legislation that would give Parliament the right to vote on any new restrictions.

Britain already has Europe's worst death toll from the pandemic, with about 42,000 confirmed deaths. But those who are calling for tighter restrictions are being challenged by critics who fear further damage to the economy.

In addition to national restrictions, about one-quarter of the U.K.'s 65 million people are living under tighter local restrictions to fight local outbreaks.

**BRUSSELS**, Belgium — Facing a surge of new coronavirus cases far higher than in other parts of Belgium, Brussels authorities are closing bars early in the EU institutions capital city.

From Monday night, all bars and cafes will have to close between 11 p.m. and 6 a.m. while other busi-



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nesses selling drinks or food will shut down at 10 p.m. In addition, eating at street markets is now forbidden.

According to local media, authorities initially thought about starting the bar curfew at 10 p.m. but the proposal was rejected to support virus-ravaged businesses. According to the Belgian cafes federation, half of the country's 12,000 bars may not survive the coronavirus crisis.

Since the start of the pandemic, more than 114,000 coronavirus infections have been recorded in hard-hit Belgium — a country of 11.5-million residents — including 9,980 deaths. From Sept. 17-23, 11,934 new cases were diagnosed, with the biggest spike in Brussels, where the positive rate now averages 9.7% compared to 4.7% in the whole of Belgium.

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DUBAI, United Arab Emirates — Dubai has announced new restrictions on nightlife to curb a rising tide of coronavirus infections.

Dubai's tourism authorities have ordered all bars and restaurants in the city-state to stop serving and halt "entertainment activities" at 1 a.m. Hotels will be restricted by law to offering only delivery and room service after 3 a.m.

Authorities urged dining and drinking establishments to adhere to anti-virus protocols or face "consequential procedures and violations," including shutdowns and huge fines.

The new rules are the first since restaurants and bars were allowed to reopen in July as Dubai, a top travel destination known for its lively nightlife, emerged from lockdown.

The United Arab Emirates has recorded more than 90,600 infections since the pandemic began, including over 400 deaths. Daily new infection rates are now climbing to heights last seen four months ago.

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NEW DELHI — India's confirmed coronavirus tally reached 6 million cases on Monday, keeping the country second to the United States in number of reported cases since the pandemic began.

The Health Ministry on Monday reported 82,170 new coronavirus cases in the past 24 hours, driving the overall tally to 6,074,703. At least 1,039 deaths were also recorded in the same period, taking total fatalities up to 95,542 since the pandemic began.

New infections in India are currently being reported faster than anywhere else in the world. The world's second-most populous country is expected to become the pandemic's worst-hit country in coming weeks, surpassing the U.S., where more than 7 million infections have been reported.

Even as infections mount, India has the highest number of recovered patients in the world. More than 5 million people have recovered from COVID-19 in India and the country's recovery rate stands at 82%, according to the Health Ministry.

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MELBOURNE, Australia — Australia's coronavirus hot spot Victoria state has recorded its lowest number of new infections in more than three months as the nation's second-largest city, Melbourne, further eases lockdown restrictions.

The easing of restrictions in Melbourne will allow most children to return to school from mid-October and send more than 125,000 people back to work.

Victoria Premier Daniel Andrews said only five new cases were recorded in the latest 24-hour period, the lowest case number since June 12. The state also recorded three deaths on Monday.

Melbourne and surrounding parts of rural Victoria were placed under strict lockdown measures on Aug. 2, shuttering schools and non-essential businesses, imposing a nighttime curfew and prohibiting public gatherings.

The 9 p.m.- 5 a.m. curfew was lifted from Monday, although residents still cannot travel more than 5 kilometers (3 miles) from home.

Public gatherings of up to five people from a maximum of two households will be allowed.

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LITTLE ROCK, Ark. — The Little Rock teachers union says its members won't show up for in-person classes due to concerns about the spread of coronavirus in schools.

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The Little Rock Education Association said Sunday its members are willing to teach classes virtually, but accused district administrators of not doing enough to prevent the virus's spread. It was unclear how many teachers planned to participate in the action.

"At this juncture, LREA members believe that our schools are not safe for in-person instruction and that the risk to our students, our staff members and our community is too great," the association said in a news release.

The superintendent of the state-controlled 21,000-student district said it was taking additional steps to ensure schools stay open for in-person instruction. Arkansas is requiring its public schools to stay open for in-person classes five days a week, though they can also offer virtual or hybrid options. Schools reopened Aug. 24.

**MEXICO CITY** — Mexico's top coronavirus official says definitive data on the country's death toll from COVID-19 won't be available for "a couple of years."

The statement by Assistant Health Secretary Hugo López-Gatell is likely to revive debate about Mexico's death toll, currently at 76,430, the fourth-highest in the world.

"When will the final statistics on deaths from COVID-19 be ready? Certainly, a couple of years after the first year of the pandemic," López-Gatell said Sunday, adding that work would be left to the country's statistics institute.

Officials have acknowledged in the past that the figure is a significant undercount, because it includes only those who died after a positive test result, almost always at a hospital. Mexico does very little testing, and many people die without a test.

But the Mexican government has avoided adjusting its death toll upward to account for people who died at home or weren't tested.

Some parts of the country like Mexico City have begun conducting their own recalculations, finding "excess deaths" likely caused by coronavirus were at least double official figures.

**SEOUL**, South Korea — South Korea has reported 50 new cases of the coronavirus, its lowest daily increase in nearly 50 days, a possible effect of strengthened social distancing measures that were employed to slow a major outbreak surrounding the greater capital region.

The numbers released by the Korea Disease Control and Prevention Agency on Monday brought the national caseload to 23,661, including 406 deaths. Thirty-four of the new cases came from the Seoul metropolitan area, where about half of the country's 51 million people live, and 10 were tied to international arrivals.

Monday's daily jump was the lowest since 34 new cases were reported on Aug. 11. The country reported around 200 to 300 cases a day from mid-August to early September, a resurgence that forced officials to tighten social distancing restrictions in the Seoul area and elsewhere.

Officials have called for vigilance ahead of the Chuseok harvest festival that begins Wednesday and continues through the weekend. They are pleading for people to stay home during an annual holiday when South Koreans typically travel to visit relatives, and nightclubs, bars and other establishments deemed "high-risk" will be shut in Seoul during the holiday period to reduce gatherings.

## Armenia, Azerbaijan keep up deadly fight for disputed region

By AVET DEMOURIAN Associated Press

**YEREVAN**, Armenia (AP) — Armenia and Azerbaijani forces kept fighting Monday over the disputed separatist region of Nagorno-Karabakh after hostilities broke out the day before, with both sides blaming each other for resuming the deadly attacks that reportedly also wounded scores of people.

The Azerbaijani Defense Ministry claimed that Armenian forces started shelling the town of Tartar on Monday morning, while Armenian officials said the fighting continued throughout the night and Baku resumed "offensive actions" in the morning.

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Azerbaijan's Defense Ministry told the Interfax news agency Monday that over 550 Armenian troops have been "destroyed (including those wounded)", a claim that Armenian officials denied.

According to Nagorno-Karabakh officials, 31 servicemen have been killed so far. Armenian Defense Ministry spokesman Artsrun Hovhannisyanyan said Monday over 200 people have been wounded. Azerbaijani authorities said 26 civilians have been wounded on their side as well.

The heavy fighting broke out on Sunday morning in the region that lies within Azerbaijan but has been under the control of ethnic Armenian forces backed by Armenia since 1994 at the end of a separatist war.

It was not immediately clear what sparked the fighting, the heaviest since clashes in July killed 16 people from both sides.

Mostly mountainous Nagorno-Karabakh — a region around 4,400 square kilometers (1,700 square miles) or about the size of the U.S. state of Delaware — lies 50 kilometers (30 miles) from the Armenian border. Local soldiers backed by Armenia also occupy some Azerbaijani territory outside the region.

The European Union on Monday urged both sides to halt the fighting and return to the negotiating table, following similar calls by Iran, Russia, France and the United States.

"We hope and we urge everyone to everything they can in order to prevent an all-out war from breaking out, because this is the last thing the region needs," European Commission spokesman Peter Stano told reporters in Brussels. "There is no military solution to this conflict."

Kremlin spokesman Dmitry Peskov said Monday that the situation in Nagorno-Karabakh "is a cause for concern for Moscow and other countries."

"We believe that the hostilities should be immediately ended," Peskov told reporters, adding that the process of resolving the conflict between the two countries should shift into "a politico-diplomatic" dimension.

—  
Daria Litvinova in Moscow and Lorne Cook in Brussels contributed to this report.

## **New US citizen refugees excited for first presidential vote**

By ANITA SNOW Associated Press

PHOENIX (AP) — They came fleeing war and persecution in countries like Myanmar, Eritrea and Iraq, handpicked by the United States for resettlement under longstanding humanitarian traditions.

Now, tens of thousands of refugees welcomed into the U.S. during the Obama administration are American citizens, voting the first time in what could be the most consequential presidential contest of their lifetimes.

With some states already sending out early ballots, the first-time voters from Arizona to Florida are excited but mindful of their responsibility in helping to choose the country's next leader. The winner will decide the future of the very resettlement program they benefitted from and that President Donald Trump has hollowed out and could halt altogether in the fiscal year starting Oct. 1.

"Most refugees come to this county escaping political systems where the government is not their friend," said Hans Van de Weerd, vice president of resettlement for the International Rescue Committee, a top agency that brings refugees to the U.S. "To have their voices be heard is very powerful."

Republican and Democratic administrations resettled an average 95,000 refugees annually over four decades, but the Trump government whittled that down to a cap of 18,000. Only about half that number have come in this year amid the coronavirus pandemic.

That downward trend seems likely to continue if Trump is reelected; his Democratic challenger Joe Biden has promised to pump the annual refugee goal to 125,000.

There are no voter registration figures for refugees, but the National Partnership for New Americans predicted that 860,000 immigrants of all kinds would gain that right this year by becoming citizens even in the face of barriers like an 83% increase in naturalization fees, from \$640 to \$1,170.

Through its citizenship classes, the International Rescue Committee has helped around 6,000 refugees and other newcomers become Americans each of the last few years. Other groups have also helped refugees become naturalized.

Department of Homeland Security figures in recent years have shown refugees and asylum-seekers

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are the immigrants most likely to gain citizenship, with a naturalization rate of over 70% during their first decade in the country. Refugees can apply for citizenship after five years as permanent residents.

Once they become Americans, they can register and vote.

"So many want to vote this time," said Basma Alawee, a refugee herself and an organizer for the Florida Immigrant Coalition who has been holding webinars helping other refugees prepare for Election Day.

Born in Iraq and now a U.S. citizen living in Jacksonville, Florida, Alawee said she also plans to cast her first presidential ballot Nov. 3.

Here are a few other refugees around the United States voting for the first time:

BILAL ALOBAIDI recalls elections in Iraq under Saddam Hussein when only the leader's name was on the ballot. The only possible choices were "yes" or "no."

"And if you said 'no,' something bad could happen to you," said Alobaidi, who arrived in the U.S. in December 2013.

He was resettled in Phoenix, a desert city with sweltering weather like that of his hometown Mosul, and was naturalized last year.

A former social worker with the International Organization for Migration, Alobaidi now works for the International Rescue Committee, helping other refugees in Arizona find housing and other services.

Alobaidi said he looks forward to voting for the candidate he chooses.

"This is the first time I will practice democracy," he said. "I can't wait."

BAWI UK was a small child when his parents fled Myanmar, leaving him and his siblings to be cared for by their maternal grandmother.

UK said the family suffered discrimination as Christians in a predominantly Buddhist nation. The military government was also trying to forcibly conscript his father.

"To run for office, you had to be a Buddhist; to rent a house, you had to be Buddhist," said UK, a social work student at Rhode Island College and a youth leader at the Refugee Dream Center, an advocacy organization in Providence.

NADA AL-RUBAYE said she never voted in her native Iraq, which she fled after her oldest son and several other family members were killed in the country's widespread violence.

The Baghdad-born artist and another son spent a few years in Turkey, but in 2013 were settled in Phoenix.

A U.S. citizen since September 2019, she now paints landscapes featuring the red rock outcroppings of her adopted Arizona and sells her paintings and jewelry online.

"I am so excited!" she said about the upcoming election, flashing a broad smile. "It's so important for a person to feel like they belong to a country."

HABTOM GEZHEY fled Eritrea after being conscripted to serve an indefinite number of years in the military.

Gezhey initially lived in a refugee camp in neighboring Ethiopia before being resettled in Florida in 2012.

Now a truck driver hauling goods across the U.S., Gezhey lives in Jacksonville with his wife, Eyerusalem, whom he met at the camp, and their two young children.

"I'm ready to vote," said Gezhey. "We had no election in Eritrea, no Constitution."

JAD "JAY" JAWAD was 17 when his family sought refuge in the U.S. from death threats and conflict in Iraq.

The Saddam Hussein government had targeted Jawad's father as a manager at a hotel frequented by the U.S. military. The family resettled in Phoenix, where they all became U.S. citizens.

Jawad now runs a popular crepe restaurant in an upscale mall. He and his wife, also an American citizen born in Iraq, are expecting a baby next spring.

"When we left Baghdad, there was no democracy," he said. "Here, you can be part of the change."

LIAN KUAL never cast a ballot in Myanmar, where elections were criticized as fraudulent during decades of military rule.

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In 2008, Kual initially fled his country for Malaysia, and in 2014 was resettled in Salt Lake City, where he works on the overnight shift stocking shelves at Walmart. He was naturalized this year.

"I feel so free to be part of the United States of America," he said. "I already registered (to vote) at the DMV, and now I'm waiting for my ballot. It's a really big deal."

## Church says Cardinal Pell returning to Vatican in crisis

By ROD McGUIRK Associated Press

CANBERRA, Australia (AP) — Cardinal George Pell, Pope Francis' former finance minister, will soon return to the Vatican during an extraordinary economic scandal for the first time since he was cleared of child abuse allegations in Australia five months ago, a church agency said Monday.

Pell will fly back to Rome on Tuesday, CathNews, an information agency of the Australian Catholic Bishops Conference said, citing "sources close to" Pell.

Pell's return follows Francis last week firing one of the cardinal's most powerful opponents, Cardinal Angelo Becciu, over a financial scandal.

Pell was regarded as the third highest-ranking Vatican official and was attempting to wrestle the Holy See's opaque finances into order when he returned to his native Australia in 2017 to clear himself of decades-old allegations of child sex abuse.

Instead, Pell became the most senior Catholic to be convicted of child sex abuse crimes. He served 13 months in prison before Australia's High Court acquitted him in April of molesting two choir boys in the late 1990s when he was archbishop of Melbourne.

In his first television interview after his release, Pell linked his fight against Vatican corruption with his prosecution in Australia.

The interview was conducted in April by Herald-Sun newspaper columnist Andrew Bolt, a vocal champion of the cardinal who reported the news early Monday of his return to the Vatican. The Sydney Archdiocese did not respond to a request for comment on Pell's travel plans, and a woman who answered the phone at the Sydney seminary where Pell lives told The Associated Press: "We have no comment."

In the interview, Pell said he did not have evidence of a link. But he suspected that a man who swore he had been sexually abused by Pell as a 13-year-old choirboy had been "used."

Pell again seemed to hint at a link in a statement last week in which he "thanked and congratulated" Francis for firing Becciu.

"I hope the cleaning of the stables continues in both the Vatican and Victoria," Pell said, referring to his home state of Victoria where he was convicted.

Pell, 79, said in April he planned to return to Rome when the coronavirus pandemic allowed him to pack up his apartment. But he intended to make Sydney his home.

Becciu said he was fired after Francis told him that documents from the Italian financial police alleged the 72-year-old cardinal had embezzled 100,000 euros (\$116,200). Becciu, the former No. 2 in the Vatican's secretariat of state, denied any wrongdoing.

Becciu's name had previously been caught up in a whirlwind financial scandal involving the Holy See's investment in a London real estate venture.

But Becciu said that investment wasn't raised in his conversation on Thursday with Francis.

## India's confirmed coronavirus tally reaches 6 million cases

NEW DELHI (AP) — India's confirmed coronavirus tally reached 6 million cases on Monday, keeping the country second to the United States in number of reported cases since the pandemic began.

The Health Ministry reported 82,170 new coronavirus cases in the past 24 hours, driving the overall tally to 6,074,703. At least 1,039 deaths were also recorded in the same period, taking total fatalities up to 95,542.

New infections in India are currently being reported faster than anywhere else in the world. The world's second-most populous country is expected to become the pandemic's worst-hit country in coming weeks,

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surpassing the U.S., where more than 7.1 million infections have been reported.

In the past week, nearly one in every three new infections reported in the world and one in every five reported coronavirus deaths came from India, according to data from Johns Hopkins University. While most of India's deaths remain concentrated in its large cities, smaller urban centers across the country's vast landscape are also reporting a surge in infections.

Yet even as infections mount, India has the highest number of recovered patients in the world. More than 5 million people have recovered from COVID-19 in India and the country's recovery rate stands at 82%, according to the Health Ministry.

Health experts have warned about the potential for the virus to spread during the upcoming religious festival season, which is marked by huge gatherings of people in temples and shopping districts. Another potential risk is an upcoming election in eastern Bihar state, where nearly 72 million people will cast votes on three days beginning next month.

## Rabbis ponder COVID-19 queries of ultra-Orthodox Jewish life

By ILAN BEN ZION Associated Press

JERUSALEM (AP) — Must an observant Jew who has lost his sense of taste and smell because of COVID-19 recite blessings for food and drink? Can one bend the metal nose-piece of a surgical face mask on the Sabbath? May one participate in communal prayers held in a courtyard from a nearby balcony?

Months into the coronavirus pandemic, ultra-Orthodox rabbis in Israel are addressing questions like these as their legions of followers seek advice on how to maintain proper Jewish observance under the restrictions of the outbreak.

Social distancing and nationwide lockdowns have become a reality around the globe in 2020, but for religious Jews they can further complicate rites and customs that form the fabric of daily life in Orthodox communities. Many of these customs are performed in groups and public gatherings, making it especially challenging for the religious public to maintain its lifestyle.

One religious publisher in Jerusalem released a book in July with over 600 pages of guidance from 46 prominent rabbis. Topics range from socially distanced circumcisions (allowed) to Passover Seders over Zoom (forbidden) to praying with a quorum from a balcony (it's complicated).

One rabbi responded to a query about blessings on food for those who lost their sense of taste and smell due to the coronavirus. His ruling? Prayers are still required, for "even though one does not sense the flavor of the food, his intestines nonetheless benefit and are satisfied by the food and its nutrition." He then launched into a two-page legal argument citing rabbinic sources from the Talmud on down.

The collection — titled "Havieni Hadarav," Hebrew for "Bring me to his chambers" — is one of many pamphlets, books, radio and social media Q&As published in recent months addressing matters of halacha, or Jewish religious law, during the pandemic.

Ultra-Orthodox Jews make up a little over 10% of Israel's 9 million citizens and adhere to a close observance of Jewish law. The foundations of halacha are built on the Torah's commandments and prohibitions, and the Talmud, a codification of Jewish law written down over the course of the early centuries of the first millennium.

Orthodox Jewish practice is the byproduct of generations of rabbis issuing legal arguments and rulings. Their decisions, known as responsa, can sometimes be lenient and other times strict.

"Every time a rabbi is asked a question, he has to essentially do what a judge would do, and bring up previous cases which he builds upon to come to his decision in this particular case," said Issamar Ginzberg, a Jerusalem-based Hassidic rabbi. The method of questions and responses has underpinned centuries of the Jewish legal code.

There's no way to say for sure how many people will follow this particular book's rulings. But there are hundreds of thousands of ultra-Orthodox Jews, and opinions by prominent rabbis often carry great significance in daily life within the community.

"It's more like a law textbook than a novel on the bestseller list," said Ginzberg.

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Rabbi Natan Feldman, head of the Tzof Publishing House and editor of "Havieni Hadarav," said the company has sold around 3,000 copies of the book, which meets "the need of the hour."

"If people didn't have it, they would err in all kinds of ways," Feldman said. "It's something with a lot of utility."

Israel's ultra-Orthodox minority has been disproportionately affected by the coronavirus pandemic, with cities and neighborhoods where they live among the country's current hot zones. Overall, Israel has recorded around 200,000 cases of the novel coronavirus and more than 1,300 deaths. The Health Ministry does not break down those numbers by population groups.

Religious areas have been hard hit in part because they tend to be poorer and crowded, but also because of the tight-knit communal lifestyles, in which synagogues and seminaries play a central role. Some ultra-Orthodox schools have remained open in defiance of a nationwide lockdown imposed earlier this month to help clamp down on the country's surge in new cases. While some rabbis have resisted orders to limit crowd sizes at prayers, especially for the current High Holiday season and this week's gatherings for Yom Kippur, or the Day of Atonement, the government has tried to work with religious leaders to spread the word on promoting public health regulations and restricting the sizes of prayer gatherings.

Many of the responsa contend with the complications of holding prayers — which traditionally require a quorum of 10 adult men — outdoors and in a manner that complies with social distance regulations. The rabbis offered differing opinions on what the law allows regarding participating in a minyan held in a communal courtyard from a balcony above.

