

# Groton Daily Independent

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## UpComing Events

### Thursday, Dec. 9

7 p.m.: MS/HS Christmas Concert

### Friday, Dec. 10

GBB hosts Britton-Hecla. JV at 6 p.m. with Varsity to follow

### Saturday, Dec. 11

Santa Claus Day at Professional Management Services 9am-Noon

Wage Memorial Library/Groton City Hall Grand Opening, 9:30 a.m. to 11:30 a.m. with Mrs. Claus

8 a.m. to Noon: ACT testing at GHS

10 a.m.: Wrestling Tourney at LaMoure

Boys Basketball at Britton-Hecla. JV at 1:30 p.m. followed by varsity game.

### Monday, Dec. 13

4:30 p.m.: Junior High Wrestling at Webster

Junior High GBB hosts Warner. (7th at 6 p.m. followed by 8th grade game)

7 p.m.: School Board Meeting

### Thursday, Dec. 16

Basketball Double Header with Hamlin at Groton. Girls JV at 4 p.m., Boys JV at 5 p.m., Girls Varsity at 6:15 p.m. followed by boys varsity.

### Friday, Dec. 17

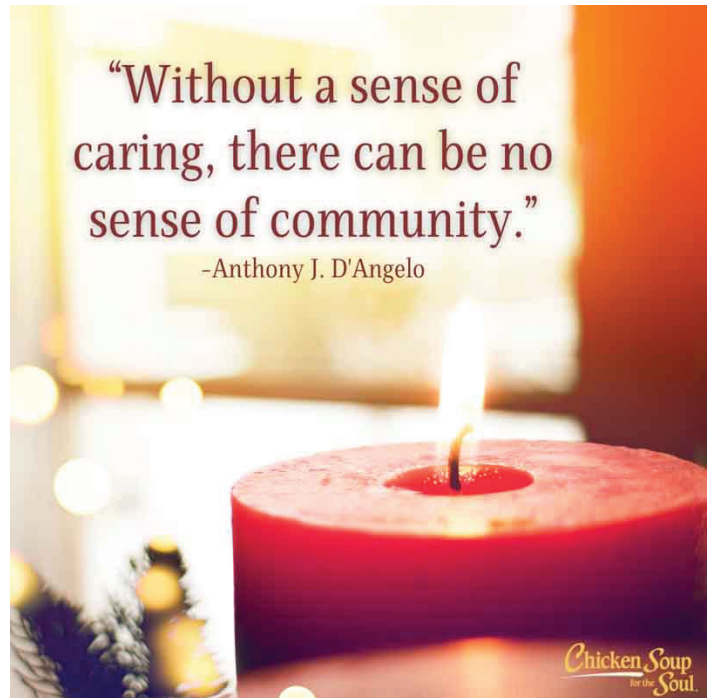
Brookings Bell Debate

### Saturday, Dec. 18

Brookings Bell Debate

10 a.m.: Wrestling at Sioux Valley High School

Boys Basketball at Sioux Falls Lutheran. JV at 3 p.m. with varsity at 4 p.m.



## C&MA Christmas Program

Groton Christian and Missionary Alliance Church is excited to share "Hotel Noel" this year for their Christmas Program on December 19, 2021. The program will start at 5pm and follow with a free Turkey and Ham dinner with all the trimmings for anyone who attends.

"Hotel Noel" is a story of a family traveling to Grandma's on Christmas Eve but forced off the road by a snowstorm. They stop at a "Non-on-the-GPS-maps" Hotel Noel staffed by 4 angels. They will learn the true meaning of Christmas and what happened on the Holy Night through the staff at Hotel Noel.

The program will end with the adult choir singing a couple of Christmas songs followed by a free dinner for all as our Christmas gift to you.

**Groton Daily Independent**  
**PO Box 34, Groton SD 57445**  
**Paul's Cell/Text: 605-397-7460**

## **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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## Lady Tigers open season with win over Flandreau Indians

The Groton Area Lady Tigers opened the girls' basketball season with a 52-6 win over the Flandreau Indians. Groton Area led at the quarter stops at 13-3, 22-4, 42-5 and 52-6.

Grace Traphagen led the Tigers with 10 points, eight rebounds and two steals. Alyssa Thaler had nine points, one rebound, two assists, two steals and one block. Kennedy Hansen had nine points, four rebounds, one assist and four steals. Sydney Leicht had seven points, four rebounds, one assist, three steals and one block. Aspen Johnson had five points, seven rebounds and one steal. Allyssa Locke had four points, two rebounds, one assist and four steals. Elizabeth Fliehs had three points, one rebound and three steals. Jaedyn Penning had two points, six rebounds, one assist and two steals. Laila Roberts had two points, one rebound and one assist. Jerica Locke had one point, three rebounds and five steals. Brooke Gengerke had one rebound and one assist. Faith Traphagen had three rebounds.

Groton Area made 18 of 54 field goals for 33 percent, three of 16 three-pointers for 19 percent and seven of 16 free throws for 44 percent. In total, the Tigers had 41 rebounds, 10 turnovers, eight assists, 26 steals, 12 fouls and two blocks. Those making three-pointers were Grace Traphagen, Thaler and Fliehs with one each.

Erika Bien led the Flandreau Indians with four points while Vivica Blacksmith and Angelique Bell each had one point.

There was on junior varsity game.

## Block resigns as city finance officer

After an executive session, the Groton City Council accepted the resignation of Hope Block as the city finance officer. She plans to work through the end of December.

The city agreed to a lease purchase of a digger truck in the amount of \$182,920 in 84 monthly payments of \$2,175.

Finance Officer Hope Block said people have come to the library and have said it looks so magical for the Christmas season.

Seasonal reports were given. The pool had a loss of \$71,588.19 while the baseball lost \$26,863.74.

\$10,000 was held back from the Pay Request #11 and the work is on schedule so it was recommended to pay Maguire Iron the remainder of the \$10,000.

The budget plan that the city has offered will be discontinued in 2022. There are currently 13 people on budget pay.

The council accepted the flag donation from the Groton American Legion and to purchase a 25-ft. Commercial flag pole for \$545.

Chris Khali was reappointed to the planning and zoning board for a five year term.

The first reading of the 2021 supplemental appropriation ordinance was approved to get all accounts in the black for the end of the year. \$42,000 of the \$50,000 in contingency was used and there was a \$20,000 state grant as well.

The council approved the joint cooperative agreement with the Northeast Council of Governments for 2022. The fee is \$1,692.15.

The second plat for Northwestern Energy to add on to their substation located south of Groton was presented to the council. The Planning and Zoning Commission approved the plat and the council followed suite.

Bryson Wambach and Anna Fjeldheim were hired as warming house attendants.

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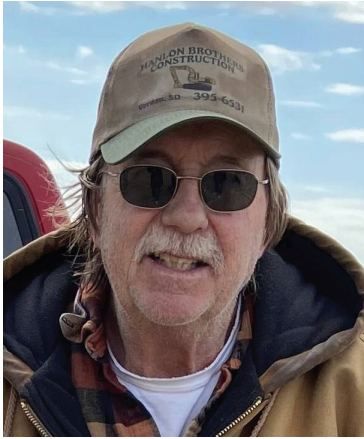
**D**

Avantara-Groton is rapidly growing its team and hoping to invest in cook, dietary aides and Dietary Manager. Full and part time with after school hours available. Competitive wages, sign-on bonus, etc. Call Shana or Sarah to discuss your future employment opportunities today!

**605-397-2365**

  
**AVANTARA**  
GROTON

## The Life of Guy Hanlon



The funeral service for Guy Hanlon, 65, of Verdon, SD, was held Saturday, December 4, 2021, at Spitzer-Miller Funeral Home with Pastor Mark Galbraith officiating. Burial followed at Sunset Memorial Gardens, Aberdeen. Guy passed away Saturday, November 27, at Avera McKennan Hospital in Sioux Falls surrounded by loved ones.

Guy Lee Hanlon was born on June 13, 1956, to Elmer and Viola Hanlon in Ellendale, ND. He graduated from Conde High School in 1974. Guy attended Lake Area Tech & graduated with a degree in diesel mechanics in 1976. He returned to Verdon to help his mother with the gravel business as his dad passed away when Guy was only 13 years old. His brother Scott joined the family business in 1982 & they changed the name to Hanlon Brothers. They expanded the gravel hauling business to include custom feed lot cleaning & excavator work.

Guy married the love of his life, Renee Wendt, on July 3, 1982. They were members of the Conde United Methodist Church. Guy's family will remember him as a loving, hardworking man. He always put everyone else first. Guy had a love for animals & enjoyed collecting and working on classic Mopars. Guy could never go anywhere without bumping into a friend to talk to. He was extremely generous and no one was a stranger to Guy which is a great tribute to how he lived his life. His selflessness will be remembered & missed.

Grateful for sharing his life are his wife of 39 years, Renee Hanlon; his children: Krystal (Brent) Ripperda, Kevin (Julianne) Hanlon, and Keith Hanlon; grandchildren: Grady & Gabby Ripperda, Lucas, Logan, & Leah Hanlon, Hunter Kaup-Hanlon and Felicity Hanlon; his siblings: Jerome 'Butch'(Joan) Weiszhaar, Don Weiszhaar and Scott Hanlon (Laurie Muscha); his many nieces & nephews, and countless friends.

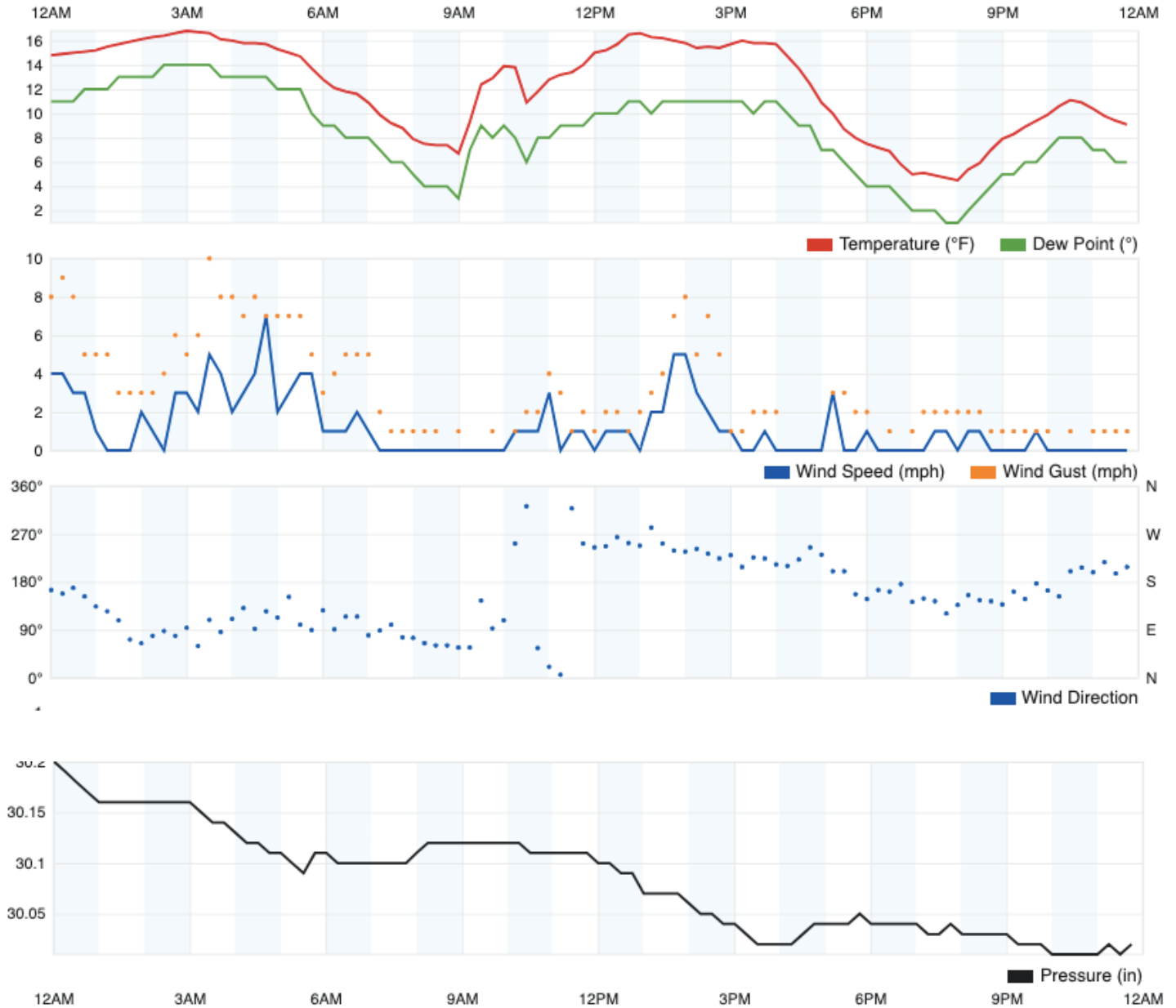
Preceding Guy in death are his parents: Viola and Elmer Hanlon; his sisters: Luci Weiszhaar and Joell Snider; and two brothers: Lyle Weiszhaar and Darrell Weiszhaar.

Guy will be greatly missed & remembered by the countless ways he touched each of our hearts.

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## Yesterday's Groton Weather Graphs



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Today



Patchy Fog  
then Mostly  
Sunny

High: 28 °F

Tonight



Increasing  
Clouds

Low: 26 °F

Thursday



Partly Sunny

High: 36 °F

Thursday  
Night



Mostly Cloudy

Low: 19 °F

Friday



Mostly Cloudy

High: 33 °F



NATIONAL WEATHER SERVICE  
OCEANIC AND ATMOSPHERIC ADMINISTRATION

## Today:

*Partly Cloudy, Southerly Breezes  
Highs mid 20s east, 40s west*

## Tonight:

*Partly Cloudy  
Lows in the upper teens to 20s*

## Thursday:

*Partly to Mostly Cloudy, Northwest Breezes  
Highs mid 30s north, lower 40s south*

An approaching area of low pressure will bring southerly breezes and warmer temperatures today into Thursday. As the low moves east on Thursday, winds will shift to the northwest and temperatures will cool again. The anticipated storm system on Friday has shifted farther south with snow accumulations now only expected south of I-90.

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## Today in Weather History

December 8, 1995: A powerful Arctic front moved across west central Minnesota and central, north central, and northeast South Dakota throughout the day with winds of 30 to 60 mph. With temperatures falling and one to four inches of snowfall in the morning and afternoon, the high winds produced blizzard conditions with blowing snow and extreme wind chills of 40 to 70 below zero. Many schools, college classes, and activities were canceled for the day. Travel was also significantly affected.

December 8, 1935: From the Monthly Weather Review for December 1935, "The outstanding flood of December 1935 was the record-breaking overflow of Buffalo and White Oak Bayous at Houston, Texas on the 8 and 9th. This destructive flood was caused by excessive rainfall over Harris County, Texas during a 42 hour period on the 6th, 7th, 8th, with amounts ranging from 5.50 inches at Houston" to 16.49 inches at the Humble Oil Company in the northwestern part of Harris County.