Innovation has helped overcome some of the challenges of the lockdown, but has also raised additional concerns for observant Jews. For example, can one enter a hospital on the Jewish Sabbath if there is a thermal camera at the entrance that takes visitors' temperatures?

Activating such an electronic device could violate multiple prohibitions, so Rabbi Asher Weiss — a prominent ultra-Orthodox legal scholar involved in "Havieni Hadarav" — advised refraining from entering if only visiting a patient, but those in need of medical care ought not "avoid entering the hospital and endanger their lives."

But the bottom line, written by Weiss in the book's introduction, is that people must "take extra care to adhere to the instructions of qualified medical officials and the regulations of the Health Ministry and not violate them."

Weiss did not respond to interview requests.

For Feldman, the publishing head, the tome of coronavirus laws not only helps those who desire to adhere to halacha, it's a reminder for the future of the tribulations Jews faced during this outbreak.

"If there should be, God forbid, another pandemic in the century to come, there will at least be a memory, some kind of necessity for the coming generations," he said.

## Food trucks provide rare bright spot in hard-hit West Bank

By NASSER NASSER Associated Press

RAMALLAH, West Bank (AP) — The coronavirus crisis has hit West Bank restaurants hard. But one part of the dining sector is bucking the trend: food trucks.

With dine-in restaurants mostly closed due to health restrictions, food trucks have allowed entrepreneurial businessmen to find a way to keep working. It's a rare bright spot in a territory where unemployment is well over 20%.

Issa Haj Yasin, an engineering student, opened his first food truck before the coronavirus crisis to provide himself an income to cover his university tuition and living expenses.

The business stopped in the first months of the crisis, but reopened as the pandemic worsened. Now business has more than doubled.

"Now I have six employees who are working in two vans, and I am preparing a new van that is going to have another four new employees," Haj Yasin said. The truck parked by the curb on a central street in the West Bank city of Ramallah as workers grilled hot dogs and customers waited for their orders.

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Mohammed Shkukani is another entrepreneur who runs a coffee van in Ramallah. He said the mobile van was his first business. He likes having the flexibility of being able to move. "If I face a political or economic problem in a place, I can move to another place," he said.

The pandemic comes at a hard time for the Palestinian economy. It grew by just 1% in 2019 and is projected to shrink by 7.6% to 11% in 2020, according to the World Bank. The internationally backed Palestinian Authority, which governs parts of the West Bank, is expected to face a funding gap.

After relative success containing the virus this spring, the territory has taken a similar trajectory as that of Israel with a post-lockdown rise in cases that forced the Palestinian Authority to impose a 10-day lockdown in July. The PA has now reported more than 35,000 cases in the West Bank and over 250 deaths.

More than a quarter of Palestinians lived in poverty before the virus. The World Bank says the figure has likely risen to 30% in the West Bank.

## Trump ex-campaign boss hospitalized amid threat to harm self

By JONATHAN LEMIRE and TERRY SPENCER Associated Press

FORT LAUDERDALE, Fla. (AP) — President Donald Trump's former campaign manager Brad Parscale has been hospitalized after he threatened to harm himself, according to Florida police and campaign officials.

Police officers talked Parscale out of his Fort Lauderdale home after his wife called police to say that he had multiple firearms and was threatening to hurt himself when he was hospitalized Sunday under the state's Baker Act. That act allows anyone deemed to be a threat to themselves or others to be detained for 72 hours for psychiatric evaluation.

"Brad Parscale is a member of our family and we love him," said Trump campaign communications director Tim Murtaugh. "We are ready to support him and his family in any way possible."

Parscale was demoted from the campaign manager's post in July but remained part of the campaign, helping run its digital operation.

Standing 6'8" and with a distinctive beard, Parscale had become a celebrity to Trump supporters and would frequently pose for photos and sign autographs ahead of campaign rallies. But Trump had begun to sour on him earlier this year as Parscale attracted a wave of media attention that included focus on his seemingly glitzy lifestyle on the Florida coast that kept him far from campaign headquarters in Virginia.

Over the summer, he hyped a million ticket requests for the president's comeback rally in Tulsa, Oklahoma, that ended up drawing just 6,000 people. A furious Trump was left staring at a sea of empty seats and, weeks later, promoted Bill Stepien to campaign manager.

Parscale was originally hired to run Trump's 2016 campaign by Jared Kushner, the president's powerful son-in-law. While the Republican National Committee owns most of the campaign's data, voter modeling and outreach tools, Parscale ran most of the microtargeted online advertising that Trump aides believe was key to his victory four years ago.

Under the state's Red Flag Law, officials could ask a judge to bar Parscale from possessing any weapons for up to a year.

Lemire reported from New York.

## Trump's tax revelation could tarnish image that fueled rise

By JILL COLVIN Associated Press

WASHINGTON (AP) — The bombshell revelations that President Donald Trump paid just \$750 in federal income taxes the year he ran for office and paid no income taxes at all in many others threaten to undercut a pillar of his appeal among blue-collar voters and provide a new opening for his Democratic rival, Joe Biden, on the eve of the first presidential debate.

Trump has worked for decades to build an image of himself as a hugely successful businessman — even choosing "mogul" as his Secret Service code name. But The New York Times on Sunday revealed that he



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paid just \$750 in federal income taxes in 2016, the year he won the presidency, and in 2017, his first year in office. He paid no income taxes whatsoever in 10 of the previous 15 years, largely because he reported losing more money than he made, according to the Times, which obtained years' worth of tax return data that the president had long fought to keep private.

The development comes at a particularly precarious moment for Trump, whose Republican campaign is struggling to overcome criticism of the president's handling of the pandemic. It hands Biden an easy attack line heading into Tuesday's debate. And with early voting already happening in some states and Election Day just over a month away, Trump may be running out of time to turn his campaign around.

"Donald Trump needs this election to be about Joe Biden as a choice," said longtime GOP consultant Alex Conant. "This keeps the focus squarely on Trump's character and the chaos going into the most important night of the campaign, the debate."

Of course, Trump has repeatedly faced — and survived — devastating turns that would have sunk any other politician. That includes, most notably, the stunning "Access Hollywood" tape released in October 2016, in which Trump was recorded bragging about kissing and groping women without their permission. The video's release came just two days before Trump was set to face then-candidate Hillary Clinton in their second debate and was considered a death knell to his campaign at the time.

At this point in the race, with voting already underway in many states and so few voters still undecided, it is unclear whether any new discoveries about Trump would make any difference. Trump's support over the years has remained remarkably consistent, polls over the course of his presidency have found.

Yet the tax allegations go to the very heart of Trump's appeal, especially among the blue-collar voters in states like Pennsylvania, Wisconsin and Michigan who propelled him to the presidency in 2016. Trump was supported by about two-thirds of white voters without college degrees, according to an analysis by the Pew Research Center, versus only about 2 in 10 nonwhite noncollege graduates.

Indeed, in a Gallup poll from February 2016, Republicans who wanted to see Trump win their party's nomination cited his experience as a businessman as the second-most important reason they backed him, surpassed only by his status as a nonpolitician and an outsider.

Even today, when asked to explain their support for Trump, voters often point to his success in business as evidence of his acumen. And they often repeat his talking point that he gave up a great deal to serve as president, citing his sacrifice as evidence that he ran for the job not out of self-interest, but because he cares about improving the lives of people like them.

But the image of a man flying around in private jets from one luxury property to another and paying less in taxes than millions of Americans with far more modest lifestyles could prompt a backlash similar to the one 2012 GOP nominee Mitt Romney faced after he was secretly recorded at a closed-door fundraiser saying that the 47% of Americans who don't pay income taxes were "dependent upon government" and would never vote for him.

"(M)y job is not to worry about those people. I'll never convince them they should take personal responsibility and care for their lives," Romney said.

Roughly half of Americans pay no federal income taxes, but the average income tax paid in 2017 was nearly \$12,200, according to the IRS.

Democrats wasted no time in seizing on the news, with the Biden campaign's online store already selling stickers saying "I paid more income taxes than Donald Trump" on Sunday night.

Senate Democratic leader Chuck Schumer tweeted an emoji calling on followers to raise their hands "if you paid more in federal income tax than President Trump."

"That's why he hid his tax returns. Because the whole time, he wasn't paying taxes. But you were," added Sen. Chris Murphy, D-Conn.

And Rep. Richard Neal, D-Mass., chair of the House Ways and Means Committee, said the new report highlights the importance of the House Democratic lawsuit against the Trump administration to access Trump's tax returns.

"This reporting shines a stark light on the vastly different experience people with power and influence

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have when interacting with the Internal Revenue Service than the average American taxpayer does," he said in a statement.

In addition to the news about Trump's annual payments, the Times found that many of his best-known businesses, including his golf courses, reported huge losses, and that, as he faces an uphill battle for re-election, his finances are under particular stress thanks to "hundreds of millions of dollars in debt coming due that he has personally guaranteed." Trump is also under audit over a \$72.9 million tax refund that could cost him more than \$100 million if the IRS rules against him, the Times revealed.

The development comes after Biden recently stepped up his efforts to paint Trump as a charlatan who has lied to his working-class supporters. In contrast, Biden has tried to highlight his own middle-class upbringing.

The election, Biden has said, is "Scranton vs. Park Avenue," pitting Biden's boyhood hometown in Pennsylvania against Manhattan, where Trump built his branding empire and reality television career.

"This clearly plays straight into that contrast that Biden has opened up," said Joe Trippi, a veteran strategist of multiple Democratic presidential campaigns.

Trippi said coming into the debate, Biden now has something he can concretely point to as he tries to sway the slim margin of voters who remain undecided.

"You move a few points of working class voters, and you're talking about Biden winning in places like Ohio," Trippi said.

Conant, who worked on Florida Sen. Marco Rubio's 2016 presidential campaign, noted how defensive Trump became when Rubio, during a primary debate, charged that Trump "would be selling watches in Manhattan" had he not inherited tens of millions of dollars from his father, Fred.

Trump raised an index finger in the air, yelling, "No, no, no, no," as he sought to interrupt Rubio and insisted that he had instead borrowed money. "That is so wrong," he said.

"So long as this campaign is all about Trump," Conant said, "he's going to lose."

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Associated Press writers Bill Barrow in Atlanta, Josh Boak in Baltimore, and Darlene Superville and Lisa Mascaro in Washington contributed to this report.

## **Pandemic overwhelms Trump's message in critical N. Carolina**

By STEVE PEOPLES AP National Political Writer

WINSTON-SALEM, N.C. (AP) — President Donald Trump is fighting to fill a Supreme Court vacancy, howling with unsubstantiated claims of voter fraud and warning that violent mobs are infiltrating the suburbs.

But on a recent morning along Arbor Street, a peaceful tree-lined road with stately brick Colonials and Tudors near Winston-Salem, the women who are the targets of Trump's messages were confronting much more tangible threats.

As conservative activists canvassed the neighborhood, one young mother, a baby in her arms, shouted through a closed window that she was in quarantine. Across the street, another was focused on teaching her children their daily lessons at the kitchen table.

And a few doors down, 49-year-old Christina Donnell, an independent who voted for Trump four years ago, said through a black face mask that Trump's "terrible" handling of the pandemic and divisive leadership more broadly are her chief concerns.

"It's embarrassing to the country," Donnell, a lawyer who previously lived in Washington, said of Trump's leadership. "He's an embarrassing role model."

In one of the nation's most consequential swing states, Trump's push to inject new dynamics into the final weeks of the 2020 election is being overshadowed by the frightening realities of everyday life during a pandemic. Trump and his allies hope the escalating Supreme Court nomination fight will help unify a fractured Republican Party that has lost its grip on college-educated suburban voters, particularly white women.

But for many, the coronavirus and the related economic challenges are much more pressing issues.

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Trump's challenge is acute here in North Carolina, a state that his senior aides describe as a "must-win." A loss in the state, which Democrats have carried only once at the presidential level in the last 30 years, would make Trump's path to a second term incredibly difficult and signal dire challenges elsewhere on the electoral map.

Public polling, backed by private discussions with strategists from both Trump's and Democrat Joe Biden's campaigns, indicate that North Carolina remains a true tossup five weeks before Election Day. And lest there be any doubt about Trump's concerns about his standing here, he has traveled to North Carolina every week for the last five weeks, second only to Pennsylvania.

Trump's standing will also help decide races for governor and senator, a set of competitive contests that has drawn more political advertising dollars to North Carolina than any other state in the nation. More than \$246 million has been spent or reserved to communicate with North Carolina voters online and on television about the presidential and Senate contests so far, according to the media tracking firm Kantar-CMAG. Florida follows with \$236 million and then Arizona with \$223 million.

Trump has also dispatched Vice President Mike Pence to North Carolina twice over the last five weeks in addition to four visits by Trump's children.

The president's daughter-in-law, Lara Trump, a North Carolina native, led a Women for Trump event in the rural eastern part of the state last week to help energize the president's base. She was scheduled to visit again on Monday.

"This is a must-win state for whoever is to become the next president," Lara Trump said in an interview.

She said the Supreme Court debate might help motivate each side's base, including some "fence sitters" who may not have voted at all. But she pointed to a more serious concern for suburban women.

"As far as suburban women are concerned, they want safety and security. They've seen what has happened to so many of our Democrat-run cities across America," Lara Trump said. "It is absolutely frightening to see the chaos, the destruction, the violence."

After her comments, she led an event for roughly 200 people in which the pandemic was not mentioned at all on stage or by several voters who asked questions. The Supreme Court came up only once. The conversation was far more focused on the prospect of voter fraud, an issue President Trump has raised repeatedly as polls show him trailing, though experts report there is no significant evidence of such fraud.

As in other swing states, Democrats' closing message has been focused on health care, especially the Trump administration's ongoing court fight to overturn former President Barack Obama's health care law and the protections for those with preexisting conditions that are part of it.

Biden's team has largely relied on advertising to communicate its message, however, because the candidate himself has not been a regular presence in North Carolina — or anywhere — during the pandemic. Biden made his first trip as the Democratic nominee to the state last week. His running mate, Kamala Harris, is scheduled to make her first appearance on Monday at a Raleigh event focused on health care.

"He needs to pick up his game some," said former North Carolina Gov. Jim Hunt, a Biden ally, calling on Biden's campaign to intensify in-person canvassing. Hunt said the election is "as tight as a tick."

North Carolina is a glaring example of the deepening divisions that have defined U.S. politics in the Trump era.

Obama in 2008 was the only Democrat to carry the state after 1976, but it continues to trend a bluer shade of purple thanks to an influx of college-educated Northern transplants who have packed into North Carolina's urban and suburban areas, especially around Charlotte and Raleigh. Those booming regions are voting more and more Democratic while the state's more rural areas are voting more and more Republican.

It is truly a case of two North Carolinas in which voters are focused on completely different sets of issues, said Morgan Jackson, a leading Democratic strategist who is working on the state's gubernatorial and Senate races.

The swing voters in the suburbs swung from Obama in 2008 to Trump in 2016 and are threatening to swing to Biden because of the pandemic.

"When you think about the issue set they're focused on, their lives are still centered around COVID,"

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Jackson said, noting that many have school- or college-aged children whose lives have been transformed by the pandemic several months after it first exploded in the United States.

Biden's team privately believes it has already won the suburbs, while those close to Trump's campaign are hopeful that the Supreme Court fight might shift voters' attention away from the pandemic, especially as the confirmation fight intensifies over the coming weeks. Trump nominated federal judge Amy Coney Barrett to fill Ruth Bader Ginsburg's vacancy over the weekend. Republicans hope to finalize the confirmation before the Nov. 3 election.

The final-weeks drama is making life difficult for conservative leaders like Chris McCoy, a senior adviser for the group Americans for Prosperity Action, which has spent months reaching out to suburban swing voters to help North Carolina Republican Sen. Thom Tillis win a second term.

"This has been one of the more grueling canvassing efforts I've ever been part of," said McCoy, a veteran of North Carolina politics. "It's really touchy out there. We have good days and bad days."

Back on Arbor Street, there were more lawn signs expressing support for Black Lives Matter than Trump.

Donnell explained that she voted for Trump four years earlier because she thought he would be better on the economy and taxes. But two years into his presidency, she was so appalled by his behavior that she left the Republican Party and became an independent.

Still, she's not sure how she'll vote in November. She's "not a fan" of Biden, either.

The Supreme Court may influence her vote, but not in the way Trump hoped.

"I would hate to see the court become ultra-conservative. I'm a lawyer. That's a big issue for me. ... I'm worried that women's rights might disappear," Donnell said. "That's what would sway me toward Biden."

## AP FACT CHECK: Trump's dubious claims on health care, court

By HOPE YEN, RICARDO ALONSO-ZALDIVAR and JOSH BOAK Associated Press

WASHINGTON (AP) — President Donald Trump isn't providing all the facts when he promises that people with preexisting medical problems will always be covered by health insurance if "Obamacare" is ruled unconstitutional.

Eager to get conservative Judge Amy Coney Barrett quickly confirmed to the Supreme Court, which is hearing his challenge to the Affordable Care Act, Trump asserts that "far cheaper" and "much better" plans will replace the Obama-era law. He also points to a new executive order offering protections. But his claims are illusory.

Various GOP bills, in fact, have been seen over the years as providing less than what "Obamacare" already provided, and it's unlikely an executive order will have much effect.

In a momentous past week, Trump painted a fantastical portrait of a coronavirus that affects "virtually nobody" among the young as he faced a grim U.S. milestone of 200,000 deaths and he asserted a constitutional basis that doesn't exist for rushing a replacement for the late Justice Ruth Bader Ginsburg.

Meanwhile, with the first presidential debate on Tuesday, Democratic presidential rival Joe Biden botched details about the pivotal Supreme Court vacancy and exaggerated his early statements on COVID-19.

A look at recent rhetoric, also covering voting fraud and racial progress:

### HEALTH CARE

TRUMP: "Obamacare will be replaced with a MUCH better, and FAR cheaper, alternative if it is terminated in the Supreme Court. Would be a big WIN for the USA!" — tweet Sunday.

THE FACTS: The bargain health insurance plans Trump often talks about are cheaper because they skimp on benefits such as maternity or prescription drug coverage and do not guarantee coverage of preexisting conditions. He and Republicans haven't provided details on any newer alternative plans.

The short-term plans that Trump often touts provide up to 12 months of coverage and can be renewed for up to 36 months.

Premiums for the plans can be one-third the cost of comprehensive insurance coverage. The health plan offerings are intended for people who want an individual health insurance policy but make too much money to qualify for subsidies under the Affordable Care Act.

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The administration expanded the short-term plans, which lack key protections of the Obama health law such as coverage for preexisting conditions, after failing to repeal the law in Congress. Trump is now trying to dismantle "Obamacare" by asking the Supreme Court to overturn it as unconstitutional.

The high court will hear arguments in the case on Nov. 10. The Republican-controlled Senate may confirm Barrett before the Nov. 3 election. Barrett, a conservative, has been critical of Justice John Roberts' opinion in 2012 upholding "Obamacare" while Ginsburg was one of the five votes in the decision.

TRUMP, on Republicans: "Democrats like to constantly talk about it, and yet preexisting conditions are much safer with us than they are with them." — remarks Thursday in North Carolina.

THE FACTS: That's highly questionable.

Republicans were unable to muscle their replacement for the Obama-era law through Congress when they controlled the House and Senate in 2017 during Trump's first year. Various GOP bills would have offered a degree of protection for people with preexisting conditions, but the proposed safeguards were seen as less than what the law already provided. The general approach in the Republican legislation would have required people to maintain continuous coverage to avoid being turned down because of a preexisting condition.

Trump has frequently claimed he will always protect preexisting conditions despite evidence to the contrary and has even asserted falsely that he was the one who "saved" such protections.

One of Trump's alternatives to Obama's law — short-term health insurance, already in place — doesn't have to cover preexisting conditions. Another alternative: association health plans, which are oriented to small businesses and sole proprietors and do cover preexisting conditions. Neither of the two alternatives appears to have made much difference in the market.

Democratic attacks on Republican efforts to repeal the health law and weaken preexisting condition protections proved successful in the 2018 midterms, when Democrats won back control of the House.

TRUMP: "The historic action I'm taking today includes the first-ever executive order to affirm it is the official policy of the United States government to protect patients with preexisting conditions. So we're making that official." — North Carolina remarks.

THE FACTS: It's already been the official federal policy to protect people with preexisting medical conditions because "Obamacare" already does that, and it's the law of the land. If he persuades the Supreme Court to overturn the Affordable Care Act as unconstitutional, it's unclear what degree of actual protection the executive order would offer in place of the law.

President Barack Obama's health law states that "a group health plan and a health insurance issuer offering group or individual health insurance coverage may not impose any preexisting condition exclusion with respect to such plan or coverage."

Other sections of the law act to bar insurers from charging more to people because of past medical problems and from canceling coverage, except in cases of fraud. In the past, there were horror stories of insurers canceling coverage because a patient had a recurrence of cancer.

It's dubious that any president could enact such protections through an executive order, or Obama would never have needed to go to Congress to get his health law passed. Likewise, President Bill Clinton could have simply used a presidential decree to enact his health plan, or major parts of it, after it failed to get through Congress.

"I can't imagine what authority the president could invoke to require insurers to cover preexisting conditions if the Supreme Court does throw the ACA out," said Larry Levitt, executive vice president for health policy at the nonpartisan Kaiser Family Foundation.

Levitt said to make coverage of preexisting conditions a reality, insurers would need to be barred as they are under Obamacare from placing limits on lifetime and annual benefit payments, and allow for uniform premiums for the sick and healthy. Also, subsidies have to be offered to encourage healthy people to enroll in plans so premiums are kept down.

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## VOTING FRAUD

TRUMP: "We need nine justices. You need that. With the unsolicited millions of ballots that they're sending, it's a scam; it's a hoax. Everybody knows that. And the Democrats know it better than anybody else. ... So doing it before the election would be a very good thing because you're going to probably see it." — remarks Tuesday to reporters.

THE FACTS: There's nothing fraudulent about mail-in ballots, and Trump's repeated false assertions certainly don't provide a valid justification to speed up a judicial nomination.

There are no such things as "unsolicited" ballots. Five states routinely send ballots to all registered voters so they can choose to vote through the mail or in person. Four other states and the District of Columbia will be adopting that system in November, as will almost every county in Montana. Election officials note that, by registering to vote, people are effectively requesting a ballot, so it makes no sense to call the materials sent to them "unsolicited."

More broadly speaking, voter fraud has proved exceedingly rare. The Brennan Center for Justice in 2017 ranked the risk of ballot fraud at 0.00004% to 0.0009%, based on studies of past elections.

In the five states that regularly send ballots to all voters who have registered, there have been no major cases of fraud or difficulty counting the votes.

Of the four states adopting the system of universal mail balloting this year, only Nevada is a battleground, worth six electoral votes and likely to be pivotal only in a national presidential deadlock.

TRUMP, referring to ballots being automatically mailed out to registered voters: "Eighty million ballots ... We are going to be counting ballots for the next two years." — Pennsylvania rally on Saturday.

THE FACTS: False.

There aren't 80 million ballots being mailed out automatically in the 10 states doing it this year — it's half that amount at roughly 44 million, according to Michael McDonald, a University of Florida professor and expert in election statistics. Voters in other states who specifically request mail ballots will also receive them, but Trump has repeatedly said he considered those ballots quite fine and "OK."

It's true that many states are expecting a surge in mail-in voting because of the coronavirus pandemic, which may lead to longer times in vote counting. But there is no evidence to indicate that massive fraud from "unsolicited" balloting is afoot. And even if the election is messy and contested in court, the country will have a president in January — and not be in limbo for months or years as Trump and his GOP allies assert — because the Constitution and federal law ensure it.

## 200,000 DEATHS

TRUMP, on the coronavirus: "We're rounding the turn." — interview aired Sunday on Fox News Channel.

TRUMP: "We're rounding the corner — with or without a vaccine." — interview on "Fox & Friends" on Sept. 21.

TRUMP, asked if the virus will "go away" if there isn't a vaccine immediately available: "Sure, with time it goes away. And you'll develop — you'll develop herd-like, a herd mentality. It's going to be — it's going to be herd-developed, and that's going to happen." — ABC News town hall on Sept. 15.

THE FACTS: Trump appeared to promote a "herd immunity" approach to the virus if a vaccine isn't immediately available that would require millions more people to get infected and significantly higher deaths.

Public health officials say that to reach herd immunity, which is when the virus can no longer spread easily, at least 70% of the population, or 200 million people, would need to develop antibodies. The U.S. currently has 7 million COVID-19 cases.

"Developing herd immunity doesn't just take time, it works by infecting over a hundred million and killing hundreds of thousands," University of Michigan professor Justin Wolfers tweeted. "He's describing a massacre."

Fauci last month called a herd immunity approach "totally unacceptable" because "a lot of people are going to die."

He also disagrees the virus is "rounding the corner," saying Americans should not "underestimate" the

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pandemic and they will "need to hunker down and get through this fall and winter because it's not going to be easy." Fauci and other health experts such as Dr. Robert Redfield, director of the Centers for Disease Control and Prevention, have warned of a potentially bad fall because of dual threats of the coronavirus and the flu season.

Dr. Scott Gottlieb, a former head of the Food and Drug Administration under Trump, on Sunday also pointed to potential warning signs. "As reported Covid cases continue to rise around the U.S., the number of Covid hospitalizations - which is an important, objective measure of total disease burden - have stopped their decline, and may be starting to increase again," he tweeted.

TRUMP, speaking hours before the U.S. hit a milestone of 200,000 virus deaths: "It affects elderly people, elderly people with heart problems, and other problems. If they have other problems, that's what it really affects. ... In some states thousands of people — nobody young — below the age of 18, like nobody — they have a strong immune system — who knows? ... It affects virtually nobody." — rally in Ohio on Sept. 21.

THE FACTS: No, it's affected quite a few.

In all, the U.S. death toll from the coronavirus topped 200,000 Tuesday, by far the highest in the world, hitting the once-unimaginable threshold six weeks before an election that is certain to be a referendum on his handling of the crisis. The number of dead is equivalent to a 9/11 attack every day for 67 days. It is roughly equal to the population of Salt Lake City or Huntsville, Alabama.

Kids certainly aren't immune and Trump ignores racial disparities among those who get infected. He is also brazenly contradicting what he privately told journalist Bob Woodward.

"Now it's turning out it's not just old people, Bob," he told Woodward in March. "It's plenty of young people."

Although it's true that children are less likely than adults to develop COVID-19, the CDC has nevertheless counted more than 419,000 infections in Americans younger than 18, or about 8.5% of all cases. Racial disparities in the U.S. outbreak also extend to children, with Hispanic and Black children with COVID-19 more likely to be hospitalized than white kids.

"It isn't just the elderly," Dr. Anthony Fauci, the government's top infectious diseases expert, told CNN on Tuesday. He noted that a person of any age with underlying health conditions is at significantly higher risk of serious effects if they get COVID-19.

The total number of kids who have been infected but not confirmed is almost certainly far higher than the CDC figures, experts say, because those with mild or no symptoms are less likely to get tested. Kids also can spread disease without showing symptoms themselves.

The CDC in May also warned doctors to be on the lookout for a rare but life-threatening inflammatory reaction in some children who've had the coronavirus. The condition had been reported in more than 100 children in New York, and in some kids in several other states and in Europe, with some deaths.

## GINSBURG

TRUMP, on Ginsburg's request that her replacement be chosen by the next president: "I don't know that she said that, or if that was written out by Adam Schiff, and Schumer and Pelosi. That came out of the wind. It sounds so beautiful, but that sounds like a Schumer deal, or maybe Pelosi or Shifty Schiff." — interview with "Fox & Friends" on Sept. 21.

THE FACTS: He's making a baseless assertion that congressional Democrats invented Ginsburg's request, which Trump is ignoring by announcing on Saturday his choice of Barrett to replace Ginsburg.

In the days before her death on Sept. 18, Ginsburg told her granddaughter Clara Spera that "my most fervent wish is that I will not be replaced until a new president is installed," according to NPR's Nina Totenberg, a longtime veteran Supreme Court reporter.

Totenberg, who is close to the Ginsburg family, reaffirmed her reporting this week. She told MSNBC on Sept. 21 that others in the room at the time also heard Ginsburg make the statement, including her doctor. "I checked because I'm a reporter," Totenberg said.

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There is certainly no evidence that House Speaker Nancy Pelosi, Rep. Adam Schiff or Senate Minority Leader Chuck Schumer manufactured Ginsburg's request, as Trump asserts. "Mr. President, this is low. Even for you," Schiff tweeted in response.

## COURT NOMINATION

TRUMP, on why he's moving forward with a nomination so close to the Nov. 3 election: "I have a constitutional obligation to put in nine judges — justices." — remarks Tuesday to reporters.

THE FACTS: To be clear, there is no constitutional requirement to have nine justices on the Supreme Court.

The Constitution, in fact, specifies no size for the Supreme Court, and Congress has the power to change its size.

Over its history, the high court has varied in size from five to 10 justices, depending on the number of judicial circuits in the U.S., according to Russell Wheeler, a visiting fellow at the Brookings Institution and former deputy director of the Federal Judicial Center. He explained that a major duty of the justices until the late 19th century was to try cases in the old circuit courts. Congress decided on nine circuits in the late 1860s.

President Franklin D. Roosevelt pushed to expand the high court in the 1930s in a bid to gain broader judicial support for his New Deal policies, but that effort failed.

BIDEN, arguing that a Supreme Court nomination should be decided by the next president so voters can "have their voice heard in who serves on the court": "There's no court session between now and the end of this election." — remarks Sept. 20 in Philadelphia.

THE FACTS: He's wrong on the scheduling. A new Supreme Court session begins Oct. 5, nearly one month before the election on Nov. 3. The justices are set to hear oral arguments in several cases during that time.

BIDEN: "We can't keep rewriting history, scrambling norms, ignoring our cherished system of checks and balances. That includes this whole business of releasing a list of potential nominees that I would put forward. They're now saying, after Ruth Bader Ginsburg passed away, they said, 'Biden should release his list.' It's no wonder the Trump campaign asked that I release the list only after she passed away." — remarks Sept. 20 in Philadelphia.

THE FACTS: It's not true that the Trump campaign waited until Ginsburg's death last week to call for Biden's list of potential Supreme Court nominees. Trump was calling for it last month.

On Sept. 9, Trump released a list of 20 additional people he would consider nominating to the high court if there were vacancies. He released a similar list in 2016.

In a press release that same day, Trump's 2020 campaign manager, Bill Stepien, said "Voters deserve transparency and a clear view of what direction candidates for president would take our federal courts. We now forcefully demand that Joe Biden do the same."

Trump called for a list from Biden even earlier, during the Republican National Convention on Aug. 24. "Remember this, I'm saying that — I'm demanding actually, a list. Let Biden put up a list of the judges he's going to appoint," Trump said.

Biden has pledged to appoint the first Black woman to the Supreme Court but hasn't offered additional details.

## RACIAL PROGRESS

TRUMP CAMPAIGN: "Black Americans don't have to imagine what the economy would be like under Joe Biden because they've already lived through it. He oversaw the slowest recovery since the Great Depression, with stagnant wage growth and anemic job creation." — statement Wednesday from Katrina Pierson, the campaign's senior adviser.



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THE FACTS: That's not fully accurate. The economy was healthy when Trump arrived at the White House. Even if the recovery from the 2008 financial crisis was agonizingly slow, Trump took office with unemployment at a low 4.7%, steady job growth and a falling federal budget deficit. The longest expansion in U.S. history began in the middle of 2009 and continued until the start of the year, spanning both the Obama and Trump presidencies.

The U.S. economy did benefit from Trump's 2017 tax cuts with a jump in growth in 2018, but the budget deficit began to climb as a result of the tax breaks that favored companies and the wealthy in hopes of permanently expanding the economy. Annual growth during Obama's second term averaged about 2.3%. Trump notched a slightly better 2.5% during his first three years, but the country swung into recession this year because of the coronavirus and will probably leave Trump with an inferior track record to his predecessor over four years.

TRUMP CAMPAIGN: "President Trump, on the other hand, has a real record of accomplishments for the Black community, including achieving record-low unemployment prior to the global pandemic. ...President Trump is a far better choice for Black Americans and it isn't even a close call." — Pierson's statement.

THE FACTS: The campaign is skirting key facts.

Republicans can talk successfully about the decline in unemployment rates for Black and Hispanic workers. But that's just one gauge — and plenty of troubles and inequalities abound for minorities. Minority groups still lagged behind white people with regard to incomes, wealth and home ownership before the pandemic. And when the coronavirus struck, it became clear that the economy did not work well for everybody as the job losses and infections disproportionately hit minorities.

Black unemployment now stands at 13%. Hispanic unemployment is 10.5%. The white unemployment rate is 7.3%. For every dollar of total wealth held by white households, Blacks have just 5 cents, according to the Federal Reserve. It's 4 cents for Hispanics.

BIDEN, criticizing Trump for posing for pictures while holding a Bible in front of a church near the White House after protesters in a park were forcibly removed: The protesters were removed so Trump could "walk across to a Protestant church and hold a Bible upside down — I don't know if he ever opened it — upside down, and then go back to a bunker in the White House." — CNN town hall on Sept. 17.

THE FACTS: To be clear, Trump was not holding a Bible upside down.

His administration did fire off chemical irritants and smoke bombs in June to clear demonstrators who had gathered in Lafayette Park to speak out against the killing of George Floyd, a Black man who died after a Minneapolis police officer pressed his knee onto his neck. Trump then walked across the park to hold up a Bible at St. John's Church for the cameras. Associated Press photos and other videos show the Bible was right side up. St. John's is an Episcopal church.

Trump also took shelter in a White House bunker in the days before his visit to St. John's, not after, as Biden asserts.

Associated Press writers Mark Sherman, Jessica Gresko, Jill Colvin, Kevin Freking and Darlene Superville in Washington, Nicholas Riccardi in Denver, Bill Barrow in Atlanta and Carla K. Johnson in Seattle contributed to this report.

EDITOR'S NOTE — A look at the veracity of claims by political figures.

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## 5 takeaways from NY Times report on Trump's tax returns

By PAUL WISEMAN and CHRISTOPHER RUGABER AP Economics Writers

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WASHINGTON (AP) — A New York Times report that President Donald Trump paid just \$750 in federal income tax the year he entered the White House — and, thanks to colossal losses, no income tax at all in 11 of the 18 years that the Times reviewed — served to raise doubts about Trump's self-image as a shrewd and successful businessman.

That Sunday's report came just weeks before Trump's re-election bid served to intensify the spotlight on Trump the businessman — an identity that he has spent decades cultivating and that helped him capture the presidency four years ago in his first run for political office. The Times' report deepens the uncertainty surrounding a tumultuous presidential campaign set against the backdrop of a viral pandemic, racial unrest in American cities and a ferocious battle over the Supreme Court seat left vacant by the death of Justice Ruth Bader Ginsburg.

Since entering the White House, Trump has broken with tradition set by his predecessors by not only refusing to release his tax returns but by waging a legal battle to keep them hidden. The Times report suggests why that might have been so. It reported that many of Trump's top businesses are losing money, even as those losses have helped him shrink his federal tax bill to essentially nothing.

Eugene Steuerle, a tax expert at the Urban Institute, said he wasn't surprised that it turns out that Trump had paid almost no federal income tax. Most commercial real estate developers deduct large interest payments on their debts from taxable income, thereby lowering their tax bills. Typically, they also often avoid capital gains taxes by plowing profits from the sale of one building into the purchase of another.

"Most tax experts expected you would find little in the way of tax payments by President Trump," said Steuerle, who served as a Treasury Department official under President Ronald Reagan.

The Times noted that Alan Garten, a lawyer for the Trump Organization, said of the Times report that "most, if not all, of the facts appear to be inaccurate" and asked for the documents on which the reporting was based, which the Times declined to provide in order to protect its sources. The Times said Garten then directly disputed only the amount of taxes Trump had paid.

Here are some key takeaways from the Times' reporting:

**TRUMP PAID JUST \$750 IN TAXES IN BOTH 2016 and 2017.**

The newspaper said Trump initially paid \$95 million in taxes over the 18 years it studied. But he managed to recover most of that money by claiming — and receiving — a stunning \$72.9 million federal tax refund. According to the Times, Trump also pocketed \$21.2 million in state and local refunds, which are typically based on federal filings.

Trump's outsize refund became the subject of a now-long-standing Internal Revenue Service audit of his finances. The audit was widely known. Trump has claimed it was the very reason why he cannot release his returns. But the Times report is the first to identify the issue that was mainly in dispute.

As a result of the refund, Trump paid an average \$1.4 million in federal taxes from 2000 to 2017, the Times reported. By contrast, the average U.S. taxpayer in the top .001% of earners paid about \$25 million annually over the same timeframe.

**TRUMP HAS FINANCED AN EXTRAVAGANT LIFESTYLE WITH THE USE OF BUSINESS EXPENSES.**

From his homes, his aircraft — and \$70,000 on hair styling during his television show "The Apprentice" — Trump has capitalized on cost incurred from his businesses to finance a luxurious lifestyle.

The Times noted that Trump's homes, planes and golf courses are part of the Trump family business and, as such, Trump classified them as business expenses as well. Because companies can write off business expenses as deductions, all such expenses have helped reduce Trump's tax liability.

**MANY OF HIS BEST-KNOWN BUSINESSES ARE MONEY-LOSERS**

The president has frequently pointed to his far-flung hotels, golf courses and resorts as evidence of his success as a developer and businessman. Yet these properties have been draining money.

The Times reported that Trump has claimed \$315 million in losses since 2000 on his golf courses, including the Trump National Doral near Miami, which Trump has portrayed as a crown jewel in his business empire. Likewise, his Trump International Hotel in Washington has lost \$55 million, the Times reported.

**FOREIGN VISITORS HAVE HELPED SUPPORT TRUMP'S PROPERTIES**

Since Trump began his presidential run, lobbyists, foreign governments and politicians have lavished

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significant sums of money on his properties, a spending spree that raised questions about its propriety and legality.

The Times report illustrates just how much that spending has been: Since 2015, his Mar-a-Lago resort in Florida has taken in \$5 million more a year from a surge in membership. The Billy Graham Evangelistic Association spent at least \$397,602 in 2017 at Trump's Washington hotel. Overseas projects have produced millions more for Trump — \$3 million from the Philippines, \$2.3 million from India and \$1 million from Turkey.

## TRUMP WILL FACE FINANCIAL PRESSURE AS DEBTS COME DUE

Trump seems sure to face heavy financial pressures from the enormous pile of debt he has absorbed. The Times said the president appears to be responsible for \$421 million in loans, most of which will come due within four years. On top of that, a \$100 million mortgage on Trump Tower in New York will come due in 2022.

## NY Times: Trump paid \$750 in US income taxes in 2016, 2017

By JOSH BOAK Associated Press

President Donald Trump paid just \$750 in federal income taxes the year he ran for president and in his first year in the White House, according to a report in The New York Times.

Trump, who has fiercely guarded his tax filings and is the only president in modern times not to make them public, paid no federal income taxes in 10 of the past 15 years.

The details of the tax filings published Sunday complicate Trump's description of himself as a shrewd and patriotic businessman, revealing instead a series of financial losses and income from abroad that could come into conflict with his responsibilities as president. The president's financial disclosures indicated he earned at least \$434.9 million in 2018, but the tax filings reported a \$47.4 million loss.

The tax filings also illustrate how a reputed billionaire could pay little to nothing in taxes, while someone in the middle class could pay substantially more than him. Roughly half of Americans pay no income taxes, primarily because of how low their incomes are. But IRS figures indicate that the average tax filer paid roughly \$12,200 in 2017, about 16 times more than what the president paid.

The disclosure, which the Times said comes from tax return data it obtained extending over two decades, comes at a pivotal moment ahead of the first presidential debate Tuesday and weeks before a divisive election against Democrat Joe Biden.

Speaking at a news conference Sunday at the White House, Trump dismissed the report as "fake news" and maintained he has paid taxes, though he gave no specifics. He also vowed that information about his taxes "will all be revealed," but he offered no timeline for the disclosure and made similar promises during the 2016 campaign on which he never followed through.

In fact, the president has fielded court challenges against those seeking access to his returns, including the U.S. House, which is suing to get Trump's tax returns as part of congressional oversight.

During his first two years as president, Trump received \$73 million from foreign operations, which in addition to his golf properties in Scotland and Ireland included \$3 million from the Philippines, \$2.3 million from India and \$1 million from Turkey, among other nations. The president in 2017 paid \$145,400 in taxes in India and \$156,824 in the Philippines, compared to just \$750 in U.S. income taxes. The Times said the tax records did not reveal any unreported connections to Russia.

Trump found multiple ways to reduce his tax bills. He has taken tax deductions on personal expenses such as housing, aircraft and \$70,000 to style his hair while he filmed "The Apprentice." Losses in the property businesses solely owned and managed by Trump appear to have offset income from his stake in "The Apprentice" and other entities with multiple owners.

During the first two years of his presidency, Trump relied on business tax credits to reduce his tax obligations. The Times said \$9.7 million worth of business investment credits that were submitted after Trump requested an extension to file his taxes allowed him to offset his obligations and pay just \$750 each in 2016 and 2017.

Income tax payments help finance the military and domestic programs.

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Trump, starting in 2010, claimed and received an income tax refund that totaled \$72.9 million, which the Times said was at the core of an ongoing audit by the IRS. The Times said a ruling against Trump could cost him \$100 million or more.

The president could also face mounting financial pressure in the years ahead. The tax records show he's carrying a total of \$421 million in loans and debt that are primarily due within four years. Most of that debt comes from the Doral golf resort in Florida (\$125 million) and Trump's Washington hotel (\$160 million), two properties that the Times said are struggling financially.

Richard Neal, D-Mass., the chair of the House Ways and Means Committee who has tried unsuccessfully to obtain Trump's tax records, said the Times report makes it even more essential for his committee to get the documents.

"It appears that the President has gamed the tax code to his advantage and used legal fights to delay or avoid paying what he owes," Neal wrote in a statement. "Now, Donald Trump is the boss of the agency he considers an adversary. It is essential that the IRS's presidential audit program remain free of interference."

A lawyer for the Trump Organization, Alan Garten, and a spokesperson for the Trump Organization did not immediately respond to a request for comment from The Associated Press on the report.