1892 - A tremendous ice fall occurred at Gay Hill, TX. Ice averaged four to six inches in diameter. (David Ludlum)

1938 - The temperature at La Mesa, CA, soared to 108 degrees to set a U.S. record for the month of December. (The Weather Channel)

1963 - Lightning caused the crash of a jet airliner killing 81 persons at Elkton, MD. (Sandra and TI Richard Sanders - 1987)

1987 - A cold front crossing the northwestern U.S. continued to produce high winds along the coast, and heavy snow blanketed parts of the western U.S. Snowfall totals in the mountains of western Nevada ranged up to 18 inches at Heavenly Valley, and near the Boreal Ski Resort, and winds at Reno NV gusted to 56 mph. Thunderstorms over southern Florida deluged the Florida Keys with up to five inches of rain. Strong winds, gusting to 48 mph at Gage OK, ushered wintry weather into the Central High Plains. Goodland KS, which one day earlier was 63 degrees, was blanketed with two inches of snow. (The National Weather Summary) (Storm Data)

1988 - Santa Ana winds buffeted southern California, with gusts to 92 mph reported at Laguna Peak. The high winds unroofed buildings, and downed trees and power lines, igniting five major fires, and numerous smaller ones. Damage was estimated at 15 to 20 million dollars. (The National Weather Summary) (Storm Data)

1989 - A winter storm spread snow and freezing rain across much of the Atlantic Coast Region, from Georgia to New Jersey. Snowfall totals ranged up to seven inches, at Stanton VA and Tobacco MD. Up to six inches of snow blanketed the mountains of northern Georgia. More than one hundred auto accidents were reported in Gwinnett County GA. (The National Weather Summary) (Storm Data)

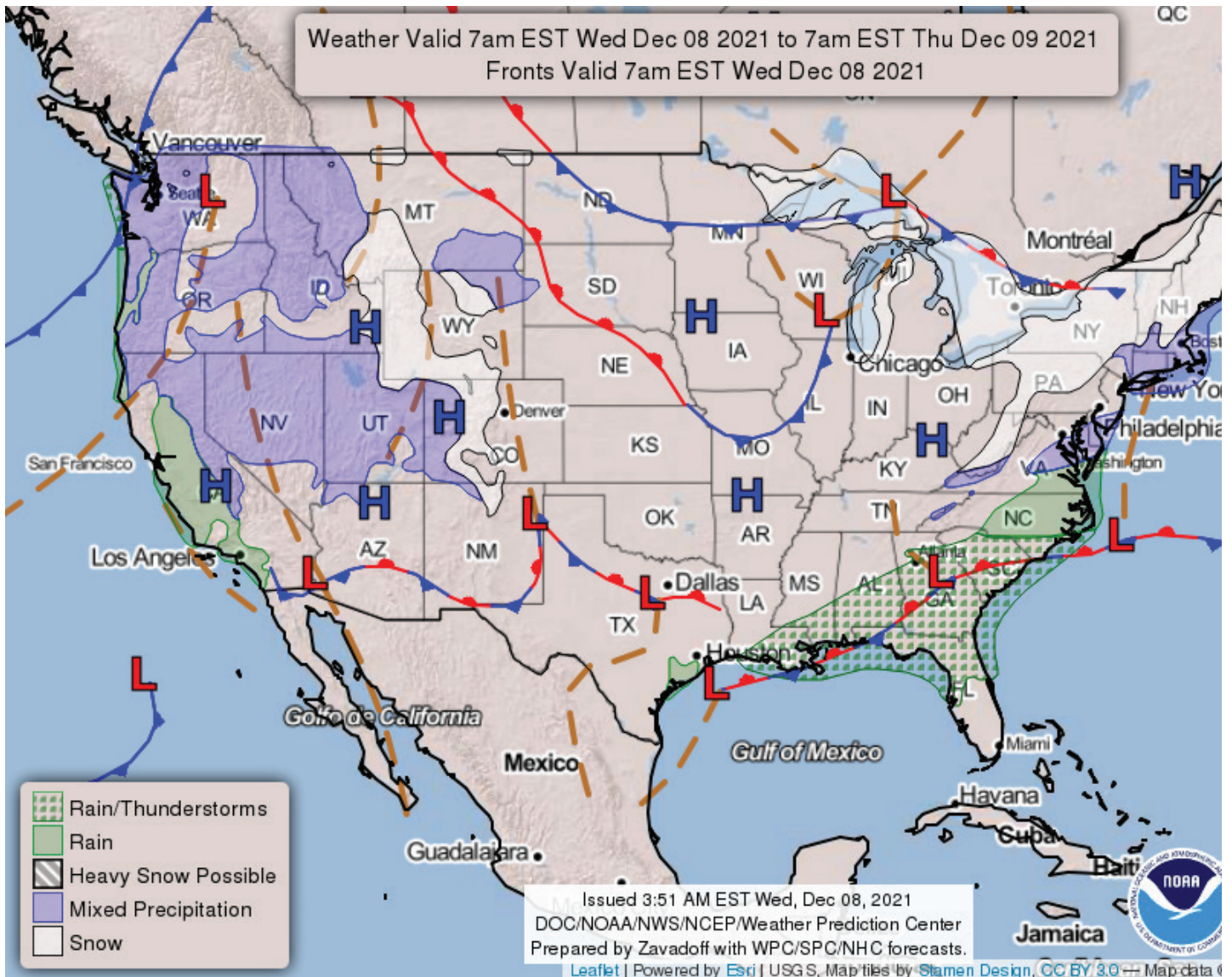
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## Yesterday's Groton Weather Today's Info

**High Temp: 17 °F at 2:48 AM**  
**Low Temp: 4 °F at 7:55 PM**  
**Wind: 10 mph at 3:30 AM**  
**Precip: 0.00**

**Record High: 62° in 2020**  
**Record Low: -27° in 1927**  
**Average High: 32°F**  
**Average Low: 10°F**  
**Average Precip in Dec.: 0.16**  
**Precip to date in Dec.: 0.11**  
**Average Precip to date: 21.37**  
**Precip Year to Date: 19.97**  
**Sunset Tonight: 4:50:55 PM**  
**Sunrise Tomorrow: 7:59:00 AM**





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## CAN YOU SEE HIM NOW?

It was the very first Christmas that Jo Ann's church had a Nativity scene on the front lawn. Working anxiously, she kept arranging, then rearranging, the figures to make certain they could all be seen.

Finally, she sent her friend, Alice, to the edge of the lawn and asked, "How do they look?"

"Fine, they are all O.K.," came the answer.

Suddenly Jo Ann began to rearrange them once again. "What are you doing? I said they were fine," said Alice grumpily.

"Yes, I heard what you said," responded Jo Ann. "But I just want to make sure that Jesus is visible so all of the people can see Him!"

Often Santa gets more attention than our Savior does during these Holy Days. Children anxiously stand in line waiting their turn to ask for gifts and have their picture taken with him. Rarely, however, do children pose at the manger to have a picture taken with the Baby Jesus. Could it be that He is not visible to most people at Christmas? Do we make any effort at all to make Him visible? Is He lost in the pile of gifts? Is He hidden behind the tree?

Matthew wrote about a group of shepherds who said, "Let's go to Bethlehem...and see this wonderful thing that has happened which the Lord has told us about."

This "wonderful thing," Jesus, is what the world needs to see. Let's be certain He is always visible – especially in our lives!

Prayer: Lord, may we not allow Your Son to be hidden or to be placed behind the "false idols" that so many worship at Christmas. May we make Him visible! In Jesus' Name, Amen.

Scripture For Today: Luke 2:15 So it was, when the angels had gone away from them into heaven, that the shepherds said to one another, "Let us now go to Bethlehem and see this thing that has come to pass, which the Lord has made known to us."

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## 2021 Community Events

- Cancelled** Legion Post #39 Spring Fundraiser (Sunday closest to St. Patrick's Day, every other year)  
03/27/2021 Lions Club Easter Egg Hunt 10am Sharp at the City Park (Saturday a week before Easter Weekend)  
04/10/2021 Dueling Pianos Baseball Fundraiser at the American Legion Post #39 6-11:30pm  
04/24/2021 Firemen's Spring Social at the Fire Station 7pm-12:30am (Same Saturday as GHS Prom)  
04/25/2021 Princess Prom (Sunday after GHS Prom)  
05/01/2021 Lions Club Spring City-Wide Rummage Sales 8am-3pm (1st Saturday in May)  
05/31/2021 Legion Post #39 Memorial Day Services (Memorial Day)  
6/7-9/2021 St. John's Lutheran Church VBS  
06/17/2021 Groton Transit Fundraiser, 4-7 p.m.  
06/18/2021 SDSU Alumni & Friends Golf Tournament at Olive Grove  
06/19/2021 U8 Baseball Tournament  
06/19/2021 **Postponed to Aug. 28th:** Lions Crazy Golf Fest at Olive Grove Golf Course, Noon  
06/26/2021 U10 Baseball Tournament  
06/27/2021 U12 Baseball Tournament  
07/04/2021 Firecracker Golf Tournament at Olive Grove  
07/11/2021 Lions Club Summer Fest/Car Show at the City Park 10am-4pm (Sunday Mid-July)  
07/22/2021 Pro-Am Golf Tournament at Olive Grove Golf Course  
07/30/2021-08/03/2021 State "B" American Legion Baseball Tournament in Groton  
08/06/2021 Wine on Nine at Olive Grove Golf Course  
08/13/2021 Groton Basketball Golf Tournament  
**Cancelled** Lions Club Crazy Golf Fest 9am Olive Grove Golf Course  
08/29/2021 Groton Firemen Summer Splash Day at GHS Parking Lot (4-5 p.m.)  
09/11/2021 Lions Club Fall City-Wide Rummage Sales 8am-3pm (1st Saturday after Labor Day)  
09/12/2021 Sunflower Classic Golf Tournament at Olive Grove  
09/18-19 Groton Fly-In/Drive-In, Groton Municipal Airport  
10/08/2021 Lake Region Marching Band Festival (2nd Friday in October)  
10/09/2021 Pumpkin Fest at the City Park 10am-3pm (Saturday before Columbus Day)  
10/29/2021 Downtown Trick or Treat 4-6pm  
10/29/2021 Groton United Methodist Trunk or Treat (Halloween)  
11/13/2021 Legion Post #39 Turkey Party (Saturday closest to Veteran's Day)  
11/11/2021 Veteran's Day Program at the GHS Arena  
11/21/2021 Groton Area Snow Queen Contest  
11/25/2021 Community Thanksgiving at the Community Center 11:30am-1pm (Thanksgiving)  
11/30/2021 James Valley Telecommunications Holiday Open House 10am-4pm  
12/04/2021 Olive Grove Tour of Homes  
12/11/2021 Santa Claus Day at Professional Management Services 9am-Noon

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## The Groton Independent Printed & Mailed Weekly Edition

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## Groton Daily Independent

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## News from the Associated Press

### SD Lottery

By The Associated Press undefined

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

Mega Millions

01-07-40-43-68, Mega Ball: 1, Megaplier: 2

(one, seven, forty, forty-three, sixty-eight; Mega Ball: one; Megaplier: two)

Estimated jackpot: \$122 million

Powerball

Estimated jackpot: \$291 million

### Kountz carries N. Colorado over South Dakota 74-69

GREELEY, Colo. (AP) — Daylen Kountz had a season-high 24 points as Northern Colorado narrowly defeated South Dakota 74-69 on Tuesday night.

Matt Johnson II added 21 points for Northern Colorado (6-5), which earned its fourth consecutive home victory. Bodie Hume had 10 points. Kur Jongkuch added 12 rebounds.

Mason Archambault had 14 points for the Coyotes (5-4). Xavier Fuller added 13 points. Hunter Goodrick had 10 points.

For more AP college basketball coverage: <https://apnews.com/hub/college-basketball> and [http://twitter.com/AP\\_Top25](http://twitter.com/AP_Top25)

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### Noem proposes big salary raises, over \$1B in projects

By STEPHEN GROVES Associated Press

SIOUX FALLS, S.D. (AP) — South Dakota Gov. Kristi Noem laid out a plan Tuesday to spend an unprecedented amount of money in raises for state employees, teachers and health care providers, as well as boost infrastructure projects as the state receives billions in federal pandemic relief and sees surging tax revenue.

In a budget address to lawmakers, the Republican governor blamed President Joe Biden for recent surges in inflation, yet also reasoned that it made no sense to turn down the billions of dollars the federal government has sent to the state. With better-than-expected tax revenues, the governor recommended a 6% increase in funding for state employees, teachers and community government-funded medical providers -- a massive leap for an allocation that has perennially been a budget squeeze in the Capitol.

"They're suffering under the strain of horrifically high inflation stemming from the administration in Washington DC's policies," Noem said.

The governor sought credit for the state's big tax revenues, saying it was due to her hands-off approach to restrictions during the coronavirus pandemic and claiming that South Dakota has the nation's "strongest economy."

The state's economy certainly has weathered the pandemic better than most other states, marking a small economic dip as well as the highest personal income growth rate during the last two years, according to Pew Charitable Trusts.

But recently, growth in the state's gross domestic product -- a broad measure of the economy -- has cooled off and slowed behind the nationwide rate. The governor's own budget proposal was based on a

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forecast that assumes South Dakota's GDP growth will lag the nation.

Democratic Sen. Reynold Nesiba said the biggest driver of the state's economic success was the nearly \$12 billion that the federal government has given to state government, businesses, organizations and individuals during the pandemic.

"Today's speech was sponsored by the Biden administration" he said, adding that he would have liked to see more gratitude from the governor rather than criticism.

While the governor acknowledged that the state had received "a giant handout from Washington, D.C.," she struck a distinctly conservative tone as she laid out plans to spend it.

"We are going to put these funds to work for our state to address our state's most pressing needs -- to make fiscally responsible decisions, one-time expenditures that will not grow the government but will instead save our people money in the long run," she said.

She recommended saving 14% of budget reserves, then proposed projects totaling over \$1 billion, including funds for housing, emergency responders, daycare facilities and water infrastructure. The governor detailed several projects, including a \$70 million public health lab, \$30 million cybersecurity training center at Dakota State University, a \$35 million tourism marketing campaign and the start of a \$600 million effort to overhaul the state's prisons.

The chair of the Appropriations Committee, Republican Sen. Jean Hunhoff, stressed that the governor's address would kick off the budget debate for lawmakers. She expected lawmakers to chip in with their own ideas for one-time projects, as well as take a close look at the 6% increase for teachers, state employees and health care providers.

Hunhoff warned that conservatives were wary of large ongoing expenses, saying that the state faced a "fiscal cliff when the federal dollars go away." However, Nesiba promised to press for an even larger increase in salaries as he noted that South Dakota ranks among the worst in the nation for teacher pay.

"It's a starting point," Hunhoff said.

The final budget will be ironed out by the Legislature, which will convene in January.

## Tribes in 3 states to link 120 electric charging stations

MINNEAPOLIS (AP) — Tribal communities in South Dakota, North Dakota and Minnesota are working together on a project that would reduce reliance on fossil fuels.

Minneapolis-based Native Sun Community Power Development plans to collaborate with Standing Rock Renewable Energy Authority and two dozen other partners to create a network of electric vehicle charging stations.

The Upper Midwest Inter-Tribal Electric Vehicle Charging Community Network will link tribal communities spread across nearly 500 miles in the three states, South Dakota Public Broadcasting reported.

The U.S. Department of Energy has awarded a \$6.7 million grant to get the project going.

Native Sun Executive Director Robert Blake contrasts the plan with oil pipeline projects.

"This is our answer to the fossil fuel industry," Blake said. "Big oil is going to build pipelines, a thing of the past. We are going to build the future with an EV charging network and will continue to fight for Mother Nature and the sacred."

The team plans to create 120 electric vehicle charging stations and purchase at least 19 electric vehicles to be used by reservation schools, utilities, casinos and tribal governments.

Standing Rock Renewable Energy Authority and Native Sun are among 25 nationwide projects awarded funding by the Department of Energy.

## UK leader orders probe amid anger over staff lockdown party

By JILL LAWLESS Associated Press

LONDON (AP) — British Prime Minister Boris Johnson on Wednesday ordered an inquiry and said he was "furious" after a leaked video showed senior members of his staff joking about holding a lockdown-breaching Christmas party.

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The video has poured fuel on allegations that government officials flouted coronavirus rules they imposed on everyone else.

Johnson said that "I understand and share the anger up and down the country" at staff seeming to make light of lockdown rules.

"I was also furious to see that clip," Johnson told lawmakers in the House of Commons. "I apologize unreservedly for the offense that it has caused up and down the country and I apologize for the impression it gives."

For days, the prime minister's office has been trying to rebut reports that Johnson's staff held a December 2020 office party — complete with wine, food, games and a festive gift exchange — when pandemic regulations banned most social gatherings.

According to multiple British media outlets, the party took place on Dec. 18, when restrictions in London prohibited most indoor gatherings, and a day before Johnson tightened the rules even further, ruling out family Christmas celebrations for millions of people.

The video, recorded on Dec. 22, 2020 and aired late Tuesday by broadcaster ITV, shows then-press secretary Allegra Stratton appearing to joke about an illicit party at the prime minister's Downing Street office.

The recording appears to be a mock news conference, held as a rehearsal for televised daily government media briefings.

Another aide, playing a journalist, says: "I've just seen reports on Twitter that there was a Downing Street Christmas party on Friday night, do you recognize those reports?"

As laughter is heard, Stratton, the press secretary, says: "I went home" and asks colleagues: "What's the answer?" Another voice can be heard saying: "It wasn't a party, it was cheese and wine."

"Is cheese and wine all right? It was a business meeting," a laughing Stratton says.

Johnson said he had ordered Britain's top civil servant, Simon Case, to investigate, and said anyone found to have broken the rules would be disciplined. He added that he had been "repeatedly assured ... that there was no party and no COVID rules were broken."

Thousands of people in Britain have been fined since early 2020 for breaking restrictions by holding illegal gatherings. London's Metropolitan Police force said officers were reviewing the leaked video in relation to "alleged breaches" of coronavirus regulations.

The leader of the opposition Labour Party, Keir Starmer, said the prime minister should be "ashamed."

"Millions of people now think the prime minister was taking them for fools and that they were lied to. They're right, aren't they?" Starmer asked Johnson during the prime minister's weekly House of Commons question session.

The Christmas party claims are the latest in a string of allegations of rule-breaking and ethics violations by Johnson's Conservative government.

Last year, Johnson resisted pressure to fire his then-top aide, Dominic Cummings, for driving across England to his parents' house while he was falling ill with COVID-19, in breach of a nationwide "stay-at-home" order. Cummings has since left the government.

In June, Health Secretary Matt Hancock resigned after leaked video showed him kissing an aide in a government office while both of them were married to other people, at a time when restrictions forbade hugs and other physical contact with people outside one's own household.

Dr. Saleyha Ahsan from the group COVID-19 Bereaved Families for Justice said the Christmas party allegations were a "bullet to the chest" of families who have lost loved ones during the pandemic. Many have been barred by restrictions from visiting gravely ill or dying relatives in hospitals.