Garten told the Times that "most, if not all, of the facts appear to be inaccurate."

He said in a statement to the news organization that the president "has paid tens of millions of dollars in personal taxes to the federal government, including paying millions in personal taxes since announcing his candidacy in 2015."

The New York Times said it declined to provide Garten with the tax filings in order to protect its sources, but it said its sources had legal access to the records.

During his first general election debate against Democrat Hillary Clinton in 2016, Clinton said that perhaps Trump wasn't releasing his tax returns because he had paid nothing in federal taxes.

Trump interrupted her to say, "That makes me smart."

## Back to the Finals: Heat oust Celtics, move to title series

By TIM REYNOLDS AP Basketball Writer

LAKE BUENA VISTA, Fla. (AP) — It was exactly one year ago Sunday when Jimmy Butler walked into the Miami Heat practice gym, took a seat on a makeshift stage and said he wanted to be part of the team's next title run.

He'll have that chance.

The Heat are going to the NBA Finals — surprising many, perhaps, but not themselves. Bam Adebayo scored a season-high 32 points and grabbed 14 rebounds, Butler scored 22 points and the Heat won the Eastern Conference finals for the sixth time by topping the Boston Celtics 125-113 on Sunday night.

"A great series. It was so competitive," Heat coach Erik Spoelstra said. "I mean, in many ways, this was a seven-game series, just how competitive it was. Extremely well-coached and well-put together and we are just honored to be a part of that type of series in the conference finals, and then we get an opportunity for the next stage. Our guys will look forward to it. We're going to try to enjoy it for a night."

The Heat won the series 4-2 — and now, waiting on that next stage to decide the NBA title, are LeBron James and the Los Angeles Lakers. Game 1 is Wednesday night.

Tyler Herro scored 19 points, Duncan Robinson and Andre Iguodala each had 15 and Goran Dragic added 13 for the Heat.

"We deserve to be here," Dragic said.

Jaylen Brown scored 26 points, Jayson Tatum had 24 and a career-high 11 assists, and Marcus Smart and Kemba Walker each scored 20 points for Boston — which fell in the East finals for the third time in the last four seasons.

"Miami deserves a lot of credit," Celtics coach Brad Stevens said. "They're super physical, super tough, very, very savvy. I think they're the best team in the East and deserve to be representing the East in the way that they have played."

Miami was down by six early in the fourth before regaining control. A 6-0 burst — Herro had the last

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five of those points, needing only 31 seconds to do so — tied it at 96. Boston took the lead twice more, with Adebayo answering both times, first with a dunk, then a go-ahead three-point play with 6:16 left.

He smacked the floor in celebration.

It's like they knew what was coming. They never trailed again. Herro had a pair of baskets in a 9-0 burst that put the Heat up by 10, Adebayo found Butler for a layup and a 116-102 lead everyone on the Heat bench was on their feet.

"This means everything," Herro said.

And before long, all the Celtics could do was offer their congratulations.

"Regrets, I don't have any," Walker said. "I don't have any, man. I thought we fought hard. A lot of credit to Miami. Those guys are really good."

The Heat are the only NBA franchise with six Finals appearances in the last 15 years. They're seeking their fourth title, and this chance didn't come easily.

The Heat had a 5-for-5 stretch from 3-point range in the first quarter, but otherwise struggled again from beyond the arc in the first half. They were 6 for 14 from deep in the first 24 minutes, Boston was 11 for 23 before the break and the Heat took a 62-60 lead into halftime.

And the margin remained two going into the fourth.

Iguodala's fourth 3-pointer — in as many attempts — with 4:20 left in the third put the Heat up eight, before Brown had five points in a 10-2 Boston spurt to tie it. Dragic had a go-ahead layup on Miami's final shot of the quarter and it was 88-86 Heat with 12 minutes remaining.

The Celtics scored 10 of the first 12 points of the fourth, going up 96-90. From there, all Miami.

The Heat scored 35 of the game's final 52 points. The game was theirs. So was the silver trophy that conference champions get.

"Four more," Adebayo said. "That's what matters."

TIP-INS

Celtics: Tatum took 15 shots in the first half, the first time in his 270-game career that he's done that. He had taken 14 on four other occasions. ... Tatum's top four assist-total games of his career have come in the bubble.

Heat: The Heat are now guaranteed no less than \$4,399,686 for their playoff share, and that number would rise to \$5,791,041 if they win the title. ... Udonis Haslem is the only player to be on all six Heat teams that have made the finals.

WALKER VS. HEAT

Walker has been to the playoffs three times, and his team has been eliminated by Miami in all three of those appearances — with three different nicknames. Charlotte was still the Bobcats when the Heat swept them in the 2014 first round, the Heat rallied to beat Charlotte's then-rebranded Hornets in seven games in the 2016 first round, and now this win over the Celtics.

CROSS-SPORT SUPPORT

The Celtics and Heat were getting some support from afar before Game 6. Celtics coach Brad Stevens was pleased to hear video of New England Patriots coach Bill Belichick signing off from his postgame news conference Sunday by saying "good luck to Brad and the Celtics tonight. We'll be pulling for them." And at the Miami Marlins' regular season finale, outfielder Lewis Brinson had a Butler jersey (in the popular Heat 'Vice' theme) underneath his game jersey.

More AP NBA: <https://apnews.com/NBA> and [https://twitter.com/AP\\_Sports](https://twitter.com/AP_Sports)

## Federal judge postpones Trump ban on popular app TikTok

By ANNE D'INNOCENZIO and MATT O'BRIEN AP Business Writers

NEW YORK (AP) — A federal judge on Sunday postponed a Trump administration order that would have banned the popular video sharing app TikTok from U.S. smartphone app stores around midnight.

A more comprehensive ban remains scheduled for November, about a week after the presidential election. The judge, Carl Nichols of the U.S District Court for the District of Columbia, did not agree to postpone

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the later ban.

The ruling followed an emergency hearing Sunday morning in which lawyers for TikTok argued that the administration's app-store ban would infringe on First Amendment rights and do irreparable harm to the business.

Earlier this year, President Donald Trump declared that TikTok, owned by Chinese company ByteDance, was a threat to national security and that it must either sell its U.S. operations to American companies or be barred from the country.

TikTok is still scrambling to firm up a deal tentatively struck a week ago in which it would partner with Oracle, a huge database-software company, and Walmart in an effort to win the blessing of both the Chinese and American governments. In the meantime, it is fighting to keep the app available in the U.S.

TikTok said in a statement that it was pleased with the court ruling and continues to work to turn its deal proposal into an actual agreement. The Commerce Department, which is responsible for the specific orders banning TikTok, said it will comply with the judge's order but intends to vigorously defend the administration's efforts against the app.

Judge Nichols did not explain his reasoning publicly, and instead filed his judicial opinion under seal. Initially both the U.S. government's brief in the case and the entire Sunday morning hearing were also due to be sealed from the public, although the court later relented.

In arguments to Judge Nichols, TikTok lawyer John Hall said that TikTok is more than an app, since it functions as a "modern day version of a town square."

"If that prohibition goes into effect at midnight, the consequences immediately are grave," Hall said. "It would be no different than the government locking the doors to a public forum, roping off that town square" at a time when a free exchange of ideas is necessary heading into a polarized election.

TikTok lawyers also argued that a ban on the app would affect the ability of tens of thousands of potential viewers and content creators to express themselves every month and would also hurt its ability to hire new talent. In addition, Hall argued that a ban would prevent existing users from automatically receiving security updates, eroding national security.

Justice Department lawyer Daniel Schwei said that Chinese companies are not purely private and are subject to intrusive laws compelling their cooperation with intelligence agencies. The Justice Department has also argued that economic regulations of this nature generally are not subject to First Amendment scrutiny.

"This is the most immediate national security threat," argued Schwei. "It is a threat today. It is a risk today and therefore it deserves to be addressed today even while other things are ongoing and playing out."

Schwei also argued that TikTok lawyers failed to prove the company would suffer irreparable business harm.

The Justice Department laid out its objections to TikTok's motion for a temporary injunction in a brief under seal, but it was unsealed in redacted form to protect confidential business information.

Trump set the process in motion with executive orders in August that declared TikTok and another Chinese app, WeChat, threats to national security. The White House says the video service is a security risk because the personal information of its millions of U.S. users could be handed over to Chinese authorities.

Trump has given tentative approval to a proposed deal in which Oracle and Walmart could initially own a combined 20% of a new U.S. entity, TikTok Global. But Trump also said he could retract his approval if Oracle doesn't have "total control" of the company; the president did not explain what he meant by that.

The deal remains unfinalized, and the two sides have also appeared at odds over the corporate structure of TikTok Global. ByteDance said last week that it will still own 80% of the U.S. entity after a financing round. Oracle, meanwhile, put out a statement saying that Americans "will be the majority and ByteDance will have no ownership in TikTok Global."

Government-owned media in China have criticized the deal as bullying and extortion. ByteDance said Thursday it has applied for a Chinese technology export license after Beijing tightened control over exports last month in an effort to gain leverage over Washington's attempt to force an outright sale of TikTok to

U.S. owners.

China's foreign ministry has said the government will "take necessary measures" to safeguard its companies but gave no indication what steps it can take to affect TikTok's fate in the United States.

TikTok is also asking a federal court to declare Trump's Aug. 6 executive order unlawful.

The Chinese firm said the president doesn't have the authority to take these actions under the national-security law he cited; that the ban violates TikTok's First Amendment speech rights and Fifth Amendment due-process rights; and that there's no authority for the restrictions because they are not based on a national emergency.

Follow Anne D'Innocenzio: <http://twitter.com/ADInnocenzio>

## Organizer arrested after driving car into California protest

By BRIAN MELLEY Associated Press

LOS ANGELES (AP) — An organizer of a Southern California demonstration against racism was in jail Sunday on suspicion of attempted murder after authorities say she drove through a crowd and struck two counterprotesters.

Tatiana Turner, 40, was arrested Saturday in Yorba Linda after speeding from a parking lot when her car was surrounded by shouting counterprotesters.

Demonstrators on both sides who had clashed on a sidewalk earlier had been ordered by police to leave the area at the time and an angry mob had surrounded Turner's car and wouldn't let her drive away, said Anthony Bryson, who helped plan the event for the Urban Organizers Coalition.

"People had broken her windshield," Bryson told The Associated Press. "She was trying to leave. She was in fear for her life."

Several dozen people in Turner's group had been preparing to march against police brutality and systemic racism at the Yorba Linda library about 30 miles (48 kilometers) southeast of Los Angeles when a group of people, many hoisting American flags and Trump 2020 banners, grew on the other side of Imperial Highway.

The two groups initially stayed apart, as authorities requested, but a group of men crossed the six-lane highway and confronted the racial justice group in a series of angry exchanges.

As the confrontation grew and became heated, the Orange County Sheriff's Department declared an unlawful assembly and told the groups, estimated at 250 people total, to leave after fights were reported and some people were said to be carrying weapons. One person pepper-sprayed another protester and one man was arrested for disobeying the order to leave, police said.

Video of Turner shows a crowd of people standing around her car as she accelerates forward. Her rear window shatters as she drives away. The car lurches upward and then continues forward. More than a dozen people gave chase.

A man with a broken leg and a woman with moderate injuries were hospitalized, authorities said.

Turner is being held on \$1 million bail and expected to appear in court Tuesday, according to a county website.

The city of Yorba Linda does not require a permit to demonstrate for crowds smaller than 500 people and neither group had a permit, sheriff's spokeswoman Carrie Braun said.

Bryson said the group had been in discussions with police and the Yorba Linda mayor in advance. He said the police had failed to intervene.

Braun defended the police response, saying officers attempted to keep people apart and took action when there were altercations.

The Urban Organizers Coalition issued a statement expressing its "heartfelt sympathies" for those injured.

The protest came three days after an Orange County deputy in San Clemente shot and killed a Black homeless man. The sheriff released a video that he said showed the man grabbing for the officer's weapon.

Several drivers have recently collided with protesters across the country, including at a gathering Thursday in Los Angeles.

A woman protesting police brutality was struck by a pickup truck during a march in Hollywood and suffered non-life-threatening injuries. Los Angeles police said Friday the preliminary investigation found that the driver was attempting to maneuver through the crowd when protesters began beating the vehicle with sticks.

The driver stopped several blocks away and cooperated with officers. He was released pending the outcome of the investigation.

## Trump vows quick court vote, Biden urges delay for Nov. 3

By DARLENE SUPERVILLE, WILL WEISSERT and LISA MASCARO Associated Press

WASHINGTON (AP) — President Donald Trump said Sunday that confirmation of his Supreme Court nominee Amy Coney Barrett will go “quickly” but his Democratic rival, Joe Biden, implored the Republican-led Senate to hold off on voting on her nomination until after the Nov. 3 election to “let the people decide.”

Speaking at a press conference at the White House, the president spotlighted Barrett’s Roman Catholic religion, portraying her as a victim of attacks on her faith. But it’s her conservative approach to the law, particularly health care access that is drawing opposition from Democrats, not her private beliefs.

“It’s a disgrace,” Trump said. He vowed she will be confirmed “very quickly.”

Trump’s announcement of Barrett for the seat held by the late Justice Ruth Bader Ginsburg is launching a high-stakes, fast-track election season fight over confirmation of a conservative judge who is expected to shift the court rightward as it reviews health care, abortion access and other hot-button issues.

Biden on Sunday appealed directly to his former colleagues in the Senate to “take a step back from the brink.”

Biden urged Senate Republicans not to fan a controversy during an already tumultuous election year for a country reeling from the coronavirus crisis, a struggling economy and protests over racial injustice. If Trump wins the election, Biden said the president’s nominee should have a vote. But Biden said he should choose the next justice if he prevails on Nov. 3.

“This is time to de-escalate,” Biden said in Wilmington, Delaware.

No justice has ever been confirmed to the Supreme Court so close to a presidential election with early voting already underway in some states. Republicans believe the fight ahead will boost voter enthusiasm for Trump and Senate Republicans at serious risk of losing their majority. Democrats warn Barrett’s confirmation would almost certainly undo Americans’ health care protections as the high court takes up a case against the Affordable Care Act in the fall.

According to a national poll by The New York Times and Siena College that was released Sunday, a clear majority — 56% — of voters believes the winner of the Nov. 3 presidential election should fill Ginsburg’s seat, versus 41% who said Trump should as the current president. Biden has said he would nominate the first Black woman to the court, but he has not released the names of his potential choices.

The poll, which was conducted Sept. 22-24, had a margin of sampling error of 3.5 percentage points.

House Speaker Nancy Pelosi declined to say Sunday whether Barrett, a judge on the 7th U.S. Circuit Court of Appeals, is qualified to serve. But she argued that Trump was moving quickly to fill the vacancy before the court hears a challenge to the Affordable Care Act on Nov. 10.

“It’s not about this justice. It’s about any justice he would appoint right now,” Pelosi said on CNN’s “State of the Union.”

Pelosi, a practicing Catholic like Barrett, sidestepped any focus on Barrett’s conservative religious outlook, which California Sen. Dianne Feinstein, a Democrat, brought up in Barrett’s Senate hearings in 2017 when Trump nominated her for the appellate bench.

Pelosi said, “What I am concerned about is anyone that President Trump would have appointed was there to undo the Affordable Care Act.”

Senate Majority Leader Mitch McConnell has said the Senate will vote on Barrett’s nomination in the “weeks ahead.” Senate Judiciary Committee Chair Lindsey Graham said confirmation hearings will begin Oct. 12. A vote is expected Oct. 29.



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"The Senate will confirm her next month," declared Sen. Tom Cotton, R-Ark., on CNN.

With only two of the 53 Republican senators voicing opposition to a confirmation vote before the Nov. 3 election, Democrats appeared outnumbered — and without recourse to block the nomination.

Sen. Dick Durbin, D-Ill., the assistant leader, said Democrats can slow down the confirmation by a matter of hours or days, "but we can't stop the outcome."

The president said he had considered Barrett for an opening in 2018 before he ultimately settled on Brett Kavanaugh, but he explained that she "seemed like a natural fit" after Ginsburg's death.

If confirmed, Barrett's addition would make for the sharpest ideological swing on the Supreme Court since Clarence Thomas replaced Justice Thurgood Marshall nearly three decades ago.

Earlier, Trump acknowledged the confirmation ahead may not "go smoothly."

Trump said, "Perhaps it will, perhaps it won't," in an interview shortly after the announcement with Fox News Channel that aired Sunday.

Other Republican senators say a post-election confirmation vote is also possible, as the GOP will continue to control the Senate in the lame-duck period between the election and inauguration.

In a memo to colleagues, Senate Democratic leader Chuck Schumer warned of the GOP's "monomaniacal drive" to confirm the nominee ahead of the election.

Schumer told Senate Democrats, "Our number one job is to communicate exactly what is at stake for the American people if Republicans jam through this nominee. The elimination of the Affordable Care Act is at the top of the list."

Barrett has been critical of Chief Justice John Roberts' 2012 opinion upholding the health care law. Ginsburg was one of five votes that saved the law on two prior court challenges.

Asked about potential House maneuvers to stall the nomination, such as impeaching Attorney General William Barr, Pelosi quipped, "What is the use of talking about that?" She stressed that Americans should "vote, vote, vote" to put Democrats in charge of the White House, House and Senate.

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Weissert reported from Wilmington, Delaware. Associated Press writers Hope Yen in Washington and Bill Barrow in Atlanta contributed to this report.

## Lawyer says officer thought Blake was trying to kidnap child

KENOSHA, Wis. (AP) — The Kenosha police officer who shot Jacob Blake in the back seven times last month told investigators he thought Blake was trying to abduct one of his own children and that he opened fire because Blake started turning toward the officer while holding a knife, the officer's lawyer contends.

Brendan Matthews, the attorney for Officer Rusten Sheskey and the Kenosha police union, told CNN that when Sheskey arrived at the scene on Aug. 23 in response to a call from a woman who said Blake was at her home and shouldn't be there, he heard a woman say, "He's got my kid. He's got my keys."

Sheskey saw Blake put a child in the SUV as he arrived, but he didn't know that two other children were also in the back seat, Matthews said. He said Sheskey told investigators he opened fire because Blake "held a knife in his hand and twisted his body toward" the officer, and that he didn't stop until he determined Blake "no longer posed an imminent threat."

Matthews said if Sheskey had allowed Blake to leave and something happened to the child, "the question would have been 'Why didn't you do something?'"

Cellphone video captured by a bystander and posted online shows Sheskey and another officer follow Blake with their guns drawn as he walks around the front of the parked SUV, opens the driver's side door and lean into the vehicle. Sheskey, who is white, then opened fire, hitting the Black man seven times and leaving him paralyzed from the waist down, according to his family members and lawyer.

The shooting sparked outrage and led to several nights of protests and unrest, including a night in which authorities say an Illinois 17-year-old shot and killed two protesters and wounded a third.

Ben Crump, an attorney for Blake's family, did not immediately respond to a Sunday email seeking comment about Matthews' interview and his voicemail wasn't accepting new messages. But he previously said

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Blake was only trying to break up a domestic dispute that day and that he did nothing to provoke police, adding that witnesses didn't see him with a knife.

Blake's uncle, Justin Blake, said Saturday that the allegation that Blake was attempting to kidnap his own child was false, the Kenosha News reported.

"That's ridiculous," Justin Blake said. "It's gaslighting. Outright lies."

The bystander who recorded the shooting, 22-year-old Raysean White, said he saw Blake scuffling with three officers and heard them yell, "Drop the knife! Drop the knife!" before gunfire erupted. White said he didn't see a knife in Blake's hands.

The Wisconsin Department of Justice, which is leading the investigation, previously said in a news release that a knife was found in the vehicle, but it didn't say whether Blake had been holding it at any point during the confrontation or whether police knew it was there before Sheskey shot him.

In a statement previously released by Matthews on behalf of the police union, Matthews said Blake was armed with a knife but that officers didn't see it until Blake reached the passenger side of the vehicle. As Blake opened the driver's door of the SUV, Sheskey pulled on Blake's shirt and then opened fire. Three of Blake's children were in the backseat.

The mother of the three children, who called police that day, filed a complaint against Blake that had led to felony charges being filed in July accusing him of sexually assaulting a woman in May. Blake, who was wanted on a warrant for those charges when police arrived at the scene Aug. 23, pleaded not guilty to the charges earlier this month via video from his hospital bed. A trial date was set for Nov. 9.

Sheskey and the other two officers who were at the scene were placed on administrative leave pending the outcome of the investigation.

## Joe Biden: Vacancy about health law, not court expansion

By BILL BARROW and WILL WEISSERT Associated Press

WILMINGTON, Del. (AP) — Democratic presidential candidate Joe Biden wants voters to see Republicans' push for a speedy Supreme Court confirmation as an end-run of Congress and the 2010 health care law.

In remarks on Sunday, the former vice president sidestepped any talk of expanding the court to counter conservative gains should he defeat President Donald Trump in November and Democrats regain a Senate majority. Biden called that scenario a distraction from the practical effects that Trump's nominee, conservative federal judge Amy Coney Barrett, could have if she succeeds the late liberal Justice Ruth Bader Ginsburg.

"They see an opportunity to overturn the Affordable Care Act on their way out the door," Biden said, speaking near his Delaware home. "The Trump administration is asking the Supreme Court right now, as I speak, to eliminate the entire Affordable Care Act."

Trump, speaking at the White House later Sunday, did not necessarily dispute Biden's characterization.

"She's gonna be a great justice" who will "rule (based on) the law," Trump said of Barrett. But, he added quickly that "Obamacare is terrible" and repeated his promise, now more than four years old, to scrap the law and replace it with a Republican plan.

Biden repeated his calls that the Senate delay confirmation proceedings until after the Nov. 3 election, moving ahead then if Trump wins another term or awaiting a nomination from Biden if the Democrat prevails.

Democrats' focus on health care reflects a larger strategy that's emerged in recent days. They tacitly concede Republicans are likely to confirm Barrett, giving conservatives a 6-3 court majority. So, rather than fight a losing battle, as they did with Justice Brett Kavanaugh's 2018 confirmation, Democrats want to raise the pressure on Republicans by focusing on how a conservative supermajority of justices might affect Americans' everyday lives.

Justices are scheduled on Nov. 10, a week after Election Day, to hear another challenge of the 2010 health care law. Biden noted the court has twice upheld the law, a signature achievement of President Barack Obama's and Biden's White House tenure. But those were divided rulings, with Ginsburg in the narrowest of majorities.

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"President Trump could claim all he wants that he is going to protect people with preexisting conditions. But the fact is he's already fighting to take those protections away," Biden said, later reading from the administration's brief before the court.

He listed several common conditions, including heart damage and other effects from the coronavirus that is still spreading, that could keep millions of Americans from qualifying for coverage if the law is gutted completely.

Trump told reporters Sunday it's going to be hard for Democrats "to dispute her qualifications or anything about her."

Like Biden, House Speaker Nancy Pelosi declined to criticize Barrett directly earlier Sunday on CNN's "State of the Union."

Biden's only direct critique of Trump's nominee referred back to her writings as a University of Notre Dame professor, before she ascended to the federal bench in 2017.

"Prior to going on the bench, she publicly criticized Chief Justice Roberts' opinion upholding the law," Biden noted.

Barrett questioned John Roberts' reasoning that Congress' constitutional power to tax gave it authority to pass most of the law's provisions, especially the IRS penalty on individuals who didn't buy health insurance. Conservatives insist the legislation was not reasonably a taxation bill. Congress has since, while under Republican control, scrapped the tax penalty, hoping to undercut Roberts' hook that upheld much of the statute.

Some progressives want Biden to threaten Republicans with scrapping the Senate filibuster altogether and expanding the Supreme Court with a slate of liberal appointees. Republicans have tried to use the issue in competitive Senate races and against Biden.

Trump seized on that tactic Sunday, offering a caricature of a hypothetical liberal Supreme Court hours after Biden spoke.

"If they win they will nominate justices who will destroy the American way of life," Trump said. "Your private right to own a firearm will be eliminated, your guns will be confiscated, your ability to live by your religious faith be devastated," he said, and "they'll abolish America's borders."

The president did not offer any examples to support his claims.

Biden, for his part, declined Sunday to take the bait on court expansion.

"What I'm not going to do is play the Trump game, which is a good game he plays to take your eye off the issue before us," Biden said. "I am focused on making sure the American people understand that they are being cut out of this process ... in order to take away the ACA and your health care in the midst of a pandemic."

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Barrow reported from Atlanta. Associated Press writer Darlene Superville in Washington contributed to this report.

## Lockdowns are fading, but GOP outrage isn't in campaigns

By PAUL J. WEBER Associated Press

AUSTIN, Texas (AP) — When the coronavirus pandemic slammed the U.S. economy this spring, Dallas salon owner Shelley Luther became an overnight symbol of rebellion against lockdown measures, spending two days in a Texas jail for refusing to close her doors.

Nearly \$500,000 poured into a donation fund set up by conservative activists. Republican Sen. Ted Cruz made a show of getting his hair cut at Luther's salon. She flew to Michigan to rally with shutdown protesters and launched a run for the Texas Senate, hammering Republican Gov. Greg Abbott over virus restrictions.

Her race in a deeply red and rural district is now a small test of what other Republican candidates nationwide are counting on with just five weeks before Election Day -- lingering voter resentment of lockdown orders to help boost them into office, at a time when President Donald Trump's reelection may hinge on persuading voters that the worst is behind America.

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"I stood up for you, I went to jail and I'll do it again and again," Luther told a room of voters this past week in a small town outside Fort Worth, in an event livestreamed on her Facebook page. Referring to Abbott, she said, "I'll sleep on that man's porch, bring the media until he opens up Texas."

With the U.S. death toll from the virus at more than 200,000 and counting, Trump is eager to frame his race against Democrat Joe Biden, the former vice president, on the Supreme Court vacancy and on an aggressive message of law and order in the aftermath of protests over racial injustice.

But some GOP candidates, including Luther, want voters to remember the early weeks and months of closed restaurants and enforced lockdowns as the country is now slowly reopening and the unemployment rate is improving, though still high at 8.4%.

In Minnesota, Republican Senate candidate Jason Lewis has made anger over coronavirus measures a cornerstone of an underdog challenge against Democratic incumbent Tina Smith, staking his hopes on bringing out voters in rural areas where mom-and-pop businesses were hit hard by the shutdown.

In the race for North Carolina governor, Republican challenger Dan Forest, the state's lieutenant governor, has run hard against Democratic Gov. Roy Cooper's executive orders on COVID-19 restrictions, saying he wants to replace "the current culture of fear with clear goals and a path forward."

A majority of Americans — 69% — say they are still at least somewhat worried about themselves or their family members being infected with the virus, according to a poll from The Associated Press-NORC Center for Public Affairs Research. Eighty-three percent of Democrats say they are at least somewhat concerned about the virus, compared with 55% of Republicans.

There is skepticism that angst over lockdown measures is enough for underdog GOP candidates to narrow the gap. When shutdown protests began in Ohio in April, a Columbus Dispatch photo of state Senate candidate Melissa Ackinson yelling through glass doors of the statehouse became one of the most widely shared images of demonstrations around the country. A few weeks later, she was easily defeated in her primary race.

In Texas, where Democrats are running closer races than they have in a generation in a longtime GOP stronghold, GOP incumbents in battleground seats have focused on the recovery rather than rail against past lockdowns. "With every day that passes, people are getting back to normal. I think there was voter anger in July, but I don't think it's anywhere as considerable as it was then," said Matt Mackowiak, a Republican consultant in Texas.

Luther, who did not respond to a request for an interview, is one of five candidates running in what is expected to be a low-turnout special election Tuesday to fill a seat vacated by a GOP legislator running for Congress. Her campaign received a \$1 million loan from billionaire Texas oilman Tim Dunn, whose conservative group Empower Texans is one of the biggest political spenders in Texas politics and a critic of Abbott.

In Minnesota, Lewis recently railed against coronavirus restrictions to a small crowd of a couple dozen supporters in Stillwater, which is one of the areas outside the Twin Cities where both he and Trump need to do well to flip what has become an unlikely battleground state.

Trump narrowly lost Minnesota in 2016, and Lewis, a staunch supporter of the president, has made opposition to restrictions and face mask mandates a centerpiece of his campaign. He has sued Democratic Gov. Tim Walz, claiming that the restrictions on public gatherings have hindered his ability to campaign.

"The lockdown has changed everything," Lewis said. "The virus changed everything. And the angst that these draconian lockdowns imposed on Minnesota, especially in greater Minnesota but really all over the state, I believe was the game changer."

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Associated Press Writer Steve Karnowski in Minneapolis contributed to this report.

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This story has been corrected to show that it was Jason Lewis, not Tina Smith, who criticized coronavirus restrictions.

## Appellate court halts Wisconsin ballot-counting extension

By TODD RICHMOND Associated Press

MADISON, Wis. (AP) — A federal appeals court on Sunday temporarily halted a six-day extension for counting absentee ballots in Wisconsin's presidential election, a momentary victory for Republicans and President Donald Trump in the key presidential battleground state.

As it stands, ballots will now be due by 8 p.m. on Election Day. A lower court judge had sided with Democrats and their allies to extend the deadline until Nov. 9. Democrats sought more time as a way to help deal with an expected historic high number of absentee ballots.

The Democratic National Committee, the state Democratic Party and allied groups including the League of Women Voters sued to extend the deadline for counting absentee ballots after the April presidential primary saw long lines, fewer polling places, a shortage of workers and thousands of ballots mailed days after the election.

U.S. District Judge William Conley ruled Sept. 21 that ballots that arrive up to six days after Election Day will count as long as they're postmarked by Election Day. Sunday's action puts Conley's order on hold until the 7th Circuit U.S. Court of Appeals or U.S. Supreme Court issues any further action.

No further details were immediately posted by the appeals court.

State election officials anticipate as many as 2 million people will cast absentee ballots to avoid catching the coronavirus at the polls. That would be three times more absentee ballots than any other previous election and could overwhelm both election officials and the postal service, Conley wrote. If the decision had stood it could have delayed knowing the winner of Wisconsin for days.

The Republican National Committee, the state GOP and Wisconsin's Republican legislators argued that current absentee voting rules be left in place, saying people have plenty of time to obtain and return their ballots.

Conley in April had ruled that absentee ballots in the state's presidential election could be submitted up to six days after election day. The 7th Circuit let that decision stand but the U.S. Supreme Court said only ballots postmarked on or before election day would count.

Conley on Sept. 21 also extended the state's deadline for registering by mail or electronically by seven days, from Oct. 14 to Oct. 21 and declared that poll workers can work in any county, not just where they live. Clerks have reported fears of the virus caused shortages of poll workers in both Wisconsin's spring presidential primary and state primary in August. Loosening the residency requirements could make it easier to fill slots.

Trump won Wisconsin by less than 1 percentage point — fewer than 23,000 votes — in 2016 and the state figures to be a key battleground again in 2020. Polls show Democrat Joe Biden with a slight lead but both sides expect a tight race.

## Fighting erupts between Armenia, Azerbaijan; 18 killed

By AVET DEMOURIAN Associated Press

YEREVAN, Armenia (AP) — Fighting between Armenian and Azerbaijani forces has erupted again over the disputed separatist region of Nagorno-Karabakh and the territory's defense ministry said 16 soldiers and two civilians have been killed and more than 100 others wounded.

Azerbaijan's president, meanwhile, says his military has suffered losses, but gave no details.

Armenia also claimed that four Azerbaijani helicopters were shot down and 33 Azerbaijani tanks and fighting vehicles were hit by artillery. Azerbaijan's defense ministry rejected an earlier claim that two helicopters were shot down.

The heavy fighting broke out in the morning in the region that lies within Azerbaijan but has been under the control of ethnic Armenian forces backed by Armenia since 1994 at the end of a separatist war.

It was not immediately clear what sparked the fighting, the heaviest since clashes in July killed 16 people from both sides.

Nagorno-Karabakh authorities reported that shelling hit the region's capital of Stepanakert and the towns

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of Martakert and Martuni. Armenian Defense Ministry spokesman Artsrun Hovhannisyan also said Azerbaijani shelling hit within Armenian territory near the town of Vardenis.

The territorial defense ministry said late Sunday that 18 people were killed, including a woman and her grandson and more than 100 wounded.

Azerbaijani President Ilham Aliyev ordered martial law be imposed in some regions of the country and called for a curfew in major cities.

In a televised address to the nation, Aliyev said that "there are losses among the Azerbaijani forces and the civilian population as a result of the Armenian bombardment," but didn't give further details. He also claimed that "many units of the enemy's military equipment have been destroyed."

Russian Foreign Minister Sergey Lavrov "is conducting intensive contacts in order to induce the parties to cease fire and start negotiations to stabilize the situation," Foreign Ministry spokeswoman Maria Zakharova said.

Albanian Prime Minister Edi Rama, chairman of the Organization for Security and Cooperation in Europe, called on the sides to stop fighting. The long-unsuccessful negotiations for resolving the territory's status has been conducted under OSCE auspices.

Armenian Prime Minister Nikol Pashinian on Sunday said the country could reexamine whether to recognize Nagorno-Karabakh as independent. Such a move would likely obstruct further negotiations.

Foreign Minister Javad Zarif of Iran, which borders both Azerbaijan and Armenia, said "We call for an immediate end to hostilities and urge dialogue to resolve differences. Our neighbors are our priority and we are ready to provide good offices to enable talks."

Turkish presidential spokesman Ibrahim Kalin condemned Armenia.

"Armenia has violated the cease-fire by attacking civilian settlements ... the international community must immediately say stop to this dangerous provocation," Kalin tweeted. Turkey is a close ally of Azerbaijan and locked in a long dispute with Armenia that has closed the countries' border since the early 1990s.

United Nations Secretary-General Antonio Guterres "calls on the sides to immediately stop fighting, de-escalate tensions and return to meaningful negotiations without delay," said his spokesman Stephane Dujarric. U.S. Deputy Secretary of State Stephen Biegun called the foreign ministers of Armenia and Azerbaijan to urge cessation of hostilities, said State Department spokesperson Morgan Ortagus.

Mostly mountainous Nagorno-Karabakh — a region around 4,400 square kilometers (1,700 square miles) or about the size of the U.S. state of Delaware — lies 50 kilometers (30 miles) from the Armenian border. Local soldiers backed by Armenia also occupy some Azerbaijani territory outside the region.

Jim Heintz in Moscow, Zeynep Bilginsoy in Istanbul and Edith M. Lederer at the United Nations contributed to this story.

## Jill Biden, Doug Emhoff team up in final campaign stretch

By ALEXANDRA JAFFE Associated Press

CEDAR RAPIDS, Iowa (AP) — Jill Biden and Doug Emhoff are both from New Jersey. They married politicians who have been in the national spotlight for years. And now they're building a team as the better halves of the Joe Biden campaign.

Biden and Emhoff have rapidly become two of the campaign's most prolific surrogates, engaging in in-person campaign events and virtual fundraisers at a pace that often outmatches their spouses at the top of the ticket.

While Joe Biden and Kamala Harris have spent their days campaigning in key states like Wisconsin, Pennsylvania and Florida, Jill Biden and Emhoff have had nonstop schedules of virtual fundraisers, constituency-focused events and trips to important but less high-profile states like Virginia and Maine, where Jill Biden visited this week.

They've campaigned together more than their spouses have, visiting New Hampshire earlier this month and Iowa over the weekend. And in a joint interview this weekend, they said they've begun to build a

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partnership that will help the campaign and a potential Biden administration.

"Don't you think the American people love seeing people in government who respect one another and are friends with one another?" Jill Biden said as she campaigned in Cedar Rapids, Iowa, on Saturday. "Especially in this time of the pandemic, and it's such a divisive government that we're living in now, this chaos of Donald Trump's America, I think people are looking for people who are strong to come together to lead this country forward. And I think the four of us are going to show that."

Emhoff and Biden spent the day touring damage from the recent derecho that hit Iowa, helping a group of volunteers clean up a park hit by the storm and speaking at a drive-in rally later that afternoon.

Emhoff said every interaction they have with voters they take back home to their spouses, to help them better understand the challenges confronting Americans.

"Whether it's vets or health care or all these issues that are important to people right now, we're out here listening, and we're literally going right back to Joe and Kamala with these notes from the field. So it's just the more we can do things together and experience this together, the stronger they're going to be," he said.

It wasn't their first time campaigning together — the two hit the trail earlier this month in New Hampshire, where they held events focused on health care and veterans.

The participants included Billy Shaheen, husband of Democratic Sen. Jeanne Shaheen. He said he had a three-hour dinner with Emhoff and Harris back in January and came away impressed with them both.

"Doug is going to be great. He'll be a great second gentleman. He's a good balance for her. He really supports her," he said in an interview.

Their busy schedules reflect in part the traditional strategic role of the spouses on a presidential campaign — essentially doubling the campaign's footprint, amplifying its core message and expanding it to broader constituencies. Jill Biden has become one of the campaign's main surrogates for Latino outreach and, as a teacher herself, often holds events focused on teachers and education. Emhoff, with his network of deep-pocketed donors as an entertainment lawyer, has done fundraising for the campaign and headlined a number of Jewish outreach events.

But the pace also reflects what's perhaps a more urgent imperative for a political spouse in the age of Trump, when Biden himself has made an explicit argument that "character is on the ballot" this fall.

Connie Schultz, who's campaigned for her husband, Democratic Ohio Sen. Sherrod Brown, and wrote a book about what it's like to be a political spouse, said Biden's and Harris' spouses are their best messenger on that front.

"They help humanize these people at a time when I think the public is looking at character a little bit more than they otherwise would have," she said.

Indeed, at the drive-in rally in Cedar Rapids this weekend, Brian Johannesen, a 32-year-old musician, said he felt it was "important to get to know the better halves of the candidates."

"It's good to see the other side of the team — it gives you more confidence in who they are as people," he said.

While their joint appearances may be helpful for the campaign, they're also laying the groundwork for what could be a fruitful working relationship in the White House. Jill Biden had a close working and personal relationship with Michelle Obama, and the two frequently appeared at public events together and worked on veterans' issues throughout their eight years in the White House.

Emhoff and Biden declined to share details on how they foresee their relationship affecting their roles in the White House. But they've been "bonding," Emhoff said, since the primary, when he would chat with Jill Biden backstage before events, and Joe would put his arm around him and ask, "How are you doing, kid?"

When Harris was chosen as Biden's running mate, the Bidens called Emhoff's parents and then his kids. Jill Biden said it was clear they "really had a strong sense of family," and from that moment, "Joe and I just knew right then that this was going to work."

"This was going to be a really strong team because we value the same things," she said.

Emhoff said he's learning from Biden every time they campaign together. While he's joined Harris on the

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campaign trail throughout her career, and campaigned for her during the Democratic primary, he took a leave of absence from his job, and the pace and number of events he's doing as part of the presidential ticket is new. Jill Biden has made sure to call and check in on him after a busy week.

"I lived what he's going through. It's like, all of a sudden, your life changes so incredibly. It's such a journey, and every day is different," she said. "I've gone through that — and I want to make sure Doug's OK. Because it's hard. It's hard being thrown into the spotlight."

Associated Press writer Holly Ramer in Manchester, N.H., contributed to this report.

## Nearly a year after sudden exit, Shepard Smith returns to TV

By DAVID BAUDER AP Media Writer

NEW YORK (AP) — Two weeks shy of a year after abruptly quitting Fox News Channel with a declaration that "truth will always matter," Shepard Smith returns to television this week at his unexpected new home.

He begins a general interest nightly newscast Wednesday at 7 p.m. on the financial network CNBC, putting him back in the time slot he loved before Fox moved him to the afternoon seven years ago.

The 56-year-old newsman, a Fox News original who joined that network at its start in 1996, says he's relishing the fresh start.

"We're going to come out and do just the news," he said. "We're not planning to do any analysis in our news hour. We're going to have journalists, reporters, sound and video. We're going to have newsmakers and experts ... but no pundits. We're going to leave the opinion to others. It's exactly what I've been wanting to do. It's what I've been working at for 30 years."

He'll work out of a new studio that's been built for him at CNBC's New Jersey headquarters by three crews that kept construction going 24 hours a day over eight weeks.

Smith left more questions than answers upon his Fox exit, leaving others to speculate about why. His 3 p.m. newscast stood out at a network where opinion is king, and sometimes he challenged statements made by the network's prime-time hosts.

Figuratively speaking, he didn't smash windows on the way out and still doesn't.

"I built a career at Fox News and I have some deep friendships, ones that I'm going to keep forever," he said. "But simply, I just felt it was the right time to leave. I asked them if I could and they eventually allowed me to do that."

At Fox, "their business model is working very well for them," he said. "Their opinion people state their opinions and they draw big audiences. I have no problem with that."

Smith's 2013 removal from the evening schedule, where the biggest cable news audiences reside, was an early sign that the balance was tipping toward more opinion — and not just at Fox. It was announced that he would be on call to anchor in prime-time during big stories, but there proved little interest in preempting the stars.

His 3 p.m. newscast was influential, even if unpopular with many core Fox viewers, and the network's willingness to pay its personalities well no doubt eased hurt feelings.

He left Fox two weeks after an ugly incident with Tucker Carlson, who brought on a guest who said Fox's Andrew Napolitano was a "fool" for analysis offered on Smith's show. Smith said on the air that Carlson's attack was repugnant.

Asked about it, Smith said that "I had felt like it was time for a new challenge for a long time. Nothing about any talent, any on-air people at that place, pushed me out the door."

Smith, a Mississippi native, said he enjoyed some down time, with a couple of vacations. He also took meetings with plenty of media suitors.

"He's smart as a whip, agile, super curious and an amazing broadcaster," said news consultant Michael Clemente, Smith's former boss at Fox News and a longtime ABC News executive. "He's in the same league as Peter Jennings. He's probably got better chops than just about everyone who is out there, and he's not a product of New York. He's not from Los Angeles. He's from the core of the country."



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Every few years when Smith approached the end of a contract, CNBC Chairman Mark Hoffman would check in with Smith's agent, Larry Kramer. In a nearly empty Manhattan restaurant just before the COVID shutdown, the three men met.

With CNN, MSNBC and the broadcast networks courting Smith, CNBC was considered an underdog, at best.