Ahsan said it was "an example of how the government have run this from the start: One rule for them and the rest of us have to adhere to different rules."

With over 145,000 COVID-19 deaths in the pandemic, Britain has the second-highest virus death toll in Europe after Russia.

The party allegations come as the British government considers whether to reimpose some restrictions to slow the spread of the new omicron variant of the coronavirus.

While many questions remain about the new variant, and delta remains the dominant strain across the globe, Johnson said omicron is "spreading much faster than any variant we have seen before."

Two government ministers pulled out of planned media appearances Wednesday where they had been due to discuss the coronavirus situation and Britain's booster vaccination campaign.

Foreign Secretary Liz Truss, asked about the party claims after delivering a foreign-policy speech, failed to offer a strong endorsement of the prime minister and his staff.

"I don't know the detail of what happened," Truss said. "I know that the prime minister's spokesman answered those questions in detail yesterday and I am sure there will be further discussion of that issue."

Follow AP's pandemic coverage at <https://apnews.com/hub/coronavirus-pandemic>

## **Pfizer says COVID booster offers protection against omicron**

By LAURAN NEERGAARD AP Medical Writer

Pfizer said Wednesday that a booster dose of its COVID-19 vaccine may protect against the new omicron variant even though the initial two doses appear significantly less effective.

Pfizer and its partner BioNTech said lab tests showed a booster dose increased by 25-fold the level of so-called neutralizing antibodies against omicron.

Pfizer announced the preliminary laboratory data in a press release and it hasn't yet undergone scientific review. The companies already are working to create an omicron-specific vaccine in case it's needed.

Scientists have speculated that the high jump in antibodies that comes with a third dose of COVID-19 vaccines might be enough to counter any decrease in effectiveness.

Antibody levels predict how well a vaccine may prevent infection with the coronavirus but they are just one layer of the immune system's defenses. Pfizer said two doses of the vaccine may still induce protection against severe disease.

"Although two doses of the vaccine may still offer protection against severe disease caused by the Omicron strain, it's clear from these preliminary data that protection is maximized with a third dose of our vaccine," Pfizer CEO Albert Bourla said in a statement.

Pfizer's announcement had an immediate impact on U.S. markets. Futures that had pointed to a lower open reversed course in seconds and swung solidly to the positive with the Dow jumping almost 200 points.

The Associated Press Health and Science Department receives support from the Howard Hughes Medical Institute's Department of Science Education. The AP is solely responsible for all content.

## **Scholz replaces Merkel as German chancellor, opening new era**

By GEIR MOULSON Associated Press

BERLIN (AP) — Center-left leader Olaf Scholz became Germany's ninth post-World War II chancellor Wednesday, opening a new era for the European Union's most populous nation and largest economy after Angela Merkel's 16-year tenure.

Scholz's government takes office with high hopes of modernizing Germany and combating climate change but faces the immediate challenge of handling the country's toughest phase yet of the coronavirus pandemic.

Lawmakers voted by 395-303 with six abstentions to elect Scholz — a comfortable majority, though short of the 416 seats his three-party coalition holds in the 736-seat lower house of parliament. That's not unusual when chancellors are elected, and some lawmakers were out sick or in quarantine.

Merkel, who is no longer a member of parliament, looked on from the spectators' gallery as parliament voted. Lawmakers gave her a standing ovation.

Scholz, 63, Germany's vice chancellor and finance minister since 2018, brings a wealth of experience and discipline to an untried coalition of his center-left Social Democrats, the environmentalist Greens and the pro-business Free Democrats. The three parties are portraying the combination of former rivals as a progressive alliance that will bring new energy to the country after Merkel's near-record time in office.

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"We are venturing a new departure, one that takes up the major challenges of this decade and well beyond that," Scholz said Tuesday. If the parties succeed, he added, "that is a mandate to be reelected together at the next election."

Scholz, an unflappable and supremely self-confident figure who in the past has displayed an ability to put aside setbacks quickly, cracked a smile as he was elected and as he was formally appointed by President Frank-Walter Steinmeier.

The new chancellor then returned to parliament to be sworn in. Scholz, who has no religious affiliation, omitted the optional phrase "so help me God" from his oath of office, as did Merkel's predecessor, Gerhard Schroeder.

Merkel has said she won't seek another political role. The 67-year-old hasn't disclosed any future plans but said earlier this year that she will take time to read and sleep, "and then let's see where I show up."

Scholz's style has often been likened to Merkel's, although they are from different parties. Like the former chancellor, he isn't given to public displays of emotion or rousing speeches. The former labor minister and Hamburg mayor has portrayed himself in recent months both as her natural successor and an agent of change, and fashions himself as a strong leader.

The new government aims to step up efforts against climate change by expanding the use of renewable energy and bringing Germany's exit from coal-fired power forward from 2038, "ideally" to 2030. It also wants to do more to modernize the country of 83 million people, including improving its notoriously poor cellphone and internet networks.

It also plans more liberal social policies, including legalizing the sale of cannabis for recreational purposes and easing the path to German citizenship while pledging greater efforts to deport immigrants who don't win asylum.

The government also plans to increase Germany's minimum wage and to get hundreds of thousands new new apartments built in an effort to curb rising rental prices.

Scholz has signaled continuity in foreign policy, saying the government will stand up for a strong European Union and nurture the trans-Atlantic alliance. The government said that he will make his first trip abroad with a trip to Paris on Friday - maintaining a tradition for German chancellors - and plans to travel to Brussels the same day to meet EU and NATO leaders.

His three-party alliance brings both opportunities and risks for all the participants, perhaps most of all the Greens. After 16 years in opposition, they will have to prove that they can achieve their overarching aim of cutting greenhouse gas emissions while working with partners who may have other priorities.

Green co-leader Robert Habeck will be Scholz's vice chancellor, heading a revamped economy and climate ministry. The government's No. 3 official will be Christian Lindner, the finance minister and leader of the Free Democrats, who insisted that the coalition reject tax hikes and looser curbs on running up debt.

"It won't be easy to keep three different parties together," Schroeder, who led Germany from 1998 to 2005 as the country's last center-left chancellor, told Phoenix television. "But I think Olaf Scholz has the patience, but also the determination, to manage it."

The incoming government is portraying itself as a departure in both style and substance from the "grand coalitions" of Germany's traditional big parties that Merkel led for all but four years of her tenure, with the Social Democrats as junior partners.

In those tense alliances, the partners sometimes seemed preoccupied mostly with blocking each other's plans. Merkel's final term saw frequent infighting, some of it within her own center-right Union bloc, until the pandemic hit. She departs with a legacy defined largely by her acclaimed handling of a series of crises, rather than any grand visions for Germany.

The agreement to form a coalition government between three parties that had significant differences before the election was reached relatively quickly and in unexpected harmony. That will now be tested by the reality of governing; Scholz has acknowledged that dealing with the pandemic "will demand all our strength and energy."

German federal and state leaders last week announced tough new restrictions that largely target un-



vaccinated people. In a longer-term move, parliament will consider a general vaccine mandate. Germany has seen daily COVID-19 infections rise to record levels this fall, though they may now be stabilizing, and hospitals are feeling the strain.

"People are hoping that you...will show leadership and take the right measures," President Steinmeier told the newly appointed Cabinet. "What matters is not listening to the loudest, but ensuring that the pandemic doesn't keep us firmly in its grip for another year and that public life can once again become a matter of course."

Follow AP's coverage of Germany's transition to a new government at <https://apnews.com/hub/germany-election>, and stories on climate change issues at <https://apnews.com/hub/Climate>

## With vaccine resistance high, Poland faces surge of deaths

By VANESSA GERA Associated Press

WARSAW, Poland (AP) — As 83-year-old Hanna Zientara endured subfreezing temperatures to get a COVID-19 vaccine booster shot in Warsaw, her 30-year-old grandson was starting a Canary Islands vacation while unvaccinated and stubbornly refusing his grandmother's repeated pleas to protect himself.

"I am worried about him, but I have no influence over him. None," Zientara said. "He has many doctor friends who aren't getting vaccinated, and he says if they aren't getting vaccinated, then he doesn't have to."

Poland and several other countries in Central and Eastern Europe are battling their latest surges of coronavirus cases and deaths while continuing to record much lower vaccinations rates than in Western Europe.

In Russia, more than 1,200 people with COVID-19 died every day for most of November and on several days in December, and the daily death toll remains over 1,100. Ukraine, which is recording hundreds of virus deaths a day, is emerging from its deadliest period of the pandemic.

Meanwhile, the mortality rate in Poland, while lower than it was than in the spring, recently has caused more than 500 deaths per day and still has not peaked. On Wednesday, the country reported 592 more virus deaths, the highest number of its current wave.

Intensive care units are full, and doctors report that more and more children require hospitalization, including some who went through COVID-19 without symptoms but then suffered strokes.

The situation has created a dilemma for Poland's government, which has urged citizens to get vaccinated but clearly worries about alienating voters who oppose vaccine mandates or any restrictions on economic life.

Polish Prime Minister Mateusz Morawiecki received his vaccine booster publicly last week and urged others to get their shots to protect older adults at Christmas. He noted that some family gatherings during the pandemic have "ended tragically, ended with the departure of our grandfathers, grandmothers."

To promote vaccines, Health Minister Adam Niedzielski pointed out Monday that of the 1,085 people under age 44 who died with COVID-19 so far this year in Poland, only 3% were fully vaccinated. "This black statistic could be different thanks to vaccinations," he said.

With a health system already stretched to its limits, Poland's government announced Tuesday that it is requiring doctors, other medical personnel, teachers and uniformed workers like police officers, members of the military and firefighters to be vaccinated by March 1.

Critics of the right-wing government denounced the step as too little too late, while a far-right party, Confederation, slammed it as discriminating against unvaccinated Poles.

The resistance to vaccines in Eastern Europe is rooted in distrust of pharmaceutical companies and government authorities, while disinformation also appears to be playing a role.

As worried grandmother Zientara received a Pfizer vaccine booster dose on Tuesday, the Polish government reported 504 more deaths, bringing the pandemic death toll to over 86,000 in the nation of 38 million.

Sitting nearby was Andrzej Wiazecki, a 56-year-old who needed no convincing to come in for a booster shot. He said he has several friends hospitalized with COVID-19, including a previously healthy and athletic 32-year-old who is fighting for his life.

"I expect him to die, especially since there is no room for him in the intensive care unit because there are so many patients that he is lying somewhere in a corridor," he said.

"He didn't want to get vaccinated," Wiazecki said. "His siblings are also not vaccinated, and even though he is dying, they still don't want to get vaccinated."

With 54% of Poles fully vaccinated, the country has a higher coronavirus inoculation rate than some nearby countries. Ukraine's vaccination rate is 27%, and in Russia, where domestically developed vaccines like Sputnik V are on offer, it is about 41%. Bulgaria, which like Poland belongs to the European Union, has a vaccination rate of 26%, the lowest in the bloc.

The discovery of the omicron variant last month has fueled fears in Poland, where experts believe the variant is likely already circulating though no cases have been confirmed. Many critical questions about omicron remain unanswered, including whether the virus causes milder or more severe illness and how much it might evade immunity from past COVID-19 illness or vaccines.

According to Polish media reports, the variant's emergence led some holdouts to finally get their first vaccine shots, including in the southern mountain region of Podhale, where the vaccination rates are far below the national average.

But at the vaccination center in Warsaw, located in a blood donation center, there were not many first-timers. Coordinator Paula Rekawek said only one person had turned up in the center's first three hours of operation Tuesday to request an initial dose.

Warsaw restaurateur Artur Jarczynski has found a business opportunity in the high level of vaccine resistance. His popular Der Elefant was the first restaurant in Poland, and until recently the only one, to require customers to show proof of vaccination to enter.

Jarczynski said that while traveling in Western Europe, he was asked for proof of vaccination to dine and thought it was a good practice. When he first introduced the requirement at Der Elefant, anti-vaxxers demonstrating in front of parliament brought their protest to his restaurant and he got police protection. Jarczynski says he also was bombarded by hateful phone calls for a couple of days.

Yet many patrons appreciate the rare public space where they can feel safe while enjoying a meal, such as the mussel soup, steaks and other fare served for lunch on Tuesday. One diner, Ryszard Kowalski, said he liked knowing everyone around him was vaccinated but the restaurant's policy was proof "there is no need for government orders" to create safe environments.

But Jarczynski has not yet dared to impose the vaccine requirement in several other Warsaw restaurants he owns.

He described Der Elefant as "an island in a country of almost 40 million people, which on the one hand makes us happy, but also sad that we are just such a tiny island."

Follow AP's coverage of the coronavirus pandemic at <https://apnews.com/hub/coronavirus-pandemic>

## Major outage at Amazon disrupts businesses across the US

By FRANK BAJAK and BARBARA ORTUTAY Associated Press

A major outage in Amazon's cloud computing network Tuesday severely disrupted services at a wide range of U.S. companies for more than five hours, the latest sign of just how concentrated the business of keeping the internet running has become.

The incident at Amazon Web Services mostly affected the eastern U.S., but still impacted everything from airline reservations and auto dealerships to payment apps and video streaming services to Amazon's own massive e-commerce operation. That included The Associated Press, whose publishing system was inoperable for much of the day, greatly limiting its ability to publish its news report.

Amazon has still said nothing about what, exactly, went wrong. In fact, the company limited its communications Tuesday to terse technical explanations on an AWS dashboard and a brief statement delivered via spokesperson Richard Rocha that acknowledged the outage had affected Amazon's own warehouse and delivery operation but said the company was "working to resolve the issue as quickly as possible."

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Roughly five hours after numerous companies and other organizations began reporting issues, the company said in a post on the AWS status page that it had "mitigated" the underlying problem responsible for the outage, which it did not describe. It took some affected companies hours more to thoroughly check their systems and restart their own services.

Amazon Web Services was formerly run by Amazon CEO Andy Jassy, who succeeded founder Jeff Bezos in July. The cloud-service operation is a huge profit center for Amazon. It holds roughly a third of the \$152 billion market for cloud services, according to a report by Synergy Research — a larger share than its closest rivals, Microsoft and Google, combined.

To technologist and public data access activist Carl Malamud, the AWS outage highlights how much Big Tech has warped the internet, which was originally designed as a distributed and decentralized network intended to survive mass disasters such as nuclear attack.

"When we put everything in one place, be it Amazon's cloud or Facebook's monolith, we're violating that fundamental principle," said Malamud, who developed the internet's first radio station and later put a vital U.S. Securities and Exchange Commission database online. "We saw that when Facebook became the instrument of a massive disinformation campaign, we just saw that today with the Amazon failure."

Widespread and often lengthy outages resulting from single-point failures appear increasingly common. In June, the behind-the-scenes content distributor Fastly suffered a failure that briefly took down dozens of major internet sites including CNN, The New York Times and Britain's government home page.

Then in October, Facebook — now known as Meta Platforms — blamed a "faulty configuration change" for an hours-long worldwide outage that took down Instagram and WhatsApp in addition to its titular platform.

This time, problems began midmorning on the U.S. East Coast, said Doug Madory, director of internet analysis at Kentik Inc, a network intelligence firm. Netflix was one of the more prominent names affected; Kentik saw a 26% drop in traffic to the streaming service.

Customers trying to book or change trips with Delta Air Lines had trouble connecting to the airline. "Delta is working quickly to restore functionality to our AWS-supported phone lines," said spokesperson Morgan Durrant. The airline apologized and encouraged customers to use its website or mobile app instead.

Dallas-based Southwest Airlines said it switched to West Coast servers after some airport-based systems were affected by the outage. Customers were still reporting outages to DownDetector, a popular clearinghouse for user outage reports, more than three hours after they started. Southwest spokesman Brian Parrish said there were no major disruptions to flights.

Toyota spokesman Scott Vazin said the company's U.S. East Region for dealer services went down. The company has apps that access inventory data, monthly payment calculators, service bulletins and other items. More than 20 apps were affected.

Also according to DownDetector, people trying to use Instacart, Venmo, Kindle, Roku, and Disney+ reported issues. The McDonald's app was also down. But the airlines American, United, Alaska and JetBlue were unaffected.

Madory said he saw no reason to suspect nefarious activity. He said the recent cluster of major outages reflects how complex the networking industry has become. "More and more these outages end up being the product of automation and centralization of administration," he said. "This ends up leading to outages that are hard to completely avoid due to operational complexity but are very impactful when they happen."

It was unclear how, or whether, the outage was affecting the federal government. The U.S. Cybersecurity and Infrastructure Security Agency said in an email response to questions that it was working with Amazon "to understand any potential impacts this outage may have for federal agencies or other partners."

## Afghans wait and worry at US bases after frantic evacuation

By BEN FOX Associated Press

JOINT BASE MCGUIRE-DIX-LAKEHURST, N.J. (AP) — The former interpreter for the U.S. Army counts himself among the lucky as an Afghan who managed to make it through frantic crowds outside the Kabul airport to board a military evacuation flight out of the country with little more than the clothes on his back.

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Esrar Ahmad Saber now waits, along with 11,000 other Afghans, from the safety of a U.S. base in central New Jersey, while worrying about family members left behind and enduring a prolonged resettlement process.