"My feeling was that it was not an obvious, conventional move for him," Hoffman said. "But at the same time I felt we had a concept we had been thinking about for a number of years that just might fit his interests. It just so happened that it was, item for item, exactly what Shep was looking for."

CNBC offers financial news during the day and general interest programs that appeal to an affluent audience at night, things like "Shark Tank," "Jay Leno's Garage" and "Secret Lives of the Super Rich." The network needed something to serve as a bridge between the day and night identities, and thought a smart, straight newscast could do the trick, he said.

"We really clicked at that first meeting," Hoffman said. "It was one of those easy conversations. It wasn't a sales pitch. We didn't talk about what we wanted him to do. I just talked about what we wanted to do. We had a nice chemistry and our interests seemed to be aligned. I would say he left the meeting intrigued and then it moved from there."

That was their last face-to-face meeting. Negotiations were done via Zoom.

Smith said he heard great ideas from other networks. "It's just that this one fit better," he said.

Being part of the larger NBC News family would hold potential future options for Smith, as well as providing journalists whose work could be included in his new CNBC show.

Otherwise, CNBC offers the closest thing to a clean slate you can find in television news. Fox News Channel is averaging 2.7 million viewers in the 7 p.m. time slot this year. MSNBC has 1.7 million and CNN has 1.5 million, the Nielsen company said.

At the same time on CNBC, "Shark Tank" has been averaging 153,000 viewers.

There's really no other place to go but up.

"It's not an easy thing to start from scratch," Smith said. "There's no muscle memory at CNBC in terms of doing a general newscast. We're creating all of that. And that's fun. It was fun creating in 1996, and it's fun creating in 2020."

## Nearly 1M who died of COVID-19 also illuminated treatment

By MARILYNN MARCHIONE AP Chief Medical Writer

The nearly 1 million people around the world who have lost their lives to COVID-19 have left us a gift: Through desperate efforts to save their lives, scientists now better understand how to treat and prevent the disease — and millions of others may survive.

Ming Wang, 71, and his wife were on a cruise from Australia, taking a break after decades of running the family's Chinese restaurant in Papillion, Nebraska, when he was infected. In the 74 days he was hospitalized before his death in June, doctors frantically tried various experimental approaches, including enrolling him in a study of an antiviral drug that ultimately showed promise.

"It was just touch and go. Everything they wanted to try we said yes, do it," said Wang's daughter, Anne Peterson. "We would give anything to have him back, but if what we and he went through would help future patients, that's what we want."

Patients are already benefiting. Though more deaths are expected this fall because of the recent surge in coronavirus infections in the U.S. and elsewhere, there also are signs that death rates are declining and that people who get the virus now are faring better than did those in the early months of the pandemic.

"Some of the reason we're doing better is because of the advances," Dr. Francis Collins, director of the U.S. National Institutes of Health, told The Associated Press. Several drugs have proved useful and doctors know more about how to care for the sickest patients in hospitals, he said.

We're in the "stormy adolescence" phase of learning what treatments work — beyond infancy but not "all grown up either," Collins said.

THE AWFUL TOLL

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The nearly 1 million deaths attributed to the coronavirus in nine months are far more than the 690,000 from AIDS or the 400,000 from malaria in all of 2019. They're trending just behind the 1.5 million from tuberculosis.

Wealth and power have not shielded rich countries from the awful power of the virus. The United States "has been the worst-hit country in the world" with more than 7 million coronavirus infections and more than 200,000 deaths, reflecting "the lack of success that we have had in containing this outbreak," Dr. Anthony Fauci, the nation's top infectious disease specialist, told a Harvard Medical School audience earlier this month.

More than 40% of U.S. adults are at risk for severe disease from the virus because of high blood pressure and other conditions. It's not just old people in nursing homes who are dying, Fauci stressed.

Dr. Jesse Goodman, a former U.S. Food and Drug Administration chief scientist now at Georgetown University, agreed.

"Nobody should make a mistake about this" and think they're not at risk just because they may not personally know someone who has died or haven't witnessed what the virus can do firsthand, he said.

## OPTIMISTIC SIGNS

Although cases are rising, death rates seem to be falling, said Dr. Cyrus Shahpar, a former U.S. Centers for Disease Control and Prevention scientist now at the nonprofit group Resolve to Save Lives.

The virus's true lethality — the infection fatality rate — isn't yet known, because scientists don't know how many people have had it without showing symptoms. What's often reported are case fatality rates — the portion of people who have tested positive and then gone on to die. Comparing these from country to country is problematic because of differences in testing and vulnerable populations. Tracking these within a country over time also carries that risk, but it can suggest some trends.

"The U.S. cumulative case fatality rate in April was around 5%. Now we're around 3%," Shahpar said.

In England, researchers reported that case fatality rates have fallen substantially since peaking in April. The rate in August was around 1.5% versus more than 6% six weeks earlier.

One reason is changing demographics: More cases these days are in younger people who are less likely to die from their infection than older people are.

Increased testing also is playing a role: As more people with mild or no symptoms are detected, it expands the number of known infections and shrinks the proportion that prove fatal, Shahpar said.

## BETTER TREATMENTS

It's clear that treatments also are affecting survival, many doctors said. People who have died from COVID-19, especially ones who took part in studies, have helped reveal what drugs do or do not help.

Dexamethasone and similar steroids now are known to improve survival when used in hospitalized patients who need extra oxygen, but might be harmful for less sick patients.

An antiviral drug, remdesivir, can speed recovery for severely ill patients, shaving four days off the average hospital stay. Two anti-inflammatory drugs, one used in combination with remdesivir — the drug Wang helped test — also have been reported to help although results of those studies have not yet been published.

The jury is still out on convalescent plasma, which involves using antibody-rich blood from survivors to treat others. No large, high-quality studies have tested this well enough to know if it works.

The value of rigorous, scientific studies to test treatments has become clear, Goodman said. "We certainly see what happens" when treatments are widely adopted without them as hydroxychloroquine was, he said. "That exposed a lot of people to a potentially toxic drug" and delayed the hunt for effective ones.

Aside from drugs, "the case fatality rate is actually improving over time as physicians get more adept at taking care of these very sick patients," said Dr. Gary Gibbons, director of the U.S. National Heart, Lung and Blood Institute.

In hospitals, doctors know more now about ways to avoid using breathing machines, such as keeping patients on their bellies.

"We've learned about how to position patients, how to use oxygen, how to manage fluids," and hospitals

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have increased their surge capacity and supplies, Dr. Judith Currier, a University of California, Los Angeles physician said at a recent webinar organized by the American Public Health Association and the U.S. National Academy of Medicine.

## THE FUTURE

The best way to avoid dying from the coronavirus remains to avoid getting it, and experience has shown that the simple measures advocated by public health officials work.

"Prevention is the most important step right now as we're waiting for a vaccine and we're improving treatment," Goodman said.

Wearing a face mask, washing hands, keeping at least 6 feet apart and disinfecting surfaces "clearly are having a positive effect" on curbing spread, Fauci said.

If more people stick with common-sense measures like closing bars, "we should improve our ability to manage this" and prevent more deaths, Shahpar said. "It should take longer to get to the next million if it ever happens."

Marilynn Marchione can be followed on Twitter at <http://twitter.com/MMarchioneAP>

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## 100,000 march in Belarus capital on 50th day of protests

By YURAS KARMANAU Associated Press

KYIV, Ukraine (AP) — About 100,000 demonstrators marched in the Belarusian capital calling for the authoritarian president's ouster, some wearing cardboard crowns to ridicule him, on Sunday as the protests that have rocked the country marked their 50th consecutive day.

Protests also took place in nine other cities, underlining the wide extent of dismay and anger with President Alexander Lukashenko, who has stifled opposition and independent news media during 26 years in power.

The protest wave began after the Aug. 9 presidential election that officials said gave Lukashenko a sixth term in office with a crushing 80% of the vote. The opposition and some poll workers say the results were manipulated.

Lukashenko has defied calls for him to step down and many prominent members of a council formed with the aim of arranging a transfer of power have been arrested or have fled the country. The protests have persisted despite the daily detentions of demonstrators.

The Interior Ministry said about 200 demonstrators were arrested throughout the country Sunday. Police and troops blocked off the center of the city with armored vehicles and water cannons.

Lukashenko stepped up his defiance this week by unexpectedly taking the oath of office for a new term in an unannounced ceremony, leading many to mock him as harboring royal-like pretensions.

Some of the estimated 100,000 people who braved rain and strong winds to march in a two-kilometer-long (over a mile-long) column wore crowns made of cardboard and bore placards calling him "the naked king."

Lukashenko's main election opponent, Sviatlana Tsikhanouskaya, praised protesters' determination and urged them not to let their energies flag.

"Today is the 50th day of our protest and the Belarusian people have again come out on the streets," she said in a statement from Lithuania, where she went into exile after the election. "We have come to stop this regime and we will do this peacefully."

"Democracy is the power of the people. The entire people are stronger than one man," she said.

Western countries have widely denounced the dubious election and the crackdown on protesters. The European Union and the United States are considering sanctions against Belarusian officials.

Lukashenko slapped back sharply at Emmanuel Macron on Sunday after the French president said in a newspaper interview that Lukashenko must leave power.

"I want to say that the president of France himself, following his own logic, should have resigned two

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years ago — when yellow vests had first begun going out in the streets of Paris,” Lukashenko said, referring to the French protest movement.

Foreign Minister Vladimir Makei on Saturday told the U.N. General Assembly that these expressions of concern are “nothing but attempts to bring chaos and anarchy to our country.”

Jim Heintz in Moscow contributed to this story

## With anger at police high, officers face greater danger

By DON BABWIN Associated Press

CHICAGO (AP) — A man walks up to a squad car and opens fire on two sheriff’s deputies sitting inside. Two police officers are shot after responding to sounds of gunfire during a protest.

The shootings — one in Los Angeles and the other 2000 miles (3,200 kilometers) away in Louisville, Kentucky, less than two weeks later — are stark reminders of the dangers law enforcement officers face at a time when anger toward them in the wake of police killings of Black Americans, such as George Floyd and Breonna Taylor, has boiled over.

“I think it’s more than a suggestion that people are seeking to do harm to cops,” Chicago Police Superintendent David Brown told reporters at a recent briefing.

The suspect who shot the deputies in Los Angeles has not been caught, so it’s not known why he opened fire. And authorities have not said why the suspect in Louisville, who was captured, targeted the officers. Those shootings came during protests of a grand jury decision not to charge police for Taylor’s killing.

It is unclear how many times officers across the country have been shot at or otherwise attacked this year; police departments say such statistics are not readily available.

But the few statistics available, such as those compiled by the FBI, show so far this year 37 law enforcement officers in the United States have been “feloniously killed” in the line of duty compared to 30 such deaths at this point last year. There are some 8,000 police agencies around the country, and tens of thousands of uniformed law enforcement officers.

Experts and law enforcement officials agree that it is no coincidence that such violence comes at a time when Floyd’s killing and the resulting nationwide protests have thrust law enforcement officers into the spotlight. Videos of Black Americans being killed or wounded by police have played out across the nation’s television screens, including one that showed the last moments of Floyd’s life under the knee of a Minneapolis police officer and another showing a Kenosha, Wisconsin, officer firing seven bullets into Jacob Blake’s back, leaving him paralyzed.

In the ensuing demonstrations, police have both been criticized by those who saw their response in many cities as heavy-handed and the target of several violent attacks. Officers have been shot at, run over, blinded and jeered at by angry crowds who have wished for their deaths.

The very role of police has been called into question and become a central theme in this year’s election. President Donald Trump and his supporters believe violence against police deserves more attention in the national debate centered on addressing racial inequality in the criminal justice system.

“Part of what we are seeing is the response to images of officers killing people in ways the public sees as undeserved (and) rulings like the one in the Breonna Taylor case where it looks like the courts are willing to hold the safety of officers above the safety of civilians when they are often asleep and unarmed,” said Delores Jones-Brown, a retired professor from the John Jay College of Criminal Justice in New York.

There’s no question that police officers all over the country feel they are under siege.

“We’re hyper vigilant anyway as a profession, but when officers are shot here and another parts of the country, it makes us even more concerned about the safety of our officers,” said Brown, Chicago’s police superintendent.

According to the police department there, 66 officers have been shot at thus far this year, compared to 17 at this point last year. Ten were struck by the bullets and wounded. Last year at this time, three officers had been hit.

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In a "Potential Activity Alert," first reported on by ABC 7 in Chicago, the FBI warned the police department that a person had notified the federal agency that several street gangs had "formed a pact to 'shoot on-site any cop that has a weapon drawn on any subject in public.'"

Marshall Hatch, a prominent minister on Chicago's West Side, condemned the violence against police, both because it is wrong and because it might put people at even greater risk of police violence.

"It's going to make it more dangerous for everybody when you have police who are kind of spooked," he said. "They are going to be hair-triggered."

Further, Hatch said the attacks could undermine the political goals of liberal activists who are demanding police reform. Trump has made questions of safety and security central to his reelection bid, and continued violence against police could help draw voters to his law-and-order message.

National Black Lives Matter organizers also say they do not encourage or condone attacks on law enforcement or police supporters.

In New York, where a few officers have been shot this year, a pace similar to that of recent years, the police department said the protests have taken their toll.

"Since May 28th, 2020, our officers have been shot at, stabbed, assaulted with rocks, bricks and other debris, have been struck by vehicles and have even had Molotov cocktails (thrown) at them and inside their vehicles," Sgt. Jessica McRorie, a spokesperson for the New York Police Department, said.

In all, 472 officers suffered some form of injury during the protests, she said.

Associated Press writer Michael R. Sisak contributed to this report from New York.

## Swiss reject nationalist plan to limit jobs for EU citizens

By NADINE ACHOUI-LESAGE and FRANK JORDANS Associated Press

GENEVA (AP) — Voters in Switzerland on Sunday strongly defeated a nationalist party's proposal to limit the number of European Union citizens allowed to live and work in their country.

Swiss public broadcaster SRF reported that the measure was rejected by 61.7% of voters, with 38.3% in favor. All but four of the country's 26 cantons, or states, likewise opposed the plan — proposed by the Swiss People's Party — to give preferential access to jobs, social protection and benefits to people from Switzerland over those from the 27-nation bloc that surrounds it.

The government had warned that the measure could further strain the rich Alpine's country's deep and lucrative ties to the EU. It could also have triggered reciprocal disadvantages for millions of Swiss citizens if they want to live or work in the EU.

"Especially at this time, during the difficult economic situation caused by the corona crisis, good relations with our neighbors and with the EU are important," Justice Minister Karin Keller-Sutter said, welcoming the outcome of the vote.

She said Switzerland would continue to pursue a "bilateral path" with the EU, eschewing membership of the bloc while seeking close economic ties with it.

In a nod to the misgivings many Swiss have about the country's big neighbor, Keller-Sutter acknowledged that "freedom of movement doesn't just have benefits."

"The Federal Council only wants as much immigration as necessary," she said. "That continues to be our goal."

Roughly 1.4 million EU citizens live in the country of about 8.6 million, while around 500,000 Swiss live in EU countries. Some are dual citizens and wouldn't have been affected by any restrictions.

In a similar referendum in 2014, the Swiss narrowly voted in favor of limiting EU citizens' freedom to live and work in Switzerland. Lawmakers, however, refused to fully implement that referendum fearing a hefty impact on Swiss society and businesses, prompting the People's Party to get the issue back on the ballot again this year.

Since the last vote, Switzerland has witnessed the turmoil that Britain's 2016 referendum to leave the European Union has caused, especially for EU citizens in the U.K. and Britons living on the continent. Britain

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left the EU in January, but is in a transition period until the end of the year with prospects for a deal on future relations between London and Brussels still uncertain.

Voter Yann Grote in Geneva said he didn't approve of further limiting freedom of movement.

"I'm not at all in favor, and even more now, because it's not a time to isolate Switzerland," he said.

Fellow voter Elisabeth Lopes agreed.

"I'm a daughter of immigrants, so it is a matter that touches me," she said. "If Switzerland had to withdraw or reduce these agreements (with the EU), I think we would be the real losers."

In Brussels, European Commission President Ursula von der Leyen welcomed the result of the referendum, calling it "a positive signal to continue to consolidate and deepen our relationship."

She also urged Switzerland to approve a series of agreements negotiated between the country and the EU in 2018, but not yet ratified.

The freedom-of-movement measure was being considered alongside nationwide votes on several other issues.

SRF reported that a majority of voters backed plans for paid paternity leave and for the purchase of up to 6 billion francs (about \$6.5 billion) worth of new fighter planes by 2030. Voters rejected measures on the right to hunt wolves to keep their population down and on increasing tax breaks for child care.

Turnout was higher than in most recent referendums, almost 60% of voters going to the polls or casting their ballots by mail.

Frank Jordans reported from Berlin. Raf Casert in Brussels contributed to this report.

## Alexie, Pilkey books among most 'challenged' of past decade

By HILLEL ITALIE AP National Writer

NEW YORK (AP) — Toni Morrison is on the list. So are John Green and Harper Lee. And John Steinbeck and Margaret Atwood. All wrote books that were among the 100 most subjected to censorship efforts over the past decade, as compiled by the American Library Association.

Sherman Alexie's prize-winning "The Absolutely True Diary of a Part-Time Indian" came in at No. 1, followed by Dav Pilkey's "Captain Underpants" picture book series and Jay Asher's young adult novel "Thirteen Reasons Why." Objections raised by parents and other community members have ranged from explicit language and depictions of drug use in Alexie's novel to Asher's theme of suicide.

"A lot of the books on the list also reflect a growing trend in recent years to challenge books by people of color and books from the LGBTQ community," says Deborah Caldwell-Stone, director of the library association's Office for Intellectual Freedom. Examples include Morrison's "The Bluest Eye," about a Black girl raped by her father; Alex Gino's "George," about a transgender child; and Justin Richardson's and Peter Parnell's picture book about two gay penguins, "And Tango Makes Three."

The list was announced Monday as the library association prepares to mark its annual Banned Books Week.

Green's debut novel, "Looking for Alaska," was ranked fourth, with others in the top 10 including E.L. James' explicit blockbuster "50 Shades of Grey," Raina Telgemeier's graphic novel "Drama" and Lauren Myracle's "Internet Girls" series.

As with its yearly snapshots of most challenged books, the ALA defines a "challenge" as a "formal, written complaint filed with a library or school requesting that materials be removed because of content or appropriateness." The list is based on news reports and on accounts submitted from libraries and others in the local community, although the ALA believes many challenges go unreported. The association does not formally count the number of times books are actually removed from a library shelf or from a school reading list.

The decade list overall is a mixture of old standards such as Lee's "To Kill a Mockingbird" and Mark Twain's "The Adventures of Huckleberry Finn" and more recent works such as Stephen Chbosky's "The Perks of Being a Wallflower" and Suzanne Collins' multimillion selling "The Hunger Games," which has been accused of being anti-family and promoting violence. Others included were Atwood's Dystopian classic "The

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Handmaid's Tale," Steinbeck's "Of Mice and Men" and J.D. Salinger's "The Catcher in the Rye."

Most of the books are fiction, but the list also includes such nonfiction works as Jeanette Walls' memoir about growing up with dysfunctional parents, "The Glass Castle," and "Anne Frank: Diary of a Young Girl," which has faced challenges for the Jewish girl's emerging sexual feelings and physical changes as she and her family hide from the Nazis in Amsterdam during World War II. Frank was 15 when she was captured in 1944, and she died in a concentration camp the following year.

"There are actually two lines of objections to the Anne Frank diary," Caldwell-Stone says. "One line is about her physical attraction to a boy (Peter Schiff, whom she met in school) and there were also objections that it was inappropriate for someone 12 years old to learn about the Holocaust. It was too much of a downer. It was not uplifting to young people."

## How it happened: From law professor to high court in 4 years

By ZEKE MILLER, COLLEEN LONG and MICHAEL BALSAMO Associated Press

WASHINGTON (AP) — Four years ago, Amy Coney Barrett was a little-known law professor in Indiana. Within weeks, she is likely to be the newest associate justice on the U.S. Supreme Court.

Barrett's fast-track rise, set to drive the nation's highest court to the right for a generation or longer, is the fulfillment of a decadeslong effort by conservatives to remake the federal bench that kicked into high gear after President Donald Trump was elected. For Trump, whose 2016 victory was bolstered by white evangelicals' reluctant support of his candidacy tied to his promise to fill the seat vacated by the death of Supreme Court Justice Antonin Scalia with a conservative, the latest nomination brings his first term full circle.

Even before Ruth Bader Ginsburg's death, Trump was campaigning for reelection in 2020 on his record of confirming more than 200 federal judges during his first term, fulfilling a generational aim of conservative legal activists.

"Today's nomination is the capstone of a more than four-year process where the president seized upon the issue, stayed focused, and called attention to a small bench of very talented people who he could put on the Supreme Court," said Leonard Leo, of the conservative Federalist Society.

The following account is based on information from five people familiar with the process and the president's thinking who were not authorized to speak publicly about the details.

Within weeks of Trump's victory in 2016, incoming White House counsel Don McGahn, Leo and a handful of other attorneys set about drawing up lists of potential nominees for more than 100 federal judicial vacancies. First among them was the Supreme Court vacancy created by the death of Scalia, but they also dug deeper.

Barrett, then a law professor at Notre Dame, was not well known in political circles in Indiana and almost unheard of nationally. But she found herself on the list of potential picks for the 7th U.S. Circuit Court of Appeals, in large part thanks to McGahn. A fellow Notre Dame alum, McGahn knew Barrett from conservative legal circles, like Leo's influential Federalist Society, and talked her up to the Indiana congressional delegation.

Barrett faced a bruising nomination battle for the appellate seat in 2017 that caught the attention of Trump, who was impressed with her ability to keep her cool under critical questioning by Democratic senators, including a grilling by Sen. Dianne Feinstein of California regarding her Catholic faith.

"I think in your case, professor, when you read your speeches, the conclusion one draws is that the dogma lives loudly within you," Feinstein said. "And that's of concern when you come to big issues that large numbers of people have fought for, for years in this country."

Barrett's was the only confirmation hearing for an appellate judge that McGahn sat through in person on Capitol Hill, and the only investiture he attended when she took her seat on the 7th Circuit. After Barrett was confirmed 55-43, with three Democrats voting to confirm, some White House lawyers made coffee mugs with the phrase: "The dogma lives loudly within you."

Months later, in the fall of 2017, Trump set about updating his list of potential nominees to the Supreme

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Court. Five names were presented to him in an Oval Office meeting with McGahn and Leo. Among the names: Barrett and Brett Kavanaugh. McGahn unveiled the list weeks later at a Federalist Society conference in Washington.

The following year, after Justice Anthony Kennedy retired, Barrett found herself on the short list, undergoing a White House vetting and a 25-minute interview with Trump.

But some conservatives were concerned about her sparse record, worried she'd end up like other potentially conservative justices who veered in a more moderate direction, a trap they fell into with Justice David Souter. Still, Trump saw something he liked, and allies like Scalia's widow, Maureen, and Fox News host Sean Hannity spoke highly of her. Trump and McGahn set about elevating Barrett's profile for the next opening on the high court -- with Trump telling some aides he was "saving" her for Ginsburg's seat.

Meanwhile, Barrett was making a name for herself on the 7th Circuit on conservative hot-button issues. She twice wanted decisions to be thrown out and reheard by the full appeals court that had blocked laws enacted by abortion-rights opponents. Oftentimes, the full panel comes to a different conclusion.

Last year, after a three-judge panel blocked an Indiana law that would make it harder for a minor to have an abortion without her parents being notified, Barrett voted to have the case reheard by the full court.

In a dissent in the 2019 gun-rights case of *Kanter v. Barr*, Barrett argued that a conviction for a nonviolent felony — in this case, mail fraud — shouldn't automatically disqualify someone from owning a gun.

Barrett wrote a unanimous three-judge panel decision in 2019 making it easier for men alleged to have committed sexual assaults on campus to challenge the proceedings against them.

This summer, when Trump announced he wanted to update the Supreme Court list once again in hopes of motivating conservative voters, Barrett was on the top. And that's where she stayed.

Barrett, in some ways, was the standard by which Trump judged other women for the list, including Florida's Barbara Lagoa and North Carolina's Allison Rushing. Their names made the list, but they weren't threatening to bump Barrett from the top, the people said.

After Ginsburg's death, Trump quickly turned his focus to Barrett and never truly looked elsewhere.

Conservative outside groups, aware of Trump's interest in Barrett from the Kennedy replacement, were already on board, offering public statements of support even before Trump had made a final determination.

In the end, Barrett was the only candidate Trump interviewed in person for Ginsburg's seat. And on Saturday evening, he formally announced his choice at a Rose Garden ceremony that included a military band and a display of American flags hanging between the columns of the White House colonnade.

"Today it is my honor to nominate one of our nation's most brilliant and gifted legal minds to the Supreme Court," Trump said of Barrett, calling her "a woman of unparalleled achievement, towering intellect, sterling credentials and unyielding loyalty to the Constitution."

Barrett, for her part, thanked the president as she introduced herself to the country. "I am truly humbled by the prospect of serving on the Supreme Court," she said.

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This story has been corrected to show that Barrett's 2017 confirmation was not along party lines. It was 55-43, with three Democrats voting to confirm.

## The eyes don't have it: Masks upset classroom communication

By SHAWN MARSH Associated Press

Placing an order at a deli counter while wearing a mask and standing 6 feet away can be difficult. Try teaching a class full of schoolchildren and connecting with students who are themselves wearing masks.

Teachers who in ordinary times rely on their voices to convey nuances of language and manage classroom behavior are tasked with not sounding like the trombone-produced "wah wah" of the Charlie Brown TV specials while protecting themselves and their students from the coronavirus.

To help themselves communicate with students, teachers have turned to masks with clear patches over their mouths, set up plexiglass bubbles inside classrooms so they can speak without masks, and in some cases turned to props to get across how they are feeling.



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Stephanie Wanzer, a teacher who works with special education students in Fairfield County, Connecticut, uses a stick with an image of a smile during her sessions.

"I try to be really expressive with my eyes. He's looking at me and I'm not sure if he thinks I'm mad or happy because you can't see my mouth smiling," she said. "So I actually have a smile on a stick, which is bizarre, but it's a smile like, 'Look, I'm smiling.'"

School started virtually for Jon Resendez, a teacher in Irvine, California, but he worries about how the required masks will affect the dynamic in his 12th grade civics classes with some students now returning to the school building.

"Part of what I do as a civics teacher is to teach people to engage in civic conversations," he said. "That has to do with seeing the person's facial expressions, a person's body language and sort of reading your audience, and it becomes more difficult to read your audience" when they are all wearing masks.

It also will be more difficult for student to collaborate, to do presentations and to speak with one another in class.

"I like a low murmur in the room because if the students are talking, they are thinking," he said.

The task is especially difficult for those working with students who are deaf, hard of hearing or whose first language is not English.

"For one, the mask might muffle some sounds, making it harder for English learners to distinguish them, such as the sound for 'P' and the sound for 'B,'" said Deborah Short, president of the TESOL International Association. The Virginia-based group was created to unite teachers and administrators with an interest in teaching English to speakers of other languages.

"A mask stops students from watching how a teacher forms sounds, how the lips and tongue are positioned and whether air is expelled or not," she said.

Short said teachers can mitigate those limitations by speaking loudly and articulating well. They also can utilize videos and images to "show how sounds may be created," she said.

Some schools have ordered face shields or masks with windows so students can see teachers' mouths, although some have raised concerns about the plastic screens fogging up.

Wanzer said one colleague wore such a mask to work with a hearing impaired student who said it made the teacher look like the Joker and was unnecessary. The teacher was happy not to use it, she said, because the plastic material was so uncomfortable.

Nonetheless, teachers and schools have driven spikes in demand for clear masks from companies like Baltimore-based ClearMask, which began producing its namesake product in 2017 after its co-founder, who is deaf, was unable to communicate effectively while undergoing surgery while wearing a traditional mask. The company's manufacturing team has grown from four employees to more than 250 since the start of the pandemic.

"We see a large need for early childhood education to support young children's social, emotional, and language development, as well as specific programs for students," said ClearMask co-founder and president Allysa Dittmar.

At the C.B. Jennings International Elementary Magnet School in New London, Connecticut, teachers are provided with carts with plexiglass that they can stand behind as they move around the classroom.

Even behind them, many teachers still keep their masks on, according to instructional coach Elizabeth Sked, who said expressive eyes go a long way to connecting with students.

"Kids and teachers are super resilient," she said.

Belinda Williams, a kindergarten teacher at Webb Elementary School in Franklin, Indiana, said she and her students have adapted to wearing masks, along with a new routines for hand-sanitizing and social distancing. She decorated her classroom with a superhero theme and tells students they have "special powers" when they're wearing face coverings.

"Do I wish we didn't have to wear a mask? Absolutely," she said. "But if it means teaching our children in person, then I will do what it takes."

contributed to this report.

## Tribes see ballot collection as a lifeline in Indian Country

By SAM METZ Associated Press/Report for America

NIXON, Nev. (AP) — Many older people living on the expansive Pyramid Lake Paiute Reservation in northern Nevada relied on the tribe's senior services van to get to the grocery store or the doctor before the coronavirus pandemic ended that option.

Now, tribal officials worry how elders and others who don't have cars or can't travel on their own will get to the post office to return their ballots before Election Day.

"The distance has been a barrier for our people to vote," tribal council member Janet Davis said outside the small, wood-shingle post office in the town of Nixon, not far from the turquoise lake that gives the Pyramid Lake Paiute Tribe its name. "We have elders that might not be able to move around much, those that might be afraid of the pandemic, people who are disabled and people that don't have transportation."

To make voting easier, a new Nevada law allows residents to fill out their ballots and let someone else return them on their behalf — a neighbor, tribal official or political volunteer. To Davis and other tribal officials, it's not unlike the way people on far-flung reservations help each other run errands.

Tribes see ballot collection as a critical way to boost historically low Native American turnout. They are targeting bans on the practice in several states, including Arizona and Montana, as more states move to mail-in voting during the pandemic. It's become a flashpoint in a rancorous election year, with President Donald Trump claiming without evidence that it will lead to fraud.

Detractors argue that so-called ballot harvesting allows political groups to deploy volunteers to collect ballots on a mass scale and sway elections. They worry about the potential for tampering similar to what happened two years ago in North Carolina's 9th Congressional District, where a Republican political operative is accused of manipulating incomplete ballots.

Tribes say the negative impact of limiting ballot assistance in Indian Country is often absent from the debate. Native Americans have a lower voter turnout rate than other racial or ethnic groups. They face less-reliable mail service on remote tribal lands and often must travel long distances to reach a polling place or a post office to return a mail-in ballot. And it's only gotten tougher with services scaled down because of the virus.

Trump's campaign sued Nevada after the Democratic-controlled Legislature passed a law to mail ballots to all active voters and lift limits on who can collect ballots for other people. It makes it a felony to not return a ballot after being entrusted to do so. The president alleged the law will compromise election integrity, but a federal judge dismissed the case, saying the campaign didn't show how it would be harmed.

"It's just the case that in the regular course of their lives, Native Americans pick up and drop off mail for each other," said Jacqueline De León, an attorney for the Native American Rights Fund. "It's a way people cut down the cost and burden of getting their mail in the rural places they live."

The Pyramid Lake Paiute Reservation spans more than 742 square miles (1,920 square kilometers) north of Reno. Residents live mainly in three towns — Wadsworth, Nixon and Sutcliffe — that are up to 30 miles (48 kilometers) apart.

On a reservation that's been closed to outsiders to prevent the spread of the virus, only in Sutcliffe does the Postal Service deliver mail to neighborhoods. Homes in Wadsworth and Nixon rely on P.O. boxes at their post office, which is open only from 11:30 a.m. to 3:30 p.m. Residents say the mail is either infrequent or unreliable.

That's the case on many tribal lands, including the Navajo Nation, where voters recently lost a lawsuit in Arizona seeking an extra 10 days past Election Day to count mail-in ballots because of post office delays.

In Nevada, Pyramid Lake Paiute members also can cast ballots in person at tribal offices in Nixon after the tribe sued Nevada in 2016, saying people were denied equal access to the polls due to long distances some must travel to vote. But they still must find a way there.

On the Duck Valley Indian Reservation straddling the Nevada-Idaho line, Lynn Manning-John believes

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allowing people to collect and return ballots for other voters could improve low turnout.

But Manning-John, a member of the Duck Valley Shoshone-Paiute Tribes, worries about relying too heavily on post offices like the cramped, century-old facility in Owyhee, Nevada, where she lives.

Getting there isn't easy for many of her neighbors, she said. Not everyone has a car, and it's not uncommon to see horses tied up to rails outside the grocery store alongside dirt bikes. At the post office, there aren't enough P.O. boxes, so it's common for three generations of a family to share a mailbox, Manning-John said.

The reservation historically has operated as an all-mail precinct. If a voter notices a problem on their ballot like a spelling error or doesn't receive a ballot because of an address verification issue, the only option is to travel 97 miles (156 kilometers) to the county seat in Elko to vote. The reservation will have neither a polling place nor a drop-box location for ballots in the upcoming election, making mail service the only option.

Manning-John hopes expanding who's allowed to collect ballots and bring them to the post office or to Elko will encourage voting.

For those who don't trust the mail to arrive on time, "there are people who will be willing to say, 'If you vote, I'll make sure your ballot gets to Elko,'" she said.

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Sam Metz is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues.

## Barrett could be Ginsburg's polar opposite on Supreme Court

By MARK SHERMAN Associated Press

WASHINGTON (AP) — Amy Coney Barrett paid homage to Justice Ruth Bader Ginsburg in her White House speech Saturday as a shatterer of glass ceilings. She said she would be mindful of the woman whose place she would take on the Supreme Court.

She even commented that her children think their father is the better cook, much as Ginsburg used to talk about her husband's prowess in the kitchen.

But the replacement of the liberal icon Ginsburg, the second woman to serve on the high court, by Barrett, who would be the fifth, would represent the most dramatic ideological change on the Supreme Court in nearly 30 years and cement conservative dominance of the court for years to come.

Barrett, a judge on the federal appeals court based in Chicago, made clear in her Rose Garden address that she looks to conservative Justice Antonin Scalia, for whom she once worked, and not Ginsburg, on matters of law.

"His judicial philosophy is mine, too. Judges must apply the law as written. Judges are not policy makers," Barrett said. She was referring to their common method of interpreting laws and the Constitution based on what they were understood to mean when they were written.

Ginsburg, who died this month at age 87, and Scalia were dear friends, but they were on opposite sides of the most divisive issues of the day.

Barrett's conservative judicial record, her writings and speeches suggest that she too would be Ginsburg's polar opposite on a range of issues that include abortion and guns.

Barrett has cast votes suggesting she would uphold state abortion restrictions that Ginsburg found violated the Constitution. Barrett also favors a more expansive interpretation of gun rights.

Ginsburg believed deeply that the Constitution protects a woman's right to an abortion. She was a firm opponent of a broad reading of the constitutional right to "keep and bear arms."

The differences don't stop there. Barrett has been critical of Chief Justice John Roberts' opinion upholding the Affordable Care Act, which is again facing a constitutional challenge at the Supreme Court. Ginsburg was one of five votes that saved the law on two prior occasions.

If Barrett is confirmed before the Nov. 3 election, she would get a chance to weigh in on the latest lawsuit to overturn Obamacare, which is set for arguments a week later.

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The contrast between Ginsburg and Barrett most resembles the differences between Justice Thurgood Marshall and the man who replaced him in 1991, Justice Clarence Thomas.

Marshall was part of the majority in the 1973 Roe v. Wade decision that declared a nationwide right to abortion. In his first year on the court, Thomas joined a dissenting opinion arguing that Roe should be overturned.

Marshall was a firm supporter of affirmative action programs in education and a fervent opponent of the death penalty. Thomas holds opposing views on both issues.

The backgrounds of Barrett and Ginsburg also are very different. Barrett is a Catholic from New Orleans. The Brooklyn-born Ginsburg was Jewish. Barrett had the chance to serve as a Supreme Court clerk. Ginsburg was able to secure a clerkship with a lower-court judge only after the intervention of a law school professor.

But they both taught at law schools and became appeals court judges in their mid- to late-40s. The both focused on procedural and technical legal issues in their scholarship.

The debate over Barrett's confirmation already is raging, with one focus on gun rights.

Ginsburg was not part of the majority in the Supreme Court's two major gun rights decisions in 2008 and 2010. But the court had been reluctant to take on big new cases involving gun restrictions.

Barrett's ascension to the Supreme Court could give gun rights advocates the vote they need to bring the issue back to the court in the near future.

Both her supporters and detractors have pointed to her 2019 dissent in which she argued that federal and Wisconsin laws prohibiting someone convicted of a serious crime from owning a gun should not necessarily apply if the conviction was for a nonviolent crime.

The two judges in the majority agreed with Trump administration arguments that the defendant, Rickey Kanter, could not own a gun. Barrett wrote that "while both Wisconsin and the United States have an unquestionably strong interest in protecting the public from gun violence, they have failed to show, by either logic or data that disarming Kanter substantially advances that interest."

She said that her colleagues were treating the Second Amendment as a "second-class right, subject to an entirely different body of rules than the other Bill of Rights guarantees." Barrett quoted from a 2010 opinion by Justice Samuel Alito that extended gun rights, but the phrase also has been used more recently by Justice Clarence Thomas and other conservatives to complain that the Supreme Court has shied away from recognizing gun rights.

Hannah Shearer, litigation director of the pro-gun control Giffords Law Center, said that the National Rifle Association backed Barrett's nomination to the appeals court. The dissenting opinion, Shearer said, showed "it didn't take long for the NRA bet on Judge Barrett to pay off."

Conservative commentator Ed Whelan, also a onetime Scalia law clerk, praised the opinion for its "masterful application" of the originalist method of interpretation that Scalia favored to show that Kanter should not be barred from owning a gun.

## Homespun BLM products include cookie kits, garden gnomes

By TERRY TANG Associated Press

A few weeks after nationwide protests erupted over the police killing of George Floyd, Julie Muller looked for something positive she could contribute to the movement from her Houston home.

The 67-year-old white woman, who has been selling homemade cookie-decorating kits online since March, decided to offer one with a Black Lives Matter theme. The kit comes with cookie cutters imprinted with former President Barack Obama's face, sprinkles and icing in red, black and green — the colors of the Pan-African or Black Liberation flag.

Other examples of homespun BLM merchandise include wine stoppers and even garden gnomes — objects more often associated with white suburbia. The white sellers insist they are not trying to make light of racial issues or widen their profit margins. But to many onlookers, the sales through the crafts marketplace Etsy may straddle an uncomfortable line between supporting the movement and exploiting it.

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Muller's three children were the first to warn her she might appear to be capitalizing on racial unrest. But that's partly why she wanted to act.

"I've been thinking about what's systemic racism and what is racial profiling," Muller said. "It's more about doing my part. What can I offer?"

The protest movement ignited by Floyd's death in May under the knee of a Minneapolis police officer compelled businesses large and small to declare publicly that they were "woke" to the pain of Black people. Manufacturers soon began making BLM T-shirts, face masks and signs.

It's not surprising that independent merchants wanted to express solidarity too, said Patti Williams, an associate professor of marketing at the University of Pennsylvania's Wharton School.

To demonstrate sincerity, sellers should commit to making these items permanently to show their efforts are not just an attempt "to jump on a fad," she added.

There's also potential for the items themselves to be seen as offensive or tone-deaf.

Ashleigh Boutelle, 45, of Twin Peaks, California, custom paints garden gnomes as a side business. After making gay pride gnomes, he decided in July to try painting a Black Lives Matter gnome. The yellow-and-black-clad gnome — a nod to the colors used on a Black Lives Matter website — wears a "BLM" hat. He also painted it with a darker skin tone.

"I was just trying to be very careful and present something that you might say is neutral," Boutelle said. "Hopefully, someone who sees it is not offended."

He has since gotten a few orders for either Black Lives Matter gnomes or African American gnomes. Boutelle hopes people don't question his sincerity because his support is displayed on a mythical figure with a pointy hat.

"I like the idea of offering it to someone who might want to put it in their yard to make a statement — a cute statement, of course," said Boutelle, who has not chosen yet to which organization to donate \$10 from every sale of the \$60 gnome.

Kate Mayer, 37, of Cincinnati, decided to offer a Black Lives Matter wine bottle stopper among her dozens of handmade wine stoppers. She understands critics may dislike the link between rosé and race relations. But her Etsy shop is her biggest platform.

"I can only hope that they would understand that I'm trying to come from a good place," Mayer said. "I'm just trying to do the little bit that I can do. If everyone does that, it adds up to a lot."

She gives 25% of each sale to the Black Voters Matter Fund. She has sold 15 of the \$17 stoppers.

"I'm really not making a profit on these," Mayer said. "It's more of just a show of good faith."

Both independent creatives and companies should be donating profits to demonstrate solidarity, said Fresco Steez, an activist with Movement for Black Lives and co-founder of Black Youth Project 100. And it can't be just a percentage. Otherwise, businesses are essentially benefiting from the social struggles at the heart of the protests, she said.

"If you keep your production costs and explicitly say all of the profits are going to doing the work — that feels ethical to me," Steez said.

Crafters can also do other things, like donate an item for an organization's fundraiser or event, Steez added.

In Chicago, Jasmine Renee, a Black legal assistant in her early 20s, recently launched an Etsy shop — Shea Butter Apparel — to sell Black Lives Matter-themed shirts, sweaters and accessories she designed. Advertising support for the movement on items like a gnome or wine stopper doesn't personally appeal to her. She hopes those who find them appealing will also look at Black-owned businesses and that white sellers will promote Black sellers of BLM merchandise.

"It doesn't really put the focus on you and your store or operation," Renee said. "It returns some of the focus to the main goal of the Black Lives Matter movement, which is to say Black bodies are important. What we say and do is important."

Ultimately, the offbeat creations could be a good way to touch a demographic that is sometimes out of activists' reach. A wine stopper, for example, might initiate "upper middle-class conversations" about the marginalization of Black people and other groups, Steez said.

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"My hope is when a white woman buys a Black Lives Matter wine stopper and potentially in the middle of the COVID pandemic has a dinner party and she sets it on a table — that a Trump-Pence supporter potentially wants to have a conversation and wants to debate," Steez said.