Saber has been at Joint Base McGuire-Dix-Lakehurst in central New Jersey since Aug. 26 as has nearly everyone else at one of the three "villages" set up there for refugees. "They want to go to their new homes and start their new lives," the 29-year-old said. "They are really excited about it. But the fact is, the process is very slow."

The slow pace has become a defining characteristic of Operation Allies Welcome, the largest U.S. refugee resettlement effort in decades. Even as Afghans still arrive, thousands remain in limbo, anxious about their future as they fearfully follow the news of Taliban reprisals and economic collapse back in their homeland.

Operation Allies Welcome reached a milestone this week as the number resettled in American communities — 37,000 — surpassed the 35,000 at six bases around the country. But people involved with the effort readily concede it's been a challenge for a number of reasons, including a scarcity of affordable housing, cutbacks to refugee programs under Trump as well as the sheer number of refugees.

"It's been a shock to the system because we just haven't had this many people arrive at the same time in a really, really long period," said Erol Kekic, a senior vice president with Church World Service, one of nine national resettlement agencies working with the government in what is formally known as Operation Allies Welcome.

The resettlement organizations and the Department of Homeland Security, the lead federal agency in the effort, are working toward a goal of having everyone off the bases by Feb. 15. The New Jersey installation now hosts the largest number, down from a high of 14,500, followed by Fort McCoy in Wisconsin with 7,500.

There are 3,200 more at overseas transit points awaiting flights to the U.S. as well as some still making it out of Afghanistan.

"I feel pretty good about our chances of moving everybody off the base before that day," Kekic said. "Whether or not we get there by Feb. 15, I think remains to be seen."

The government last week conducted a guided tour for journalists of the New Jersey installation, where refugees stay in brick buildings previously used as barracks or in sprawling tent-like prefabricated structures.

There are fields for soccer, courts for basketball and cavernous warehouses where refugees receive clothes and other supplies. There are also classrooms for the children, who make up about 40% of the population, as well as language lessons and job training for adults and a medical clinic.

Afghans staying at the base go through immigration processing as well as health screening and vaccinations, including for COVID-19. More than 100 babies have been born to women at the base.

Saber, who came from Afghanistan by himself and left a brother and sister behind, says the refugees are happy, just eager to move on. "It's a dream to be here. They just want to get out as soon as possible."

Among the refugees are new arrivals as well. Ghulam Eshan Sharifi, a microbiologist, came on Nov. 14 with his wife and two children after 23 days in Qatar. He was relieved but worried about his adult daughters back in Kabul who held government jobs before the Taliban returned.

"They have no jobs now. They cannot even go outside so we are obviously afraid about what will happen to them," Sharifi said. "We are hoping that God will solve the problem."

He said he hopes to settle in the Denver area but does not yet know when, or if, that will happen. "This is just the beginning for us," he added.

Many refugees are also recovering from what was for many a traumatic escape from a country that collapsed much more quickly than the U.S. government, at least publicly, anticipated.

"Most, if not all of them have worked with our forces and they have been part of the U.S. effort in some way," said Air Force Col. Soleiman Rahel, who came to the U.S. with his family as a refugee from Afghanistan when he was a teenager and is on a temporary assignment working with the refugees at the base. "So, it's very traumatic. It's very hard for them."

Rahel said he can appreciate the challenges the new arrivals will face since his own parents confronted

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similar ones, including being forced to take lower-level jobs than they were accustomed to back in Afghanistan so they could support their family and the kids could go to school.

He also can understand why so many of the refugees want to move to areas where there are established Afghan communities — particularly Northern California, the Washington, D.C., area and Houston — even though those requests are straining resettlement efforts there and contributing to the delays.

Given the extent of the challenge, the agencies have enlisted help beyond groups that typically work with refugees, including veterans groups and even local sports clubs to sponsor families to help them get situated. Resettlement officials say it might have been easier if the entire process had been shifted to a U.S. territory such as Guam, which has been used for that purpose in the past, or if there had been more time to prepare in advance for their arrival.

"This thing should have been planned before they announced the withdrawal. Right? So in that sense, it is taking longer than it should," Mark Hetfield, president of HIAS, another of the nine resettlement organizations, said. "But considering they decided to plan for this after they made the decision to withdraw, given that the depletion of the capacity of the U.S. refugee program over the last four years, none of this is surprising."

While refugees receive temporary assistance after being resettled, most are expected to achieve self-sufficiency. That proves to be difficult when many don't speak English well, have academic credentials that won't be recognized in the U.S. and lack the job and credit history needed.

Saber said he hopes his experience as a military interpreter will allow him to join the Army. He recently learned that he would be getting resettled in Phoenix, but has no idea when he'll leave. "I'm just waiting for a flight."

## USSR's death blow was struck 30 years ago in a hunting lodge

By VLADIMIR ISACHENKOV and YURAS KARMANAU Associated Press

MOSCOW (AP) — When the leaders of the Soviet Union's three Slavic republics met at a secluded hunting lodge on Dec. 8, 1991, the fate of vast country hung in the balance. With a stroke of their pens, they delivered a death blow to the USSR, triggering shockwaves that are still reverberating three decades later in the tensions between Russia and Ukraine.

The agreement they signed at the dacha in Viskuli, in the Belavezha forest near the border with Poland, declared that "the USSR ceases to exist as a subject of international law and as a geopolitical reality." It also created the Commonwealth of Independent States, a loose alliance of ex-Soviet republics that still exists but carries little meaning.

Two weeks later, eight other Soviet republics joined the alliance, effectively terminating the authority of Soviet President Mikhail Gorbachev, who stepped down on Dec. 25, 1991, with the hammer and sickle flag lowered over the Kremlin.

Stanislav Shushkevich, the head of the republic of Byelorussia, as Belarus was called at the time, spoke about the signing of the agreement with pride. The accord reached with Boris Yeltsin of Russia and Leonid Kravchuk of Ukraine, marked a "diplomatic masterpiece," he said.

"A great empire, a nuclear superpower, split into independent countries that could cooperate with each other as closely as they wanted, and not a single drop of blood was shed," added Shushkevich, 86, in an interview with The Associated Press.

But that blood would be spilled later — in multiple conflicts across the former Soviet republics once yoked under Moscow's tight control.

One of the deadliest began in eastern Ukraine shortly after Russia's 2014 annexation of Ukraine's Crimean Peninsula, as Russian-backed separatists battled Ukrainian troops in fighting that has killed over 14,000 people.

The latest Russian troop buildup on its border with Ukraine has fueled Western concerns of an invasion. During a video conference Tuesday, U.S. President Joe Biden told Russian President Vladimir Putin that Moscow will face economy-jarring sanctions if it launches an offensive against its neighbor.

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In his memoirs, Gorbachev expressed bitterness about the 1991 agreement, which doomed his desperate attempt to save the USSR from collapse by trying to negotiate a new "union treaty" among the republics, an effort he had begun months earlier.

"What they so hastily and stealthily did in Belavezha was like a plot to kill an injured but still living person by dismembering it," wrote Gorbachev, now 90. "The striving for power and personal interests prevailed over any legal arguments or doubts."

For Shushkevich, however, "It wasn't a tragedy at all!"

"We decided to shut the prison of nations," he added. "There was nothing to feel contrition for."

Shushkevich argued that he and the other leaders saw no point in Gorbachev's efforts to keep the remaining 12 Soviet republics together. The Baltic republics of Latvia, Lithuania and Estonia already had seceded and the failed August coup against Gorbachev by hard-line members of the Communist Party had eroded his authority and encouraged other republics to seek independence.

"All versions of the union treaty boiled down to the restoration of the old ways or to Gorbachev's proposal of a new structure where he still would be the boss," Shushkevich said.

Shushkevich, Yeltsin and Kravchuk had arrived at the Viskuli lodge near the border with Poland accompanied by a few senior aides on Dec. 7. Participants later described the atmosphere as tense — everyone realized that the stakes were high and they all faced the risk of being arrested on treason charges, if Gorbachev wanted.

Shushkevich noted that Eduard Shirkovsky, the head of the republic's KGB who was at the hunting lodge, had assured him there was no threat. Years later, however, the hard-line Shirkovsky voiced regret that he didn't order their arrest.

In the AP interview, Shushkevich said he didn't expect Gorbachev, whose power was waning rapidly, to try to arrest them.

"I don't think there was such a threat, given Gorbachev's cowardice; at least I didn't feel it," he said.

Gorbachev said he decided against it for fear of provoking bloodshed in a volatile situation when the loyalties of the Soviet army and law enforcement were split.

"If I decided to rely on some armed structures, it would have inevitably resulted in an acute political conflict fraught with bloodshed," he wrote.

Gorbachev blamed Yeltsin, his archrival, for spearheading the Soviet collapse in a bid to take over the Kremlin. Yeltsin, who died in 2007 at the age of 76, had defended his action by saying the USSR was doomed. The Belovezha agreement, he said, was the only way to avoid a conflict between the central government and the independence-minded republics.

Some participants in the historic meeting pointed to Ukraine's Kravchuk as playing the pivotal role in the demise of the Soviet Union.

Ukraine had declared its sovereignty after the August coup that dramatically weakened Gorbachev's authority. A week before the Belovezha agreement, Kravchuk was elected president of Ukraine in a vote that also overwhelmingly approved its independence from Moscow.

In the talks at the hunting lodge, Kravchuk took a forceful stand, rejecting any kind of revamped version of the Soviet Union.

"Kravchuk was focused on Ukraine's independence," Shushkevich said. "He was proud that Ukraine declared its independence in a referendum and he was elected president on Dec. 1, 1991."

Sergei Shakhrai, a top Yeltsin aide, also said Ukraine's vote played a decisive role.

"The Ukrainian independence referendum and the subsequent decision by the Ukrainian Supreme Soviet to disavow the 1922 Treaty on creation of the USSR put a political and legal completion to the process of disintegration," Shakhrai said. "Yeltsin and Shushkevich first tried to persuade Kravchuk to maintain some form of union, but after the referendum, he wouldn't even like to hear that word."

After signing the agreement, Yeltsin and Kravchuk asked Shushkevich to tell Gorbachev about the deal. Yeltsin also called Soviet Defense Minister Yevgeny Shaposhnikov to discourage him from using any force if Gorbachev ordered him to do so, and later called then-U.S. President George H.W. Bush.

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Shushkevich recalled that Gorbachev was livid at the news declaring the Soviet Union dead.

"Gorbachev told me in a mentor tone: 'Do you know what the international community would say?'" Shushkevich said. "And I responded that I do know. — By that time, the conversation with Bush already started and I was hearing it. I said that Yeltsin was telling Bush about it and he (Bush) was reacting in a positive way."

While they focused on unseating Gorbachev, the three leaders put aside disputes among themselves, but those rifts resurfaced later.

Putin, who described the collapse of the Soviet Union as "the greatest geopolitical catastrophe of the 20th century," has continuously alleged that Ukraine unfairly inherited historic parts of Russia in the demise of the USSR.

When Ukraine's Kremlin-friendly president was driven from power by protests in 2014, Russia responded by annexing Crimea and throwing its support behind a separatist insurgency in eastern Ukraine.

Amid the recent Russian troop buildup reported by Washington and Kyiv, Putin has sought guarantees from Biden that the NATO military alliance will never expand to include Ukraine, which has long sought membership. The Americans and their NATO allies said that request was a nonstarter.

"Modern Ukraine is entirely the product of the Soviet era," Putin said in an article published in July. "We know and remember well that it was shaped — for a significant part — on the lands of historical Russia. It's crystal clear that Russia was effectively robbed."

Karmanau reported from Kyiv, Ukraine.

## Australia joins US in diplomatic boycott of Beijing Olympics

By NICK PERRY Associated Press

WELLINGTON, New Zealand (AP) — Australia will join the United States in a diplomatic boycott of the Beijing Winter Olympics over human rights concerns, Prime Minister Scott Morrison said Wednesday.

As it did following the U.S. announcement on Tuesday, China responded furiously, saying no Australian officials had been invited to the Olympics and "no one would care about whether they come or not."

Morrison said it should come as no surprise that Australian officials would boycott the event after the nation's relationship with China had broken down in recent years.

"I'm doing it because it's in Australia's national interest," Morrison said. "It's the right thing to do."

He said Australian athletes would still be able to compete.

As well as citing human rights abuses, Morrison said China had been very critical of Australia's efforts to have a strong defense force in the region, "particularly in relation, most recently, to our decision to acquire nuclear-powered submarines."

He said his government was very happy to talk to China about their differences.

"There's been no obstacle to that occurring on our side, but the Chinese government has consistently not accepted those opportunities for us to meet," Morrison said.

Rights groups have pushed for a full boycott of the games, accusing China of rights abuses against ethnic minorities. The U.S. and Australian decisions fall short of those calls but come at an exceptionally turbulent time for international relations and have been met with a barrage of criticism from China.

Chinese Foreign Ministry spokesperson Wang Wenbin denounced Morrison's announcement as "political posturing," but did not directly threaten the "resolute countermeasures" it vowed to exact on the U.S.

"China has not invited any Australian government officials to attend the Winter Olympics, and no one would care about whether they come or not," Wang said at a daily briefing. "The Australian politicians' political posturing and hyping for their own political interest have no impact whatsoever on the successful Beijing Olympic Games."

Referring to the U.S., Wang said Australia was "blindly following certain countries in their steps to confuse right and wrong without a bottom line."

The Australian Olympic Committee said the arrangements for the 40 or so Australian athletes expected

to compete at the games would not be impacted by Morrison's announcement.

"Getting the athletes to Beijing safely, competing safely and bringing them home safely remains our greatest challenge," said Matt Carroll, the committee's chief executive.

"Our Australian athletes have been training and competing with this Olympic dream for four years now and we are doing everything in our power to ensure we can help them succeed," Carroll said in a statement.

## Japanese tycoon takes off for International Space Station

MOSCOW (AP) — A Japanese billionaire and his producer rocketed to space Wednesday as the first self-paying space tourists in more than a decade.

Fashion tycoon Yusaku Maezawa and producer Yozo Hirano, who plans to film his mission, blasted off for the International Space Station in a Russian Soyuz spacecraft along with Russian cosmonaut Alexander Misurkin.

The trio lifted off as scheduled at 12:38 p.m. (0738 GMT) aboard Soyuz MS-20 from the Russia-led Baikonur launch facility in Kazakhstan.

Maezawa and Hirano are scheduled to spend 12 days in space. The two will be the first self-paying tourists to visit the space station since 2009. The price of the trip hasn't been disclosed.

"I would like to look at the Earth from space. I would like to experience the opportunity to feel weightlessness," Maezawa said during a pre-flight news conference on Tuesday. "And I also have a personal expectation: I'm curious how the space will change me, how I will change after this space flight."

A company that organized the flight said Maezawa compiled a list of 100 things to do in space after asking the public for ideas. The list includes "simple things about daily life to maybe some other fun activities, to more serious questions as well," Space Adventures President Tom Shelley said.

"His intention is to try to share the experience of what it means to be in space with the general public," Shelley told The Associated Press earlier this year.

Maezawa made his fortune in retail fashion, launching Japan's largest online fashion mall, Zozotown. Forbes magazine estimated his net worth at \$2 billion.

The tycoon has also booked a flyby around the moon aboard Elon Musk's Starship that is tentatively scheduled for 2023. He'll be joined on that trip by eight contest winners.

## New soccer league helps Gaza amputees cope with war trauma

By FARES AKRAM Associated Press

GAZA CITY, Gaza Strip (AP) — The players race across the pitch on crutches, jostling for the soccer ball and passing it back and forth, their prosthetic legs lined up along the sidelines at a stadium in the Gaza Strip.

They are the first Palestinian national soccer team made up entirely of amputees — players drawn from a population of hundreds that has grown in recent years through several rounds of fighting between Israel and the territory's militant Hamas rulers.

They say the game helps them cope with the trauma of their injuries and the hardships of living in a crowded territory that has endured four wars and a blockade imposed by Israel and Egypt since Hamas seized power from rival Palestinian forces in 2007.

"We feel we have something, we can give something," said Ziad Abu Halib, 41, who lost his right leg in 2008, during the first Israel-Hamas war. He hasn't missed a single practice or match since joining the local league after it was founded in 2019.

The International Committee of the Red Cross, working with the Palestinian Amputee Football Association, sponsored the long process of forming the national team. The players hope to compete regionally, their sights set on the World Cup for amputees in Turkey next October.

Qualifying matches will be held in Iran in March — they can make the trip if the border opens to allow them to travel through Egypt.



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Coach Simon Baker, a Red Cross consultant and founder of the Irish Amputee Football Association, oversaw a final training session of the season on Sunday.

The rules are modified in accordance with the World Amputee Football Federation. Players leave their prosthetic limbs on the sidelines and move about with crutches, which cannot be used to advance or direct the ball.

Baker selected 20 players from a pool of 47 athletes representing five Gaza clubs.

"They were tested (for) speed, agility, fitness and also looking at the skill," Baker said. "We want the player that has everything" and is also a team player, he said.

Sadly, the war and unrest of recent years have provided hundreds of potential recruits. Gaza is home to an estimated 1,600 amputees out of a population of more than 2 million.