Muller, a former teacher, would like to see her cookie-decorating kit serve as a vehicle to talk with children of any race about the movement and why it matters.

"I think you could make a little lesson around it," Muller said. "I can't believe anybody would say that would be unimportant."

\_\_\_ Tang reported from Phoenix and is a member of The Associated Press' Race and Ethnicity team. Follow her on Twitter at <https://twitter.com/ttangAP>.

## New rule may strip pollution protections from popular lakes

By JOHN FLESHER AP Environmental Writer

WILMINGTON, N.C. (AP) — Nearly 50 years ago, a power company received permission from North Carolina to build a reservoir by damming a creek near the coastal city of Wilmington. It would provide a source of steam to generate electricity and a place to cool hot water from an adjacent coal-fired plant.

Sutton Lake became popular with boaters and anglers, yielding bass, crappie, bluegill and other panfish. But coal ash from the plant fouled the public reservoir with selenium, arsenic and other toxic substances, endangering the fish and people who ate them.

Environmentalists sued Duke Energy, which settled the case by spending \$1.25 million protecting nearby wetlands. But now the company — and other U.S. power producers — may have gotten the last laugh.

The Trump administration this year completed a long-debated rewrite of the Clean Water Act that drastically reduces the number of waterways regulated by the federal government. A little-noticed provision for the first time classifies "cooling ponds" as parts of "waste treatment systems" — which are not covered under the law.

The U.S. Environmental Protection Agency and the power industry describe it as a clarification with little real-world effect. But environmental groups challenging the Trump rule in court say it opens up reservoirs like Sutton Lake to similar abuse.

"These lakes are sources of food, drinking water, recreation and property values for surrounding communities," said Frank Holleman, an attorney with the Southern Environmental Law Center. "They've been protected under the Clean Water Act ever since it's been adopted, all the way back to Nixon. No responsible adult would have stripped away these protections."

The provision on reservoirs is an example of "hidden bombs" that could lurk in the new regulation's fine print, said Mark Ryan, a former EPA attorney who helped craft the Obama administration's clean-water rule that was replaced by the substantially weaker Trump version.

"Congress needs to fix this, or it will be tied up in litigation forever," Ryan said.

The 1972 law requires developers, factories and others who use navigable waters to get permits specifying how much pollution can be discharged or wetland acreage filled. State regulators and the EPA monitor compliance and punish violators.

Disagreement over which waters are under federal jurisdiction has produced Supreme Court rulings and regulatory tinkering. But cooling reservoirs for power plants were covered until the Trump rewrite, Holleman said.

No complete list of such reservoirs is available, but at least a dozen manmade lakes appear to be vulnerable now, said Blan Holman, also an attorney with the Southern Environmental Law Center. Some cover thousands of acres, are prized boating and fishing spots, and have shorelines dotted with houses.

Among them: 4,900-acre (1,983-hectare) Clinton Lake in central Illinois, which was built in the 1970s to serve a nuclear power plant and is part of a state recreation area. Others are in the Carolinas, Oklahoma, Tennessee and Texas.

Lake Keowee, which provides cooling waters for a Duke Energy nuclear plant near Seneca, South Carolina, is 26 miles (42 kilometers) long and up to 54 feet (16.4 meters) deep. It's a water sports haven and

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a drinking water source for several cities.

Alice Guzick, who lives beside the scenic reservoir in the Appalachian mountains, said she fears the regulatory change will make builders less careful to prevent runoff as homes spring up along the shoreline.

"That sediment could cause a lot of pollution," Guzick said. "There are many small businesses that would fail if the water were ever contaminated."

The Edison Electric Institute, which advocates for power companies, last year asked the EPA and the U.S. Army Corps of Engineers to group cooling ponds with unregulated waste treatment systems, saying confusion over their status had led to costly lawsuits.

But the industry wasn't seeking a loophole to leave large reservoirs unprotected, said Alex Bond, the group's associate general counsel for energy. He said critics are exaggerating what the wording change will mean.

"Generally speaking, the entire lake is not considered the waste treatment system," Bond said, but rather the area near a plant where hot water is discharged. "Anything beyond that would be subject to regulation."

EPA said in a statement that federal agencies "do not anticipate changes in longstanding implementation practices associated with these systems."

Duke Power spokesman Philip Sgro said the company pushed for the wording change to be sure its coal ash retention basins at Sutton Lake and other reservoirs were excluded from the clean-water regulation. They are being closed and their contents moved to landfills.

"The lakes and reservoirs used for public access and recreation will remain classified as waters of the United States, and permits will still be required to discharge wastewater into them," Sgro said.

But that's not what the new regulation says, Holleman countered. The law has always excluded waste treatment systems from coverage, he said, and now those systems have been defined to include cooling waters, leaving no basis for issuing federal permits to protect the reservoirs.

The power industry says state laws also will protect large reservoirs. But they are often weaker than the federal Clean Water Act and many don't allow citizen groups to sue over violations, Holleman said.

Wilmington-area environmental activist Kemp Burdette said he fears for Sutton Lake, a 1,100-acre (445-hectare) reservoir that a Duke University study last year found was still heavily contaminated with metals from decades of ash spills even though the coal plant has been replaced with a natural gas system.

"Removing any protection from this lake is going to mean the amount of pollution that's allowed to be dumped in here goes up," Burdette, of Cape Fear River Watch, said during a recent boat tour. Great blue herons skimmed the dark, wind-rippled surface in search of fish, while ospreys took wing from sycamore and cypress trees lining the shore.

Now that coal ash has been moved from shoreline lagoons to a nearby landfill, "you could have this lake start to heal itself," he said. "But to consider this wastewater is a terrible thing that's probably going to kill this lake."

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## On guns, abortion, high court could become more conservative

By JESSICA GRESKO The Associated Press

WASHINGTON (AP) — If Congress confirms President Donald Trump's nominee to succeed Justice Ruth Bader Ginsburg, the Supreme Court would become more conservative, and also perhaps more ready to tackle certain hot-button issues like abortion and guns. Chief Justice John Roberts would also likely become less able to steer the outcome in divisive cases.

Ginsburg, who died Sept. 18 at 87, was the leader of the liberal wing of the court, which had been split 5-4 between conservatives and liberals. Roberts had, on occasion, sided with the liberals. But if Trump fills Ginsburg's seat, there will be six conservative justices, three of them appointed by him.

Here are several big issues that are poised to come before the justices where a more solidly conservative majority could make a difference:

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## HEALTHCARE

A week after the presidential election, the court will hear arguments in bid by the Trump administration and Republican-led states to overturn the Obama-era health care law. In the midst of the coronavirus pandemic, coverage for more than 20 million people is at stake, along with the law's ban on insurance discrimination against Americans with pre-existing medical conditions.

A more conservative court might be seen as more sympathetic to striking down the Affordable Care Act, but the court might still choose not to. The justices have less drastic options. For example, the court could invalidate "Obamacare's" now toothless requirement that most Americans carry health insurance, and leave in place core provisions such as subsidized health insurance, Medicaid expansion and protection for people with medical problems.

Now that former President Barack Obama's landmark law is more than 10 years old, its many provisions are fully baked into the health care system. Unwinding it would be a colossal undertaking, fraught with political risks.

President Donald Trump promised, but never delivered, a replacement.

## ELECTIONS

Trump has said he wants Ginsburg's replacement confirmed to the Supreme Court ahead of Election Day so that a full court can weigh in on any campaign-related litigation.

Speaking at the White House on Wednesday, Trump predicted the election "will end up in the Supreme Court, adding, "I think it's important we have nine justices." The 2016 election was conducted with only eight justices on the bench, however, after Republicans refused to hold hearings on President Barack Obama's nominee to replace the late Justice Antonin Scalia.

It's possible that an election-deciding case lands in the justices' laps, as one did in the 2000 election between Republican George W. Bush and Democrat Al Gore. And liberals worry that a court with three Trump appointees would favor him in a dispute with Joe Biden.

But even if an election-deciding question doesn't arrive at the justices' doorstep, they have already weighed in on election changes states have made in response to the coronavirus pandemic. And more pre-election challenges are likely coming. So far this year the court has stopped other courts from altering election rules close to the election.

## ABORTION

Abortion rights advocates would seem to face insurmountable odds winning at the Supreme Court without Ginsburg.

Earlier this year, a divided Supreme Court struck down a Louisiana law regulating abortion clinics, reasserting a commitment to abortion rights. It was the first big abortion case of Trump's presidency.

The 5-4 outcome turned on the vote of Roberts, who joined his four more liberal colleagues, including Ginsburg. The court addressed a law requiring doctors who perform abortions to have admitting privileges at nearby hospitals. The justices ruled that the law violates the rights established by Roe v. Wade, the 1973 decision that established a nationwide right to abortion.

But Roberts' vote had to do with following court precedent rather than support for abortion rights. If a Trump nominee replaces Ginsburg, Roberts' vote on the issue would likely become less decisive. And the addition of another conservative vote would likely spur states to test the boundaries of regulation.

Already, cases are headed to the court that would provide an opportunity to overturn or weaken Roe v. Wade. Those cases involve sweeping bans on abortions after six weeks or eight weeks of pregnancy.

## GUNS

The Supreme Court has for years been reluctant to take on new guns cases, but that could change under a more conservative court.

Last year, with two Trump justices aboard, the Supreme Court took on its first major gun rights case in



nearly a decade. But the case ended with the justices sidestepping any major decision.

Gun rights advocates had hoped the court might use the case from New York City to expand on landmark decisions that established a right under the Second Amendment to keep a gun at home for self-defense. Instead, the justices ultimately threw out the case, citing changes in city restrictions and state law.

Three members of the court dissented, however, expressing concern that lower federal courts are not properly applying the court's two big gun rights decisions from 2008 and 2010. Justice Brett Kavanaugh, who was among the justices who agreed the case should be thrown out, shared that concern, saying the court should address the issue soon.

## ENVIRONMENT

After the president started pulling America out of the Paris climate accord, more than a dozen mostly Democratic governors were among those taking up the fight against climate-changing fossil fuel emissions themselves

A more conservative Supreme Court could doom those ongoing efforts, California Gov. Gavin Newsom said this week. Newsom said he's "deeply anxious about what a 6-3 ideological majority on the court may mean to this conversation."

But the outcome of the presidential election matters in this area too. A Biden administration could undo many of the dozens of Trump administration rollbacks weakening or eliminating many protections for the air and water and for people and wildlife.

Federal courts so far have rejected many of the rollbacks. Lawyers for environmental groups say if Trump were to win a second term and the makeup of the Supreme Court shifts significantly, they could be less likely to win if cases ultimately land there.

Associated Press writers Ricardo Alonso-Zaldivar, David Crary, Ellen Knickmeyer and Mark Sherman contributed to this report

## Military suicides up as much as 20% in COVID era

By LOLITA C. BALDOR and ROBERT BURNS Associated Press

WASHINGTON (AP) — Military suicides have increased by as much as 20% this year compared to the same period in 2019, and some incidents of violent behavior have spiked as service members struggle under COVID-19, war-zone deployments, national disasters and civil unrest.

While the data is incomplete and causes of suicide are complex, Army and Air Force officials say they believe the pandemic is adding stress to an already strained force.

And senior Army leaders — who say they've seen about a 30% jump in active duty suicides so far this year — told The Associated Press that they are looking at shortening combat deployments. Such a move would be part of a broader effort to make the wellbeing of soldiers and their families the Army's top priority, overtaking combat readiness and weapons modernization.

The Pentagon refused to provide 2020 data or discuss the issue, but Army officials said discussions in Defense Department briefings indicate there has been up to a 20% jump in overall military suicides this year. The numbers vary by service. The active Army's 30% spike — from 88 last year to 114 this year — pushes the total up because it's the largest service. The Army Guard is up about 10%, going from 78 last year to 86 this year. The Navy total is believed to be lower this year.

Army leaders say they can't directly pin the increase on the virus, but the timing coincides.

"I can't say scientifically, but what I can say is - I can read a chart and a graph, and the numbers have gone up in behavioral health related issues," Army Secretary Ryan McCarthy said in an AP interview.

Pointing to increases in Army suicides, murders and other violent behavior, he added, "We cannot say definitively it is because of COVID. But there is a direct correlation from when COVID started, the numbers actually went up."

Preliminary data for the first three months of 2020 show an overall dip in military suicides across the

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active duty and reserves, compared to the same time last year. Those early numbers, fueled by declines in Navy and Air Force deaths, gave hope to military leaders who have long struggled to cut suicide rates. But in the spring, the numbers ticked up.

"COVID adds stress," said Gen. Charles Brown, the Air Force chief, in public remarks. "From a suicide perspective, we are on a path to be as bad as last year. And that's not just an Air Force problem, this is a national problem because COVID adds some additional stressors – a fear of the unknown for certain folks."

The active duty Air Force and reserves had 98 suicides as of Sept. 15, unchanged from the same period last year. But last year was the worst in three decades for active duty Air Force suicides. Officials had hoped the decline early in the year would continue.

Navy and Marine officials refused to discuss the subject.

Civilian suicide rates have risen in recent years, but 2020 data isn't available, so it's difficult to compare with the military. A Pentagon report on 2018 suicides said the military rate was roughly equivalent to that of the U.S. general population, after adjusting for the fact that the military is more heavily male and younger than the civilian population. The 2018 rate for active duty military was 24.8 per 100,000, while the overall civilian rate for that year was 14.2, but the rate for younger civilian men ranged from 22.7 to 27.7 per 100,000, according to the National Institute of Mental Health.

James Helis, director of the Army's resilience programs, said virus-related isolation, financial disruptions, remote schooling and loss of child care all happening almost overnight has strained troops and families.

"We know that the measures we took to mitigate and prevent the spread of COVID could amplify some of the factors that could lead to suicide," said Helis, who attended department briefings on suicide data.

Army leaders also said troops have been under pressure for nearly two decades of war. Those deployments, compounded by the virus, hurricane and wildfire response and civil unrest missions, have taken a toll.

Soldiers' 10-month deployments have been stretched to 11 months because of the two-week coronavirus quarantines at the beginning and end. McCarthy said the Army is considering shortening deployments.

Gen. James McConville, Army chief of staff, said there's new attention to giving service members "the time that they need to come back together and recover."

"We were very focused on readiness four years ago because we had some readiness challenges, and we did a great job. The force is very, very ready now. But I think it's time now to focus on people," he told the AP.

McConville and Army Sgt. Maj. Michael Grinston said units have begun "stand-up" days, where commanders focus on bringing people together, making sure they connect with each other and their families and ensuring they have strong values in how they treat each other.

The isolation is also taking a toll on veterans, particularly the wounded.

Sergio Alfaro, who served in the Army for 4 1/2 years, said fears associated with the virus intensified his PTSD and suicidal thoughts.

"It's definitely something that's made things a bit more chaotic, trying to plan for the future, do things together," said Alfaro, who deployed near Baghdad in 2003, facing daily mortar rounds, including one that killed his commander. "It's almost like adding more trash on the heap."

While he once feared that strangers passing by might hurt him, now he fears people may have COVID and not show symptoms. Others in support groups, he said, "are just sick of living this way, worried about what's coming over the next hill, what next horrible thing are we going to be confronted with."

Roger Brooks, a senior mental health specialist at the Wounded Warrior Project, said veterans are reporting increased suicidal symptoms and anxiety. Between April and the end of August, the group saw a 48% jump in referrals to mental health providers and a 10% increase in mental health calls and virtual support sessions, compared to the previous five months.

Brooks said there's anecdotal evidence that the pandemic has made wounded warriors like amputees feel more isolated, unable to connect as well with support groups. He said injured vets have seen disruptions in medical visits for pain management and other treatments.

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Within the Army, Helis said the virus has forced an increase in telehealth calls and online visits with mental health providers. That has generated some positive results, such as fewer missed appointments.

"And we also think there was a reduction in the stigma of seeking behavioral health because you can do it from the privacy of your home," he said.

Military leaders also are encouraging troops to keep a closer eye on their buddies and ensure that those who need help get it.

That message was conveyed in a remarkable public statement this month by Gen. John Hyten, vice chairman of the Joint Chiefs of Staff. He said he sought help while heading U.S. Strategic Command from 2016 to 2019. He didn't reveal details but said he saw a psychiatrist – a rare public admission by a senior officer.

"I felt like I needed to get some help," Hyten said in a video message. "I felt like I needed to talk to somebody." He encouraged others to do the same, if needed, without fear of hurting their career.

Need help? Call the National Suicide Prevention Lifeline (1-800-273-8255) Military veterans press 1. Individuals can also go to: <https://suicidepreventionlifeline.org/talk-to-someone-now> and veterans can go to [woundedwarriorproject.org](https://woundedwarriorproject.org) or call the project's resource center at: 888-997-2586.

## Today in History

By The Associated Press undefined

Today in History

Today is Monday, Sept. 28, the 272nd day of 2020. There are 94 days left in the year.

Today's Highlight in History:

On Sept. 28, 1928, Scottish medical researcher Alexander Fleming discovered penicillin, the first effective antibiotic.

On this date:

In 1066, William the Conqueror invaded England to claim the English throne.

In 1781, American forces in the Revolutionary War, backed by a French fleet, began their successful siege of Yorktown, Va.

In 1787, the Congress of the Confederation voted to send the just-completed Constitution of the United States to state legislatures for their approval.

In 1850, flogging was abolished as a form of punishment in the U.S. Navy.

In 1892, the first nighttime football game took place in Mansfield, Pennsylvania, as teams from Mansfield State Normal and Wyoming Seminary played under electric lights to a scoreless tie.

In 1920, eight members of the Chicago White Sox were indicted for allegedly throwing the 1919 World Series against the Cincinnati Reds. (All were acquitted at trial, but all eight were banned from the game for life.)

In 1962, a federal appeals court found Mississippi Gov. Ross Barnett in civil contempt for blocking the admission of James Meredith, a Black student, to the University of Mississippi. (Federal marshals escorted Meredith onto the campus two days later.)

In 1964, comedian Harpo Marx, 75, died in Los Angeles.

In 1976, Muhammad Ali kept his world heavyweight boxing championship with a close 15-round decision over Ken Norton at New York's Yankee Stadium.

In 1989, deposed Philippine President Ferdinand E. Marcos died in exile in Hawaii at age 72.

In 1995, Israeli Prime Minister Yitzhak Rabin and PLO chairman Yasser Arafat signed an accord at the White House ending Israel's military occupation of West Bank cities and laying the foundation for a Palestinian state.

In 2000, capping a 12-year battle, the government approved use of the abortion pill RU-486.

Ten years ago: The youngest son of North Korean President Kim Jong Il, Kim Jong Un, was selected for his first leadership post in the ruling Workers Party, putting him well on the path to succeed his father. Movie director Arthur Penn ("Bonnie and Clyde") died in New York a day after turning 88.

Five years ago: President Barack Obama and Russian President Vladimir Putin, meeting at the United

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Nations, agreed to discuss a political transition in Syria but remained at odds about what that would mean for Syria leader Bashar Assad's future. Former prison worker Joyce Mitchell, who'd helped two murderers escape from a maximum-security lockup, said she regretted her "horrible mistake" as she was sentenced in Plattsburgh, New York, to up to seven years behind bars. Trevor Noah debuted as host of "The Daily Show" on Comedy Central. Frankie Ford, 76, a rock 'n' roll and rhythm and blues singer whose 1959 hit "Sea Cruise" brought him international fame at age 19, died in Jefferson Parish, Louisiana.

One year ago: A massive pro-democracy rally in downtown Hong Kong ended early and violently, with police firing tear gas and a water cannon after protesters threw bricks and Molotov cocktails at government buildings. Voters in Afghanistan went to the polls to elect a president for the fourth time since a U.S.-led coalition ousted the Taliban regime in 2001; the vote was marred by violence, Taliban threats and widespread allegations of mismanagement. (After a series of delays, the country's independent election commission announced in February that Ashraf Ghani had won a second term as president.)

Today's Birthdays: Actor Brigitte Bardot is 86. Actor Joel Higgins is 77. Singer Helen Shapiro is 74. Actor Vernee Watson is 71. Movie writer-director-actor John Sayles is 70. Rock musician George Lynch is 66. Zydeco singer-musician C.J. Chenier (sheh-NEER') is 63. Actor Steve Hytner is 61. Actor-comedian Janeane Garofalo (juh-NEEN' guh-RAH'-fuh-loh) is 56. Country singer Matt King is 54. Actor Mira Sorvino is 53. TV personality/singer Moon Zappa is 53. Actor-model Carre Otis is 52. Actor Naomi Watts is 52. Country singer Karen Fairchild (Little Big Town) is 51. Singer/songwriter A.J. Croce is 49. Country singer Mandy Barnett is 45. Rapper Young Jeezy is 43. World Golf Hall of Famer Se Ri Pak is 43. Actor Peter Cambor is 42. Writer-producer-director-actor Bam Margera is 41. Actor Melissa Claire Egan is 39. Actor Jerrika Hinton is 39. Neo-soul musician Luke Mossman (Nathaniel Rateliff & the Night Sweats ) is 39. Pop-rock singer St. Vincent is 38. Comedian/actor Phoebe Robinson is 36. Rock musician Daniel Platzman (Imagine Dragons) is 34. Actor Hilary Duff is 33. Actor Keir Gilchrist is 28.