Hamas organized violent protests along the heavily-guarded frontier with Israel for several months in 2018 and 2019, with the aim of easing the blockade of Gaza. Thousands turned out every Friday, many of them bused in by Hamas, an Islamic militant group hostile to Israel. Protesters burned tires, hurled stones and firebombs, and many tried to breach the security fence.

Israeli snipers behind sand berms on the other side of the fence fired live ammunition, rubber-coated bullets and tear gas. They usually aimed for the legs, sparing the lives of demonstrators but often leaving them with permanent disabilities. Many were shot far from the border fence.

More than 200 Palestinians were killed and over 8,000 were wounded by live fire, with at least 155 undergoing amputations, according to Israeli and Palestinian rights groups. An Israeli soldier was killed by a Palestinian sniper and several others were wounded.

Rights groups accuse Israel of using excessive force and of failing to hold its soldiers accountable for deaths and serious injuries.

Israel says its forces acted to prevent thousands of Palestinians — including potentially armed militants — from pouring across the border. It says it investigated allegations of wrongdoing and held soldiers accountable. Israel and Western countries view Hamas as a terrorist group.

Baker first visited Gaza in 2019, while the protests were still underway, with the aim of creating a league for amputees. He trained referees and players, and eventually helped organize a league consisting of five clubs with over 100 players. He also started a junior league for amputees as young as 5 years old.

Baker brushes off any talk of politics. The goal, he says, is "to create an environment whereby the players come to the field and they leave the trauma behind."

## **Biden-Putin talks yield no breakthrough in Ukraine tensions**

By AAMER MADHANI and VLADIMIR ISACHENKOV Associated Press

WASHINGTON (AP) — President Joe Biden and Vladimir Putin were still far apart after two hours of talks on the escalating crisis caused by Russia's massing of tens of thousands of troops near its border with Ukraine.

Biden delivered a simple message during Tuesday's video call with Putin: invade Ukraine again and face painful sanctions that will do resounding harm to your economy. Putin had his own blunt take, according to his foreign adviser Yuri Ushakov, telling the U.S. president that "the Russian troops are on their own territory, and they don't threaten anyone."

With no immediate breakthrough to ease tensions on the Ukraine question, the U.S. emphasized a need for diplomacy and de-escalation, while issuing stern threats to Russia about the high costs of a military incursion.

Biden "told President Putin directly that if Russia further invades Ukraine, the United States and our European allies would respond with strong economic measures," U.S. National Security Adviser Jake Sullivan said. He added that Biden said the U.S. would also "provide additional defensive material to the Ukrainians ... and we would fortify our NATO allies on the eastern flank with additional capabilities in response to such an escalation."

White House officials made clear that Biden is not interested in putting U.S. troops in harm's way de-

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fending Ukraine. But Sullivan added that potential efforts to bolster regional allies could lead to additional deployments of U.S. troops to eastern European NATO allies.

A top U.S. envoy, Victoria Nuland, said a Russian invasion of Ukraine would also jeopardize a controversial pipeline between Russia and Germany known as Nord Stream 2. She told the Senate Foreign Relations Committee on Tuesday that if Russia invaded, "our expectation is that the pipeline will be suspended."

Ushakov dismissed the sanctions threat during his own comments to reporters following the leaders' meeting.

"While the U.S. president talked about possible sanctions, our president emphasized what Russia needs," Ushakov said. "Sanctions aren't something new, they have been in place for a long time and will not have any effect."

He described the presidents' video conference as "candid and businesslike," adding that they also exchanged occasional jokes.

The two leaders met on the 80th anniversary of the Japanese attack on Pearl Harbor, a defining moment that led to the U.S. entry in World War II. They commiserated about the cost of that conflict to their own families, Ushakov noted. Hours before the high-stakes call, Biden and first lady Jill Biden visited a war memorial in Washington to commemorate the solemn anniversary.

In a brief snippet of the start of their meeting broadcasted by Russian state television, the two leaders offered friendly greetings to each other.

"I welcome you, Mr. President," Putin said, speaking with a Russian flag behind him and a video monitor showing Biden in front of him.

At the White House, Sullivan called it "a useful meeting," allowing Biden to lay out in candid terms where America stands.

But as the U.S. and Russian presidents conferred, Ukraine grew only more anxious about the tens of thousands of Russian troops that have been deployed near its border.

Ukrainian officials said Russia had further escalated the crisis by sending tanks and snipers to war-torn eastern Ukraine to "provoke return fire" and lay a pretext for a potential invasion.

U.S. intelligence officials have not been able to independently verify that accusation, according to an administration official who spoke on the condition of anonymity to discuss the sensitive matter.

But the official said that the White House has directly raised concerns with the Russians about "resorting to their old playbook" by trying to provoke the Ukrainians.

Putin entered the call looking for guarantees from Biden that an expansion of the NATO military alliance would never include Ukraine, a demand that was a non-starter for the U.S. and its NATO allies.

The Kremlin, in a post-call statement, said NATO had been "making dangerous attempts to expand its presence on the Ukrainian territory and has been expanding its military potential near Russian borders."

On another matter, Putin proposed to lift all mutual restrictions on diplomatic missions and help normalize other aspects of bilateral relations, according to the Kremlin. Sullivan said the leaders would direct their staff to continue negotiations on that.

The leader-to-leader conversation — Biden speaking from the White House Situation Room, Putin from his residence in Sochi — was one of the most important of Biden's presidency and came at a perilous time.

U.S. intelligence officials have determined that Russia has moved 70,000 troops near the Ukraine border and has made preparations for a possible invasion early next year.

Sullivan said the U.S. believes that Putin has not yet made a final decision to invade. Biden was vice president in 2014 when Russian troops strode into the Black Sea peninsula of Crimea and annexed the territory from Ukraine.

Aides say the Crimea episode — one of the darker moments for then-President Barack Obama on the international stage — looms large as Biden looks at the smoldering current crisis.

Biden's Republican opponents in Washington are framing this moment as a key test of the president's leadership on the global stage. Biden vowed as a candidate to reassert American leadership after President Donald Trump's emphasis on an "America First" foreign policy.

"I will look you in the eye and tell you as President Biden looked President Putin in the eye and told him today that things we did not do in 2014, we are prepared to do now," Sullivan told reporters after the leaders' video call.

Republicans have charged that Biden has been ineffective in slowing Iran's march toward becoming a nuclear power and has done too little to counter autocratic leaders including China's Xi Jinping and Putin.

"Fellow authoritarians in Beijing and Tehran will be watching how the free world responds," Senate Minority Leader Mitch McConnell said from the Senate floor before the Biden-Putin meeting.

But there was at least one area where the two leaders found common ground during Tuesday's call.

Sullivan said Biden and Putin had a "good discussion" on efforts to prevent Iran from becoming a nuclear power and called it an area where the two countries could cooperate.

"The more Iran demonstrates a lack of seriousness at the negotiating table," the more there will be a sense of unity among the U.S. and the parties to the 2015 nuclear accord, including Russia and the European Union, he said.

Biden on Tuesday spoke for the second straight day with leaders of the United Kingdom, France, Germany and Italy to coordinate messaging and potential sanctions. Biden is also expected to speak with Ukrainian President Volodymyr Zelenskyy on Thursday.

Isachenkov reported from Moscow. Associated Press writers Dasha Litvinoia in Moscow and Robert Burns, Zeke Miller and Nomaan Merchant in Washington contributed to this report.

## With jury set, Potter trial turns to opening statements

By AMY FORLITI and STEVE KARNOWSKI Associated Press

MINNEAPOLIS (AP) — Jurors will be presented with starkly different views of the Minnesota police officer who killed Black motorist Daunte Wright during opening statements at her manslaughter trial Wednesday, with the defense claiming that Kim Potter made an innocent mistake by pulling her handgun instead of her Taser and the prosecution portraying her as a veteran cop who had gone through extensive training that warned of such a mix-up.

Potter, 49, is charged with first-degree and second-degree manslaughter in Wright's April 11 death in Brooklyn Center. The white former officer — she resigned two days after the shooting — has said she meant to use her Taser on the 20-year-old Wright after he tried to drive away from a traffic stop as officers tried to arrest him, but that she grabbed her handgun instead.

Her body camera recorded the shooting.

A mostly white jury was seated last week, setting the stage for testimony to begin in a case that sparked angry demonstrations outside the Brooklyn Center police station last spring. Those demonstrations, with protesters frequently clashing with police in riot gear, happened as former Minneapolis Officer Derek Chauvin was on trial just 10 miles (16 kilometers) away for killing George Floyd.

Potter was training a new officer when they pulled Wright over for having expired license plate tags and an air freshener hanging from the rearview mirror, according to a criminal complaint.

When they found that Wright had an outstanding arrest warrant, they tried to arrest him but he got back into his car instead of cooperating. Potter's body-camera video recorded her shouting "Taser, Taser, Taser" and "I'll tase you" before she fired once with her handgun. Afterward, she is heard saying, "I grabbed the wrong (expletive) gun."

To bolster their claim that it was an accident, defense attorneys have highlighted Potter's immediate reaction and later body-camera footage that hasn't been seen by the public in which Potter is said to have repeatedly expressed remorse. But they have also asserted that Potter was within her rights to use deadly force if she had consciously chosen to do so because Wright's actions endangered other officers at the scene.

"She believed the use of a Taser was appropriate when she saw Mr. Wright's abject denial of his lawful arrest coupled with his attempted flight," defense attorney Paul Engh wrote in a pretrial filing seeking to

dismiss one of the charges. "She could have shot him."

Prosecutors have countered that Potter had been trained on Taser use several times during her 26-year police career, including twice in the six months that preceded the shooting. In one of their own pretrial filings, they cited training that explicitly warns officers about confusing a handgun with a Taser and directs them "to learn the differences between their Taser and firearm to avoid such confusion."

Potter, they argued in their filing, "consciously and intentionally acted in choosing to use force on Daunte Wright and in reaching for, drawing, pointing, and manipulating a weapon."

A jury of 14 people, including two white alternates, will hear the case. Nine of the 12 jurors likely to deliberate are white, one is Black and two are Asian.

The jury's racial makeup is roughly in line with the demographics of Hennepin County, which is about 74% white. But the jury is notably less diverse than the one that convicted Chauvin in Floyd's killing.

Potter has told the court she will testify.

The most serious charge against Potter requires prosecutors to prove recklessness, while the lesser requires them to prove culpable negligence. Minnesota's sentencing guidelines call for a prison term of just over seven years on the first-degree manslaughter count and four years on the second-degree one. Prosecutors have said they will seek a longer sentence.

Find the AP's full coverage of the Daunte Wright case: <https://apnews.com/hub/death-of-daunte-wright>

## Congressional leaders reach deal to hike debt limit

By KEVIN FREKING and LISA MASCARO Associated Press

WASHINGTON (AP) — Congressional leaders reached an elaborate deal Tuesday that will allow Democrats to lift the nation's debt limit without any votes from Republicans, likely averting another last-minute rush to avoid a federal default. Hours later, the House passed legislation overwhelmingly along party lines that kicked off a multi-step process.

Congress approved a \$480 billion increase in the nation's debt limit in October. That's enough for the Treasury to finance the government's operations through Dec. 15, according to Treasury Secretary Janet Yellen's projection.

But Republicans have warned they won't vote for any future debt ceiling increase to ensure the federal government can meet its financial obligations, and instead, the politically unpopular measure would have to be passed entirely by the Democratic majority in both chambers of Congress.

President Joe Biden had called on Republicans to "get out of the way" if they won't help Democrats shoulder the debt responsibility. But rather than step aside and allow for a quick vote, Senate Republican leader Mitch McConnell has helped engineer an unusual legislative process that will play out over the next several days. Donald Trump, the former president, ridiculed McConnell for allowing any action, showing just how politically toxic the routine act of paying the nation's bills has become.

"I think this is in the best interest of the country," said McConnell, R-Ky. "I think it is also in the best interest of Republicans, who feel very strongly that the previous debt ceilings we agreed to when President Trump was here carried us through August. And this current debt ceiling is indeed about the future and not about the past."

The agreement spelled out in the House bill passed Tuesday establishes the days-long process ahead. In short, it would tuck a provision to fast-track the debt limit process into an unrelated Medicare bill that will prevent payment cuts to doctors and other health care providers. That measure passed the House by a vote of 222-212 with only Republican, Rep. Adam Kinzinger of Illinois, siding with Democrats in voting for the measure.

"House Republicans can't support using patients and access to local doctors as leverage to increase the national debt on our children," said Rep. Kevin Brady, R-Texas.

The measure now goes to the Senate, and if the Medicare bill becomes law, it will open the process for the Senate to raise the debt ceiling through subsequent legislation with a Democrats' only majority vote.

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Senate Majority Leader Chuck Schumer, D-N.Y., struck an optimistic note that the debt ceiling plan will pass.

"This is a very good outcome for the American people. We will avoid default, which would have been disastrous. Democrats have always said that we were willing to shoulder the load at 50 votes to get this done as long it was not a convoluted or risky process, and Leader McConnell and I have achieved that."

Key to the agreement is that Democrats will have to vote on a specific amount by which the debt ceiling would be lifted. The amount has not yet been disclosed, but it is sure to be a staggering sum. Republicans want to try to blame Democrats for the nation's rising debt load and link it to Biden's \$1.85 trillion social and environmental bill.

"To have Democrats raise the debt ceiling and be held politically accountable for racking up more debt is my goal, and this helps us accomplish that," said Sen. John Cornyn, R-Texas.

The increase in the debt ceiling, however, is needed to meet financial obligations accrued by both parties under past legislation. The vast majority of it predates Biden's presidency.

"This is about meeting obligations that the government has already incurred, largely during the Trump Administration," House Speaker Nancy Pelosi said in a letter to Democratic colleagues. "Only three percent of the current debt has been accrued under President Biden."

Pelosi said that addressing the debt limit will prevent a drastic increase in interest rates for car loans, student debt, mortgages and other types of borrowing for Americans.

The legislation before the House on Tuesday establishes a fast-track process for the days ahead. A subsequent vote will be needed to pass the debt ceiling increase itself. Once the Senate has done so, the House will take up the bill and send it to Biden to be signed into law.

At their private luncheon Thursday, Republican senators sounded off against the plan. Many of them will not support it.

Sen. Roy Blunt, R-Mo., a member of GOP leadership, said the lunch discussion went about as would be expected — though he said the plan at least allows Republicans to achieve their goal of forcing Democrats to vote on their own to raise the debt ceiling by a specific amount.

The parliamentary machinations struck some House lawmakers as an "absurd" but necessary way to deal with the Senate, where the filibuster rules allow the Republican minority to block action.

"We're tying ourselves into parliamentary contortions to try to help the Senate deal with this straitjacket they have put themselves into," Rep. Jamie Raskin, D-Md., said.

## Supreme Court takes up religious rights case from Maine

By MARK SHERMAN Associated Press

WASHINGTON (AP) — The Supreme Court is hearing arguments in a challenge from parents in Maine who want to use a state tuition program to send their children to religious schools.

The parents argue that their exclusion from the state program violates their religious rights under the Constitution. Teacher unions and school boards say a ruling for the parents would be a blow to public education.

The case, being argued Wednesday, is the latest test of religious freedoms for a Supreme Court that has favored faith-based discrimination claims.

In largely rural Maine, the state allows families who live in towns that don't have public schools to receive public tuition dollars to send their children to the public or private school of their choosing. The program excludes religious schools.

The schools don't even have to be in Maine, or the United States for that matter, to qualify, said Michael Bindas, a lawyer with the libertarian public interest law firm Institute for Justice. "But if you want to go to the Jewish day school or the Catholic parish around the block from your house, no," said Bindas, who is arguing the case on behalf of Maine parents.

Maine Attorney General Aaron Frey argued in a court filing that the issue at hand is access to public education. The parents want "a different benefit — a religious education," Frey wrote.

Last year, the high court ruled 5-4 that states must give religious schools the same access to public funding that other private schools receive, preserving a Montana scholarship program that had largely benefited students at religious institutions.

But even after that ruling, the 1st U.S. Circuit Court of Appeals upheld the Maine program, holding that the state was not violating anyone's constitutional rights by refusing to allow taxpayer money to be used for religious instruction. The three-judge panel included retired Justice David Souter, who occasionally hears cases in the appeals court.

The Supreme Court could use this case to resolve the extent to which religious schools may use public funding for explicitly religious activities, such as worship services and religious education courses.

Parents sued in federal court to be able to use state aid to send their children to Christian schools in Bangor and Waterville. The schools in question, Bangor Christian School and Temple Academy, are uncertain whether they would accept public funds, according to court filings.

The Bangor school said it would not hire teachers or admit students who are transgender. Both schools said they do not hire gay or lesbian teachers, according to court records.

## Closing arguments set in actor Jussie Smollett's trial

By DON BABWIN and SARA BURNETT Associated Press

CHICAGO (AP) — Closing arguments are scheduled for Wednesday morning in the case against former "Empire" actor Jussie Smollett, who is accused of staging a racist, anti-gay attack against himself in downtown Chicago to get publicity.

The jury is then expected to begin deliberating whether Smollett is guilty on six counts of a low-level felony for lying to Chicago police about the January 2019 attack.

Taking the witness stand earlier this week, Smollett repeatedly denied the attack was a fake, telling a prosecutor "there was no hoax on my part" and that two brothers who testified against him are "liars."

Smollett called the Osundairo brothers' testimony that he paid them \$3,500 to carry out the fake attack "100% false," and described how he was the victim of a hate crime while walking in his neighborhood early on Jan. 29, 2019. He also testified that a \$3,500 check he wrote for Abimbola Osundairo was for meal and workout plans because he was trying to get toned for an upcoming music video.

Under cross-examination by special prosecutor Dan Webb, Smollett said Tuesday that a few days before the alleged attack he collected Osundairo in his car to go work out and that Osundairo's brother, Olabingo, came along. Smollett denied the brothers' testimony that they circled the area where the alleged attack occurred three times as a "dry run" for the fake assault. He said it wasn't unusual for him to drive around in circles, and that he canceled the plan to work out because he didn't want to work out with Olabingo Osundairo, whom he hadn't invited along.

Smollett was calm throughout hours of testimony with his defense attorney on Monday, but he seemed to grow irritated during his exchanges with Webb on Tuesday, at one point telling the veteran prosecutor that he doesn't understand the social media app Instagram.

Webb's cross-examination also revealed some inconsistencies in Smollett's testimony, including about whether he sent private messages to confirm the timing of the alleged attack and whether his attackers were white, as police say Smollett told them.

When Webb asked Smollett if he sent private messages on Instagram to Abimbola Osundairo on the night of the alleged attack regarding the timing of the fake attack, Smollett responded, "there was no fake attack" and denied sending the messages. After Webb showed Smollett four messages that Smollett sent Osundairo that night, Smollett told Webb: "If you say so, sir."

In the final message – sent at 12:41 a.m., about 90 minutes before the alleged attack – Smollett told Osundairo that he had finally made it home from the airport. Smollett testified he was sending the messages to arrange a workout session, not a fake attack.

On Monday, Smollett testified that he was returning home from buying a sandwich around 2 a.m. when someone yelled a racist, homophobic remark that referenced the TV show "Empire." The person also

shouted something about "MAGA country," an apparent reference to then-President Donald Trump's slogan "Make America Great Again." The slogan also had been scrawled on some hate mail – that included a drawing of a stick figure hanging by a noose – that Smollett had received at the "Empire" set, he testified.

Smollett said when he turned to confront the person, a man hit him in the head and he fell to the ground, where he said another man kicked him before the attackers ran away. Smollett said he noticed a rope, like a noose, around his neck after the attack. When he returned home, a friend called Chicago police, something Smollett said he wouldn't have done because as a Black man he doesn't trust police.

Asked by Webb whether he meant that the brothers were his attackers, Smollett replied: "No, I don't know. There's no way for me to know that." Webb then asked if Smollett recognized the voice of Abimbola Osundairo – who goes by Bola – during the incident.

"In that moment, I'm not going to stop and say, 'Hey Bola is that you?'" Smollett testified.

The brothers testified last week that the fake attack was Smollett's idea, and that he gave them \$100 to buy supplies including a rope to tie a noose around his neck, and directed them to yell racial and gay slurs and "MAGA."

Smollett said of the Osundairo brothers: "They are liars."

Smollett, 39, is charged with six counts of felony disorderly conduct for making what prosecutors say was a false police report about the alleged attack — one count for each time he gave a report — to three different officers. The class 4 felony carries a prison sentence of up to three years, but experts have said if Smollett is convicted, he would likely be placed on probation and ordered to perform community service.

Check out the AP's complete coverage of the Jussie Smollett case.

## China says US diplomatic boycott violates Olympic spirit

BEIJING (AP) — China accused the United States of violating the Olympic spirit on Tuesday after the Biden administration announced a diplomatic boycott of the Beijing Winter Games over human rights concerns.

Rights groups have pushed for a full-blown boycott of the Games, accusing China of rights abuses against ethnic minorities. The U.S. decision falls short of those calls but comes at an exceptionally turbulent time for relations between the powerhouse nations and was met with a barrage of criticism from China.

The U.S. is attempting to interfere with the Beijing Games "out of ideological prejudice and based on lies and rumors," Foreign Ministry spokesperson Zhao Lijian told reporters.

The boycott "seriously violates the principle of political neutrality of sports established by the Olympic Charter and runs counter to the Olympic motto 'more united,'" Zhao said.

As he did the previous day, Zhao vowed that China would respond with "resolute countermeasures" but offered no details.

"The U.S. will pay a price for its practices. You may stay tuned for follow-ups," Zhao said.

On Monday, White House press secretary Jen Psaki told reporters that the Biden administration will fully support U.S. athletes competing at the Games but won't dispatch diplomats or officials to attend.

Psaki said the U.S. has a "fundamental commitment to promoting human rights" and that it "will not be contributing to the fanfare of the Games."

The diplomatic boycott comes as the U.S. attempts to thread the needle between stabilizing difficult relations with Beijing and maintaining a tough stance on trade and political conflicts. The U.S. has accused China of human rights abuses against Muslim Uyghurs in northwest Xinjiang province, suppressing democratic movements in Hong Kong, committing military aggression against the self-ruled island of Taiwan and more.

Beijing has denounced U.S. criticisms and punitive sanctions as interference in its internal affairs and slapped visa bans on American politicians it regards as anti-China.

Zhao warned the U.S. to "stop politicizing sports" and cease what he said were actions undermining the Beijing Winter Olympics, "otherwise it will undermine the dialogue and cooperation between the two countries in a series of important areas and international issues."

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The Chinese Embassy in Washington dismissed the move as posturing in a tweet.

"In fact, no one would care about whether these people come or not, and it has no impact whatsoever on the #Beijing2022 to be successfully held," the embassy said.

China's mission to the United Nations called the boycott a "self-directed political farce."

Even the ruling Communist Party's notoriously opaque Central Commission for Discipline Inspection issued a response in the form of a lengthy screed on its website entitled "The Spirit of the Olympic Charter Cannot be Tarnished."

"Some Western anti-China politicians" have shown a "defensive Cold War mentality aimed at politicizing sport," the article said, calling that a "clear violation of the Olympic spirit and a challenge to all people who love the Olympic movement."

People on the streets of Beijing were overall dismissive of the U.S. move.

"I don't think it matters at all if they would come or not. The Olympic Games are not about one country or a couple of countries," said coffee shop employee Deng Tao.

"Such remarks from someone we never invited are simply a farce. And I don't think it will have much impact on the holding of the Winter Olympics," Lu Xiaolei, who works in trade.

It wasn't clear which officials the U.S. might have sent to Beijing for the Games and Zhao said Monday that no invitation had been extended by China.

Prime Minister Scott Morrison of Australia, whose relations with China have nosedived in recent years, said Wednesday his government would join the U.S. in the diplomatic boycott.

New Zealand said Tuesday it won't be attending the games at a diplomatic level, but that it made the decision earlier due mostly to pandemic travel restrictions.

The country told China in October about its plans not to send government ministers, Deputy Prime Minister Grant Robertson said.

"But we've made clear to China on numerous occasions our concerns about human rights issues," Robertson said.

The attitudes of other U.S. allies were less clear.

Japanese Prime Minister Fumio Kishida said Tuesday that the country would make its own decision "from the perspective of national interests, taking into consideration the significance of the Olympic Games and the significance of Japan's diplomacy."

Japanese Chief Cabinet Secretary Hirokazu Matsuno said a decision on officials attending would be made "at an appropriate time."

"In any case, Japan hopes that the Beijing Winter Games will be held as a celebration of peace in line with the principles of the Olympic and Paralympic Games," Matsuno said.

South Korean Foreign Ministry spokesperson Choi Young-sam declined to comment on the U.S. decision and said the ministry had not received any request from its ally not to send officials.

South Korea hopes the Beijing Olympics will "contribute to peace and prosperity in Northeast Asia and the world and help improve relations between South and North Korea," Choi said.

The dispatching of high-level delegations to each Olympics has long been a tradition among the U.S. and other leading nations. Then-President George W. Bush attended the opening of the 2008 Beijing Olympic Summer Games. First lady Jill Biden led the American contingent to the Summer Olympics in Tokyo this year and second gentleman Doug Emhoff led a delegation to the Paralympic Games.

## Test feeding plan in works for starving Florida manatees

By CURT ANDERSON Associated Press

St. PETERSBURG, Fla. (AP) — Normally giving food to wild animals is considered off limits, but the dire situation in Florida with more than 1,000 manatees dying from starvation due to manmade pollution is leading officials to consider an unprecedented feeding plan.

The U.S. Fish and Wildlife Service and state environmental officials intend to unveil a limited proposal this week to feed the beloved marine mammals in one specific Florida location to test how it works. This



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is not usually done with any wild animal, but the situation has become such an emergency that it has to be considered, said Save The Manatee Club Executive Director Patrick Rose.

The club was co-founded in 1981 by Florida troubadour Jimmy Buffet and former governor and U.S. Sen. Bob Graham.

"It's the entire ecosystem that is affected by this and will be affected for a decade to come," Rose said in an interview Tuesday. "This is a necessary stopgap measure. It is a problem created by man and man is going to have to solve it."

A Fish and Wildlife Service spokesman said in an email that the agency "does have approval to move forward on a limited feeding trial" but that details are not yet finalized. A formal announcement is expected later this week.

The emerging plan would involve feeding manatees at a Florida Power & Light plant in Cape Canaveral, along the Indian River Lagoon on the east coast where manatees congregate in cold winter months because of the warm water discharge from the plant. It would be an experiment involving lettuce, cabbage, and other greens delivered in a controlled manner such as via a conveyor belt, Rose said.

People would not be authorized to simply start tossing lettuce into a Florida bay some place.

"Under no circumstances do we want people feeding manatees. It's illegal, and remains so," Rose said.

Manatees have long struggled to survive with humans. Hundreds of the slow-moving animals are struck every year by boats, which has led to no-wake manatee zones throughout Florida with violations punishable by significant fines. But the starvation threat has led to a record 1,017 manatee deaths as of Nov. 19, according to state figures.

As winter looms, even in Florida, another bad year is expected.

This has been caused mainly by runoff from farms, urban areas and sewage that promotes growth of blue-green algae and other harmful organisms. It chokes off light needed by seagrass, eliminating the main food source for manatees. Climate change that worsens the algae blooms is also a factor.

And it's not just manatees. People's health can be affected by the algae blooms along with the health of a wide range of aquatic creatures, from crabs to dolphins. Aside from protecting the animals, there is an economic loss for boat captains, sightseeing tours and others who flock to Florida for the chance to see these creatures.

"Literally, saving manatees is part of saving the ecosystem. If we can get this taken care of, manatees will flourish. If we don't, they won't," Rose said. "We are in the most critical position."

Manatees were listed as endangered for years by the federal government, but in 2017 their numbers appeared to have rebounded enough — officials say there are between 7,000 and 8,000 animals in Florida — that their status was downgraded to threatened. Several Florida politicians, including Republican U.S. Rep. Vern Buchanan, have been pushing to restore the endangered status which brings more attention and resources to them.

## Suspect in killing of Saudi journalist arrested in France

By SYLVIE CORBET and NICOLAS VAUX-MONTAGNY Associated Press

PARIS (AP) — A suspect in the 2018 killing of Saudi journalist Jamal Khashoggi was arrested Tuesday in France, according to a French judicial official.

The official said the suspect was being held on the basis of a Turkish arrest warrant. He requested not being named in accordance with the French justice system's customary practices.

French radio RTL said the Saudi national, Khalid Aedh al-Otaibi, was arrested at the Roissy airport near Paris as he was trying to board a flight to Riyadh.

Al-Otaibi was one of over a dozen Saudi officials sanctioned by the U.S. Treasury in 2018 over Khashoggi's killing and dismemberment at the Saudi Consulate in Istanbul in 2018.

He was also mentioned in the declassified U.S. intelligence report that said Saudi Crown Prince Mohammed bin Salman had "approved" the operation that killed Khashoggi. The report used an alternate English transliteration of his last name.

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The Saudi Embassy in Paris said the arrested man "had nothing to do with the case in question," and said the embassy expects his immediate release. It noted that Saudi Arabia already held a trial over the killing, though it was behind closed doors and the verdicts were criticized by rights groups and others for not holding to account or finding guilty anyone responsible behind organizing, ordering or overseeing the operation that killed Khashoggi.

French authorities were on Tuesday evening verifying the suspect's identity.

The director of media watchdog Reporters Without Borders (RSF), Christophe Deloire, welcomed the news.

"Sometimes governments close their eyes about people who are pursued by justice in another country. I note with satisfaction that there was an arrest, and the police didn't close their eyes this time," he told The Associated Press.

Al-Otaibi "is someone we have been following for a long time," Deloire said. RSF has lobbied multiple governments to seek justice for Khashoggi's killing, and filed a lawsuit in Germany for crimes against humanity over the case.

There was no immediate comment from Turkey over the arrest.

French media report the suspect is going to be notified about the arrest warrant by a prosecutor on Wednesday. He can accept or refuse to be transferred to Turkey. If he refuses, a judge will decide whether he remains in custody pending the review of the case and a possible extradition process, which could take months.

The arrest comes as Saudi Crown Prince Mohammed bin Salman continues his first regional Gulf tour since the killing. He traveled Tuesday from Oman to the United Arab Emirates.

The prince met with French President Emmanuel Macron on Saturday in Saudi Arabia. Macron said they notably had talks about human right issues.

Hatice Cengiz, the fiancée of Jamal Khashoggi, said in a statement the arrest of the suspect, if confirmed, is "a very significant first step for justice for Jamal...Justice must be allowed to take its proper course... Most importantly, those who executed the plan must not be used to shield those much higher up who gave the order for Jamal's brutal killing, including the Crown Prince himself. They must also be arrested and prosecuted."

"If this is all true, this is the first step that should continue until justice is served and until the person who ordered the killing also faces justice," said Abdullah Alaoudh, director of Gulf issues at DAWN, a U.S.-based organization envisioned by Khashoggi before his murder to support democracy and rule of law in the Arab world. Alaoudh's own father, well-known Islamic scholar Salman Aloudah, is among those detained in the kingdom since 2017 under the crown prince. He was arrested shortly after a tweet perceived as not supportive of the Saudi embargo against neighboring Qatar at the time—a spat that has since ended.

The arrest comes as the crown prince works to move away from the stain on his reputation internationally and woo back big name Western investors and celebrities.

Human rights activists have urged celebrities and sports stars to boycott events in Saudi Arabia, arguing they serve to distract from the country's crackdown on critics and that such events happen only with approval of the crown prince. Just this week alone, the kingdom hosted its first ever Formula One race with pop star Justin Bieber performing despite Khashoggi's fiancée plea for him to not participate in protest. Meanwhile, stars like Hillary Swank and Catherine Deneuve were photographed on the red carpet Monday for the kingdom's inaugural Red Sea International Film Festival in Jiddah.

Last year, Turkey began trying 26 Saudi nationals in absentia over Khashoggi's murder after Saudi Arabia refused to extradite them and after Turkish officials dismissed a trial against some of the suspects that was conducted behind closed doors in Riyadh.

In the last hearing in November however, the court in Istanbul requested that the Ministry of Justice contact authorities in Saudi Arabia to determine whether they had been sentenced there to avoid them from being tried over the same offense.

The arrest in Paris comes as Turkey has been trying to improve its frayed relations with the Kingdom and other Arab nations at a time when its economy is faltering.

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Khashoggi was killed on October 2, 2018, after he entered the consulate to get documents that would allow him to marry his Turkish fiancée, who was waiting outside. Turkish officials allege Khashoggi, who had written critically about Saudi Arabia's crown prince for The Washington Post, was killed by a team of Saudi agents and then dismembered with a bone saw.

The Saudi government admitted to the murder under intense international pressure.

The Saudi court proceedings, which were open to select Western diplomats to sit in on, were not open to independent media to observe.

Khashoggi's family subsequently announced they had forgiven his killers.

AP journalists Angela Charlton in Paris, Jon Gambrell and Aya Batrawy in Dubai, United Arab Emirates, Robert Badendieck, Istanbul, Turkey and Suzan Fraser in Ankara, Turkey, contributed to the story.

## Pearl Harbor survivors gather on 80th anniversary of attack

By AUDREY McAVOY Associated Press

PEARL HARBOR, Hawaii (AP) — A few dozen survivors of Pearl Harbor and other veterans gathered Tuesday at the site of the bombing 80 years ago to remember those killed in the attack by Japan that launched the U.S. into World War II.

The USS Chung-Hoon, a guided missile destroyer, passed in front of the pier with its sailors "manning the rails," or lining the ship's edge, to honor the World War II veterans present.

David Russell, a 101-year-old from Albany, Oregon, who survived the attack while on the USS Oklahoma, stood to salute to the destroyer on behalf of the veterans.

Herb Elfring, 99, said he was glad to return to Pearl Harbor considering he almost didn't live through the aerial assault.

"It was just plain good to get back and be able to participate in the remembrance of the day," Elfring told reporters over the weekend.

Elfring was in the Army, assigned to the 251st Coast Artillery, part of the California National Guard on Dec. 7, 1941. He recalled Japanese planes flying overhead and bullets strafing his Army base at Camp Malakole, a few miles down the coast from Pearl Harbor.

Elfring, who lives in Jackson, Michigan, said he has returned to Hawaii about 10 times to attend the annual memorial ceremony hosted by the Navy and the National Park Service.

About 30 survivors and about 100 other veterans of the war joined him this year. Veterans stayed home last year due to the coronavirus pandemic and watched a livestream of the event instead. Most attendees this year wore masks.

They observed a moment of silence at 7:55 a.m., the same minute the attack began decades ago.

Navy Secretary Carlos Del Toro recounted in his keynote address how Petty Officer 1st Class Joe George tossed a line to the USS Arizona that six men trapped by fire in the battleship's control tower used to cross to his ship, the USS Vestal. Five of the six survived. Among them was Donald Stratton of Red Cloud, Nebraska, who died last year. Del Toro said he recently met with Stratton's family.

"We sometimes talk about our victory in World War II as though it was inevitable. Only a matter of time. But there was nothing inevitable about one sailor's decision to toss that line," Del Toro said.

He said it took millions of individual acts of valor and courage at home and overseas to get the nation through the war.

The bombing killed more than 2,300 U.S. troops. Nearly half — or 1,177 — were Marines and sailors serving on the USS Arizona.

David Dilks, 95, traveled to Hawaii from Hatfield, Pennsylvania, with his son-in-law. Dilks enlisted out of high school in 1944, going from playing basketball one day to serving in the Navy the next.

Dilks said his battleship, the USS Massachusetts, bombarded targets like Iwo Jima, Okinawa and the Philippines during the war.

He recalls one day in March 1945 when he and his shipmates were watching the movie "Stage Door Canteen" on the ship's fantail when a loud noise interrupted the film. They then saw a Japanese kamikaze

plane crash into the USS Randolph aircraft carrier next to them.

"We never had a movie up topside after that," he said.

Sitting at Pearl Harbor on the 80th anniversary of the attack, he said he's thinking in particular about those that died.

"All of the sailors and soldiers who fought here — you should be proud of them. But more proud of those who didn't make it," he said.

Several women who helped the war effort by working in factories have come to Hawaii to participate in the remembrance this year.

Mae Krier, who built B-17s and B-29s at a Boeing plant in Seattle, said it took the world a while to credit women for their work.

"And we fought together as far as I'm concerned. But it took so long to honor what us women did. And so of course, I've been fighting hard for that, to get our recognition," said Krier, who is now 95. "But it was so nice they finally started to honor us."

This year's ceremony took place as a strong storm with extremely heavy rains hit Hawaii, flooding roads and downing power lines. The ceremony was conducted under a pier with a metal roof. Skies were overcast but it was not raining during the ceremony.

## Theranos founder Elizabeth Holmes faces cross-examination

By MICHAEL LIEDTKE Associated Press

SAN JOSE, Calif. (AP) — Former Theranos CEO Elizabeth Holmes spent another five hours on the witness stand Tuesday sparring with a federal prosecutor aiming to prove criminal allegations that she misled investors, customers, and patients about a flawed blood-testing technology that she spent years touting as a medical breakthrough.

Much of Holmes' second day of cross-examination by government lawyer Robert Leach mirrored what happened during the first day when she struggled to recall key events that triggered the fraud charges facing her.

As he did last week, Leach repeatedly tried to jog her memory by pulling up her own emails from six to nine years ago, as part of his efforts to persuade a jury that Holmes knew about serious problems with Theranos' blood-testing equipment, even as she continued to hail it as a major step forward. That pitch helped Theranos raise more than \$900 million from investors and strike a deal to roll out its technology in Walgreens pharmacies before its eventual collapse in 2018.

By 2014, Theranos was such a hot commodity in Silicon Valley that Holmes' controlling stake in the Palo Alto, California, company was valued at \$4.5 billion.

Holmes told Leach she couldn't even remember emailing Theranos investors a glowing Fortune magazine cover story about her in June 2014 that catapulted her to Silicon Valley stardom or giving a July 2013 slide presentation to Walgreens executives that helped Theranos seal its pharmacy deal.

In between her vague recollections, Holmes never wavered from her stance that she firmly believed that Theranos was on the verge of perfecting a blood-testing technology that she began working on in 2003 after dropping out of Stanford University to start the company.

The technology was supposed to be able to scan for hundreds of potential diseases and other health problems with a few drops of blood taken with a finger prick, but never came close to pulling that feat off before Theranos' failure.

"When I testified we could do it, I fully believe we could do it," Holmes, 37, said Tuesday. After being challenged by Leach, Holmes then acknowledged, "There was still work to be done."

The relatively dry nature of Holmes' testimony during her sixth day on the witness stand contrasted sharply with the vivid and painful memories she laid out for the jury last week. In a potentially pivotal moment, Holmes charged that her former lover and business partner, Sunny Balwani, had subjected her to years of emotional and sexual abuse that adversely affected some of the decisions and choices she made while running Theranos.

Balwani, 56, was also Theranos' chief operating officer from 2009 to 2016 -- a period during which he

was also secretly living with Holmes. The couple broke up in 2016 after a series of explosive articles in The Wall Street Journal and a regulatory audit uncovered a pattern of grossly inaccurate blood results being produced on Therasys technology.

Jeffrey Coopersmith, Balwani's attorney, has vehemently denied Holmes' abuse allegations in court documents. Balwani faces a separate fraud trial early next year.

Holmes' trial is nearing its end now, with the jury expected to begin deliberations within the next two weeks. If convicted, Holmes could face up to 20 years in prison.

## **Biden, Putin square off as tension grows on Ukraine border**

By AAMER MADHANI and DASHA LITVINOVA Associated Press

WASHINGTON (AP) — Face to face for over two hours, President Joe Biden and Russia's Vladimir Putin squared off in a secure video call Tuesday as the U.S. president put Moscow on notice that an invasion of Ukraine would bring sanctions and enormous harm to the Russian economy.

With tens of thousands of Russian troops massed on the Ukraine border, the highly anticipated call between the two leaders came amid growing worries by the U.S. and Western allies about Russia's threat to its neighbor.

Putin, for his part, came into the meeting seeking guarantees from Biden that the NATO military alliance will never expand to include Ukraine, which has long sought membership. The Americans and their NATO allies said that request was a non-starter.

There appeared to be no immediate breakthroughs to ease tensions on the Ukraine question, as the U.S. emphasized a need for diplomacy and de-escalation, and issued stern threats to Russia on the consequences of an invasion.

Biden "told President Putin directly that if Russia further invades Ukraine, the United States and our European allies would respond with strong economic measures," U.S. National Security Adviser Jake Sullivan said after the call.

He added that Biden said the U.S. would also "provide additional defensive materiel to the Ukrainians ... and we would fortify our NATO allies on the eastern flank with additional capabilities in response to such an escalation."

That could include additional deployments of U.S. troops to eastern European NATO allies, the adviser said.

A top U.S. envoy, Victoria Nuland, said a Russian invasion of Ukraine also would jeopardize a controversial pipeline between Russia and Germany. She told the Senate Foreign Relations Committee Tuesday that if Russia invaded, "our expectation is that the pipeline will be suspended."

Putin's foreign affairs adviser Yuri Ushakov dismissed the sanctions threat during a conference call with reporters.

"While the U.S. president talked about possible sanctions, our president emphasized what Russia needs," Ushakov said. "Sanctions aren't something new, they have been in place for a long time and will not have any effect."

He described the presidents' video conference as "candid and businesslike," adding that they also exchanged occasional jokes.

In a brief snippet broadcast by Russia state television, the two leaders offered friendly greetings to each other.

"I welcome you, Mr. President," Putin said, speaking with a Russian flag behind him and a video monitor showing Biden in front of him. "Good to see you again!" Biden replied with a chuckle. He noted Putin's absence from the recent Group of 20 summit in Rome — Putin took part by video link because of concerns about COVID-19 — and said, "I hope next time we meet to do it in person."

At the White House, Sullivan said, "It was a useful meeting," allowing Biden to lay out in candid terms where the US stands.

As the U.S. and Russian presidents conferred, Ukraine grew only more anxious about the tens of thousands of Russia troops that have been deployed near its border. Ukrainian officials charged Russia had

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further escalated the smoldering crisis by sending tanks and snipers to war-torn eastern Ukraine to “provoke return fire” and lay a pretext for a potential invasion.

U.S. intelligence officials have not been able to independently verify that accusation, according to an administration official who spoke on the condition of anonymity to discuss the sensitive matter. But the official said that the White House has directly raised concerns with the Russians about “resorting to their old playbook” by trying to provoke the Ukrainians.

The Kremlin, in a post-call readout, said, “Putin emphasized that it’s wrong to put the responsibility on Russia, since it is NATO that has been making dangerous attempts to expand its presence on the Ukrainian territory and has been expanding its military potential near Russian borders.”

The Russian leader also proposed to lift all mutual restrictions on diplomatic missions and help normalize other aspects of bilateral relations, the Kremlin said. Sullivan said the leaders would direct their staffs to continue negotiations on that.

The leader-to-leader conversation — Biden speaking from the White House Situation Room, Putin from his residence in Sochi — was one of the most important of Biden’s presidency and came at a perilous time. U.S. intelligence officials have determined that Russia has massed 70,000 troops near the Ukraine border and has made preparations for a possible invasion early next year.

Sullivan said the U.S. believes that Putin has not yet made a final decision to invade.

Biden was vice president in 2014 when Russian troops marched into the Black Sea peninsula of Crimea and annexed the territory from Ukraine. Aides say the Crimea episode — one of the darker moments for President Barack Obama on the international stage — looms large as Biden looks at the smoldering current crisis.

Politically in Washington, Republicans are framing this moment as a key test of Biden’s leadership on the global stage. Biden vowed as a candidate to reassert American leadership after President Donald Trump’s emphasis on an “America first” foreign policy. But Republicans say he’s been ineffective in slowing Iran’s march toward becoming a nuclear power and has done too little to counter autocratic leaders including China’s Xi Jinping and Putin.

“Fellow authoritarians in Beijing and Tehran will be watching how the free world responds,” Senate Minority Leader Mitch McConnell said from the Senate floor before the Biden-Putin meeting.

Sullivan said Biden and Putin had a “good discussion on the Iran issue” and called it an area where the two countries could cooperate.

“The more Iran demonstrates a lack of seriousness at the negotiating table,” the more there will be a sense of unity among the U.S. and the parties to the 2015 nuclear accord including Russia and the European Union, he said.

Trump, who showed unusual deference to Putin during his presidency, said in a statement that “Vladimir Putin looks at our pathetic surrender in Afghanistan, leaving behind dead Soldiers, American citizens, and \$85 billion worth of Military equipment. He then looks at Biden. He is not worried!”

Ahead of the Putin call, Biden on Monday spoke with leaders of the United Kingdom, France, Germany and Italy to coordinate messaging and potential sanctions. He also spoke with them again following his call to brief them out the outcome. Biden is also expected to speak with Ukrainian President Volodymyr Zelenskyy on Thursday.

Putin apparently sees the current situation as a moment to readjust the power dynamic of the U.S.-Russia relationship, analysts agree.

Beyond Ukraine, there are plenty of other thorny issues on the table, including cyberattacks and human rights. Before the call, Kremlin spokesman Peskov said U.S.-Russian relations are overall in “a rather dire state.”

“Russia has never planned to attack anyone,” Peskov said. He characterized the Biden-Putin call as a “working conversation during a very difficult period,” when “escalation of tensions in Europe is off the scale, extraordinary.”

Litvinova reported from Moscow. Associated Press writers Vladimir Isachenkov in Moscow and Robert Burns, Zeke Miller and Darlene Superville in Washington contributed to this report.

## **Defense rests after Jussie Smollett repeatedly denies 'hoax'**

By DON BABWIN and SARA BURNETT Associated Press

CHICAGO (AP) — Jussie Smollett on Tuesday repeatedly denied he staged a racist, anti-gay attack on himself for publicity, telling a prosecutor as the trial neared its end that “there was no hoax on my part” and that two brothers who testified against him are “liars.”

Lawyers for the former “Empire” actor rested their case shortly after Smollett finished a second day of testimony at the Chicago courthouse on charges he lied to police about the January 2019 attack. Prosecutors said they had no other witnesses to call, and Judge James Linn scheduled closing arguments for Wednesday.

On Monday, Smollett called the Osundairo brothers’ testimony that he paid them \$3,500 to carry out the fake attack “100% false,” and described how he was the victim of a hate crime while walking in his downtown Chicago neighborhood. He also testified that the \$3,500 check to Abimbola Osundairo was for meal and workout plans because he was trying to get toned for an upcoming music video.

Under cross-examination by special prosecutor Dan Webb, Smollett said Tuesday that a few days before the alleged attack he picked up Abimbola Osundairo in his car to go workout and that Osundairo’s brother, Olabingo Osundairo, came along. Smollett denied the brothers’ earlier testimony that they drove around together — circling the area where the alleged attack occurred three times — as part of a “dry run” for the fake assault. He said circling the area was not unusual behavior for him, and that he called off the plan to work out because he didn’t want to work out with Olabingo Osundairo, whom he hadn’t invited along.

Smollett, who was calm throughout hours of testimony with his defense attorney Monday, seemed to grow more irritated during his exchanges with Webb on Tuesday, at one point telling the veteran prosecutor he doesn’t understand the social media app Instagram. Webb’s cross-examination also revealed some inconsistencies in Smollett’s testimony, including about whether he sent private messages to confirm the timing of the alleged attack and whether his attackers were white, as police say Smollett told them.

When Webb asked Smollett if he sent private messages regarding the timing of the fake attack to Abimbola Osundairo using the app on the night of the alleged attack Smollett responded, “there was no fake attack” and denied sending the messages. After Webb showed Smollett four messages that Smollett sent Abimbola Osundairo that night while the actor was at an airport because his flight home to Chicago was delayed, Smollett told Webb: “If you say so, sir.”

In the final message — sent at 12:41 a.m. on Jan. 29, 2019, or about 90 minutes before the alleged attack — Smollett told Osundairo that he had finally made it home. Smollett testified he was sending the messages to arrange a workout session, not a fake attack.

In his Monday testimony, Smollett said he was returning home from getting a sandwich around 2 a.m. when someone yelled a racist, homophobic remark that referenced the TV show “Empire.” The person also shouted something about “MAGA country,” an apparent reference to then-President Donald Trump’s slogan “Make America Great Again.” The slogan also had been scrawled on a piece of hate mail — that included a drawing of a stick figure hanging by a noose — that Smollett had received earlier at the “Empire” set, he testified.

Smollett said when he turned to confront the person, a man hit him in the head and he fell to the ground, where he said another man kicked him before the attackers ran away. Smollett said he noticed a rope, like a noose, around his neck after the attack. When he returned home, a friend called Chicago police, something Smollett said he wouldn’t have done because as a Black man he doesn’t trust police.

Asked by Webb Tuesday whether he’s saying the brothers were his attackers, Smollett replied, “No, I don’t know. There’s no way for me to know that.” Webb then asked if Smollett recognized the voice of Abimbola Osundairo — who goes by Bola — during the incident.

“In that moment, I’m not going to stop and say, ‘Hey Bola is that you?’” Smollett testified.

The brothers testified last week the fake attack was Smollett's idea, and that he gave them \$100 to buy supplies including a rope to tie a noose around his neck, and directed them to yell racial and gay slurs and "MAGA."

Smollett also said of the Osundairo brothers' testimony that he staged the attack: "They are liars."

Smollett, 39, is charged with six counts of felony disorderly conduct for making what prosecutors say was a false police report about the alleged attack — one count for each time he gave a report — to three different officers. The class 4 felony carries a prison sentence of up to three years, but experts have said if Smollett is convicted he likely would be placed on probation and ordered to perform community service.

Check out the AP's complete coverage of the Jussie Smollett case.

## Judge blocks Biden vaccine mandate for federal contractors

By GEOFF MULVIHILL and DAVID A. LIEB Associated Press

A federal judge on Tuesday blocked President Joe Biden's administration from enforcing a COVID-19 vaccine mandate for employees of federal contractors, the latest in a string of victories for Republican-led states pushing back against Biden's pandemic policies.

U.S. District Court Judge R. Stan Baker, in Augusta, Georgia, issued a stay to bar enforcement of the mandate nationwide.

The order came in response to a lawsuit from several contractors and seven states -- Alabama, Georgia, Idaho, Kansas, South Carolina, Utah and West Virginia. It applies across the U.S. because one of those challenging the order is the trade group Associated Builders and Contractors Inc., whose members do business nationwide.

Baker found that the states are likely to succeed in their claim that Biden exceeded authorization from Congress when he issued the requirement in September.

"The Court acknowledges the tragic toll that the COVID-19 pandemic has wrought throughout the nation and the globe," wrote the judge, an appointee of former President Donald Trump. "However, even in times of crisis this Court must preserve the rule of law and ensure that all branches of government act within the bounds of their constitutionally granted authorities."

A White House spokeswoman said the Justice Department would continue to defend the mandate.

"The reason that we proposed these requirements is that we know they work, and we are confident in our ability, legally, to make these happen across the country," White House press secretary Jen Psaki said at Tuesday's briefing.

A federal judge in Kentucky also had issued a preliminary injunction against the mandate last week, but it applied only to contractors in three states that had sued together -- Kentucky, Ohio and Tennessee.

Biden issued an executive order Sept. 9 requiring federal contractors and subcontractors to comply with workplace safety guidelines developed by a federal task force. That task force subsequently issued guidelines that new, renewed or extended contracts include a clause requiring employees to be fully vaccinated by Jan. 18. That meant those receiving a two-dose vaccine must get their second shot by Jan. 4.

Limited exceptions were allowed for medical or religious reasons. The requirements would apply to millions of employees of federal contractors, which include defense companies and airlines.

"This is a big win in removing compliance hurdles for the construction industry, which is facing economic challenges, such as a workforce shortage of 430,000, rising materials prices and supply chain issues," Ben Brubeck, a vice president of the construction industry group said in a statement.

Georgia Gov. Brian Kemp, a Republican, said in a Twitter message that the ruling will provide relief to workers "who were in fear of being forced to choose between this vaccine and their livelihood."

Other Republican officials also praised the court ruling. Alabama Gov. Kay Ivey said the mandate was "just an outrageous overreach by the federal government."

With Tuesday's ruling, all three of Biden's broad vaccine mandates affecting the private sector have been put on hold by courts. Judges already issued a stay regarding one that applies to businesses with 100 or



more employees and another for health care workers across the U.S.

Separately, Biden has imposed vaccine requirements for employees of the federal government and the military.

The mandates are a key part of the administration's strategy to stop the spread of COVID-19, which has killed more than 788,000 Americans since last year.

Mulvihill reported from Cherry Hill, New Jersey, and Lieb from Jefferson City, Missouri. Associated Press writers Josh Boak in Baltimore and Kimberly Chandler in Montgomery, Alabama, contributed to this report.

## A would-be justice makes his Supreme Court debut

By JESSICA GRESKO Associated Press

WASHINGTON (AP) — Merrick Garland finally made his Supreme Court debut on Tuesday. Not in a justice's black robe, but wearing the striped pants and jacket with tails reserved for government lawyers appearing before the court.

The onetime high court nominee was there to take part in a tradition that dates back more than 200 years: to be introduced to the justices as the nation's attorney general.

Among the nine justices gazing down at Garland from the bench were former colleagues as well as the man ultimately appointed to the seat left vacant by the death of Justice Antonin Scalia. Republicans blocked Garland from having a hearing, much less a vote, after then-President Barack Obama nominated him for the slot in 2016.

But if Garland felt the urge to say to Justice Neil Gorsuch: "Excuse me, you're sitting in my seat," he restrained himself. In fact, if Tuesday was awkward for Garland at all, standing before a court that he might have joined with a lifetime appointment, he didn't show it in the few minutes he spent in the marble-columned courtroom.

Garland entered the courtroom shortly before arguments began at 10 a.m. accompanied by Elizabeth Prelogar, the Biden administration's top Supreme Court lawyer. Because of the coronavirus pandemic, the courtroom was virtually empty, with no members of the public present and only a few court personnel and reporters. Both Garland and Prelogar wore masks as lawyers are required to while not speaking before the justices.

Garland greeted the attorneys there for arguments. Then, when a buzzer indicating the start of court sounded and the justices emerged from behind the maroon curtains at the back of the bench, Garland stood along with the rest of the audience while the marshal announced the justices: "The honorable, the chief justice and the associate justices of the Supreme Court of the United States. Oyez! Oyez! Oyez!"

Prelogar, who recently argued two different abortion cases before the justices, stepped to the podium and made her introduction of the nation's 86th attorney general.

"General Garland, on behalf of the court, I welcome you as the chief legal officer of the United States and as an officer of this court. We recognized the very important responsibilities that are entrusted to you," Chief Justice John Roberts said before concluding: "We wish you well in the duties of your new office."

Garland said just five words in response: "Thank you, Mr. Chief Justice." The moment was so brief he didn't even remove his mask. Then he slipped out of the courtroom.

Garland's appearance marked a return of sorts. The Harvard law school graduate was a clerk on the court for Justice William Brennan. He became a judge on the U.S. Court of Appeals for the District of Columbia Circuit in 1997 and was a judge there until hanging up his robe in 2021 to become President Joe Biden's attorney general.

Garland's tenure as a judge made Tuesday's introduction a particular formality. Garland's former law clerks are frequent choices of the justices as their own law clerks, and two of the current justices are former colleagues. Roberts was a judge on the same court from 2003 to 2005. Justice Brett Kavanaugh, who smiled broadly through Tuesday's ceremonial introduction, was a colleague for more than a decade, from 2006 to 2018. Justice Clarence Thomas served on that court too, from 1990 to 1991.

The appearance before the court may not be Garland's last. While lawyers in the Solicitor General's office usually make arguments for the government at the Supreme Court, in the past attorneys general have sometimes argued one case before the high court before they leave office.

## Myanmar democracy in new era as Suu Kyi sidelined by army

By GRANT PECK and ELAINE KURTENBACH Associated Press

BANGKOK (AP) — In sentencing Myanmar's iconic democracy leader Aung San Suu Kyi to prison, the country's generals have effectively exiled her from electoral politics. But that doesn't mean the Southeast Asian nation is back to square one in its stop-start efforts to move toward democracy.

In fact, a younger generation that came of age as the military began loosening its grip on politics and the economy and has tasted some freedoms is well positioned to carry on the struggle.

A de facto coup on Feb. 1 pushed Suu Kyi's elected government from power, throwing the country into turmoil. But erasing the gains of a decade of opening up has proved more difficult.

People took to the streets en masse almost immediately and have continued sporadic protests since then. As a military crackdown on demonstrations grew increasingly violent, protesters moved to arm themselves.

Within days, a mix of old and new guard, including elected lawmakers who were prevented from taking their seats by the takeover, announced a shadow administration that declared itself the nation's only legitimate government. It was very consciously assembled to be a diverse group, including representatives of ethnic minorities and one openly gay member, unusual in socially conservative Myanmar.

It, not Suu Kyi, who was arrested in the takeover, has been at the forefront of the opposition — and has garnered significant support among the general population.

While no foreign government has recognized the so-called National Unity Government, U.S. national security adviser Jake Sullivan met virtually with two of its representatives. And it has accomplished a kind of standoff at the U.N., which delayed action on a request by Myanmar's military government for its representative to take its seat. The country's current delegate has declared his allegiance to the unity government.

"The coup and its aftermath are not so much the end of a democratization process in Myanmar as they are proof that democratization has actually taken hold of the younger generation," Priscilla Clapp, who served as the U.S. chief of mission in Myanmar from 1999 to 2002. "In fact, the coup may ultimately prove to be the dramatic end to the older generation of leadership in Myanmar."

The pro-democracy movement now faces the challenges of continuing to resist military rule, keeping up international pressure for restoring an elected, civilian government, and consolidating support from ethnic groups that have long fought the central government.

Suu Kyi, whose pro-democracy efforts won her the Nobel Peace Prize, and her allies have played important roles in the past, even when sidelined or jailed by the generals. On Monday, the 76-year-old was convicted on charges of incitement and violating coronavirus restrictions and sentenced to four years in prison, though that was almost immediately reduced to two. She faces other charges that could see her imprisoned for life.

But the younger generation may be better placed to carry the mantle anyway.

Unlike their elders, younger people in Myanmar, especially those in the cities, have spent most of their lives without having to worry about being imprisoned for speaking their minds. They have had access to mobile phones and Facebook and grew up believing the country was moving toward greater, not less democracy.

They also seem more willing to reach out to Myanmar's ethnic minorities. Not only did the unity government include ethnic minority officials in its Cabinet, but it sought out alliances with the powerful ethnic militias, which are fighting for autonomy and rights over their resource-rich lands.

"Even as they are fighting against the military takeover, they are debating among themselves to determine the outlines of a new form of a more democratic and ethnically diverse political system," said Clapp, who is also a senior adviser to the U.S. Institute of Peace and the Asia Society. "This did not happen with

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earlier rebellions against military rule before the people had experience with democratic institutions that gave the public a voice.”

Suu Kyi’s own reputation abroad was deeply marred by her seemingly condoning, or at times even defending, abuses committed by the military against the Muslim Rohingya minority while her government was in power. She disputes allegations that troops killed Rohingya civilians, torched houses and raped women.

The unity government has also been criticized for seeming to neglect the long-oppressed Rohingya, and it remains to be seen how its uneasy alliance with ethnic groups will play out.

But Suu Kyi’s handling of the Rohingya is just one element that complicates her legacy.

An icon of resistance during her 15 years under house arrest, Suu Kyi agreed to work alongside the generals after she was freed. It was a gamble that left Myanmar’s fledgling democracy in limbo, with the military keeping control of key ministries and reserving a large share of seats in parliament.

Some overseas admirers were disappointed that during its time in power Suu Kyi’s government used British colonial-era security laws to prosecute dissidents and critical journalists, in part of “an ongoing pattern of silencing dissent,” said Jane Ferguson, a lecturer at Australian National University.

In seizing power, the military claimed there was massive fraud in the 2020 election that saw Suu Kyi’s National League for Democracy win in a landslide. It said that justified the takeover under a constitution that allows it to seize power in emergencies — though independent election observers did not detect any major irregularities. Critics also assert that the takeover bypassed the legal process for declaring the kind of emergency that allows the army to step in.

Security forces have since quashed nonviolent nationwide protests with deadly force, killing about 1,300 civilians, according to a tally compiled by the Assistance Association for Political Prisoners.

Despite the risks, the verdict against Suu Kyi, who remains popular, provoked more spirited protests. In the city of Mandalay on Monday, demonstrators chanted slogans and sang songs popularized during pro-democracy protests in 1988.

“In Yangon, we are seeing local residents resume banging pots and pans late at night in protest,” said Jason Tower, Myanmar country director for the U.S. Institute of Peace. “These types of moves by the junta are also a key driver and motivation for local people to join people’s defense forces.”

Those forces, which began as a way to protect neighborhoods and villages from the depredations of government troops, are also being supported by the opposition unity government that hopes to turn them into a federal army one day.

In the meantime, the military will keep trying to “terrorize the public into obedience,” said Christina Fink, a professor of international affairs at George Washington University. “They have done so successfully in the past, but this time the opposition is more widespread and takes many different forms so it has been much harder for the regime to achieve its goal.”

## **Publisher scraps plans to release book by Chris Cuomo**

By HILLEL ITALIE and DAVID BAUDER Associated Press

NEW YORK (AP) — A planned book by Chris Cuomo has been canceled as fallout continues for the former CNN host who had privately helped his brother, former New York Governor Andrew Cuomo, respond to sexual harassment allegations.

A spokesperson for Custom House, an imprint of HarperCollins Publishers, told The Associated Press on Tuesday that it would not be releasing Cuomo’s “Deep Denial.” The book had been scheduled for fall 2022 and was billed as “a provocative analysis of the harsh truths that the pandemic and Trump years have exposed about America — about our strength and our character — and a roadmap of the work needed to make our ideals match reality.”

The spokesperson declined any additional comment.

CNN chief Jeff Zucker talked about the firing in a town hall meeting with employees on Tuesday, saying that Cuomo would not be getting any severance pay after the network came to the conclusion that its star anchor lied to them, according to people familiar with the call who spoke on condition of anonymity.

There was no immediate comment from a representative for Cuomo.

Cuomo was fired by CNN on Saturday. He had been suspended indefinitely after records released by New York's attorney general showed the host had participated in his brother's defense efforts to a greater extent than previously known.

Zucker, WarnerMedia News and Sports chairman, told employees that he made the decision to fire Cuomo without any pressure from corporate owners. CNN, a part of WarnerMedia, is currently owned by AT&T, but a pending merger would put the network under control of a new company merged with Discovery.

Facing the journalists who work for him, Zucker heard some of the same questions voiced by outside critics, who essentially wondered why it took CNN so long to take decisive action against him after it had been known since last May that the CNN anchor had been strategizing with his brother's aides.

Shortly after that news came out, CNN leadership discussed the possibility of Chris Cuomo taking a leave of absence to help his brother, who eventually resigned as New York governor in August. Chris Cuomo rejected the idea, according to a CNN executive familiar with the discussions.

Cuomo apologized and CNN made clear that his actions were wrong. But further action wasn't taken at the time since the network was trying to give him a certain leeway to deal with the natural desire to want to help a family member in crisis, Zucker explained.

When New York's attorney general released new details last week, it became clear to CNN that Chris Cuomo had lied to them about how actively he participated in his brother's defense, offering to track down a lead about one of Andrew's accusers and sounding out other journalists on what they knew about the case.

Zucker told the CNN employees that the network couldn't stand for that. CNN was headed toward that decision even before being contacted by the lawyer for a woman who accused Chris Cuomo of sexual harassment prior to his working at CNN, a charge Cuomo has denied.

## Study can't confirm lab results for many cancer experiments

By CARLA K. JOHNSON AP Medical Writer

Eight years ago, a team of researchers launched a project to carefully repeat early but influential lab experiments in cancer research.

They recreated 50 experiments, the type of preliminary research with mice and test tubes that sets the stage for new cancer drugs. The results reported Tuesday: About half the scientific claims didn't hold up.

"The truth is we fool ourselves. Most of what we claim is novel or significant is no such thing," said Dr. Vinay Prasad, a cancer doctor and researcher at the University of California, San Francisco, who was not involved in the project.

It's a pillar of science that the strongest findings come from experiments that can be repeated with similar results.

In reality, there's little incentive for researchers to share methods and data so others can verify the work, said Marcia McNutt, president of the National Academy of Sciences. Researchers lose prestige if their results don't hold up to scrutiny, she said.

And there are built-in rewards for publishing discoveries.

But for cancer patients, it can raise false hopes to read headlines of a mouse study that seems to promise a cure "just around the corner," Prasad said. "Progress in cancer is always slower than we hope."

The new study reflects on shortcomings early in the scientific process, not with established treatments. By the time cancer drugs reach the market, they've been tested rigorously in large numbers of people to make sure they are safe and they work.

For the project, the researchers tried to repeat experiments from cancer biology papers published from 2010 to 2012 in major journals such as Cell, Science and Nature.

Overall, 54% of the original findings failed to measure up to statistical criteria set ahead of time by the Reproducibility Project, according to the team's study published online Tuesday by eLife. The nonprofit eLife receives funding from the Howard Hughes Medical Institute, which also supports The Associated Press Health and Science Department.

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Among the studies that did not hold up was one that found a certain gut bacteria was tied to colon cancer in humans. Another was for a type of drug that shrunk breast tumors in mice. A third was a mouse study of a potential prostate cancer drug.

A co-author of the prostate cancer study said the research done at Sanford Burnham Prebys research institute has held up to other scrutiny.

"There's plenty of reproduction in the (scientific) literature of our results," said Erkki Ruoslahti, who started a company now running human trials on the same compound for metastatic pancreatic cancer.

This is the second major analysis by the Reproducibility Project. In 2015, they found similar problems when they tried to repeat experiments in psychology.

Study co-author Brian Nosek of the Center for Open Science said it can be wasteful to plow ahead without first doing the work to repeat findings.

"We start a clinical trial, or we spin up a startup company, or we trumpet to the world 'We have a solution,' before we've done the follow-on work to verify it," Nosek said.

The researchers tried to minimize differences in how the cancer experiments were conducted. Often, they couldn't get help from the scientists who did the original work when they had questions about which strain of mice to use or where to find specially engineered tumor cells.

"I wasn't surprised, but it is concerning that about a third of scientists were not helpful, and, in some cases, were beyond not helpful," said Michael Lauer, deputy director of extramural research at the National Institutes of Health.

NIH will try to improve data sharing among scientists by requiring it of grant-funded institutions in 2023, Lauer said.

"Science, when it's done right, can yield amazing things," Lauer said.

For now, skepticism is the right approach, said Dr. Glenn Begley, a biotechnology consultant and former head of cancer research at drugmaker Amgen. A decade ago, he and other in-house scientists at Amgen reported even lower rates of confirmation when they tried to repeat published cancer experiments.

Cancer research is difficult, Begley said, and "it is very easy for researchers to be attracted to results that look exciting and provocative, results that appear to further support their favorite idea as to how cancer should work, but that are just wrong."

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The Associated Press Health and Science Department receives support from the Howard Hughes Medical Institute's Department of Science Education. The AP is solely responsible for all content.

## **EXPLAINER: What's behind Russia-Ukraine tensions?**

By VLADIMIR ISACHENKOV Associated Press

MOSCOW (AP) — Ukrainian and Western officials are worried that a Russian military buildup near Ukraine could signal plans by Moscow to invade its ex-Soviet neighbor.

The Kremlin insists it has no such intention and has accused Ukraine and its Western backers of making the claims to cover up their own allegedly aggressive designs.

It's unclear whether the Russian troop concentration heralds an imminent attack. Russian President Vladimir Putin has pushed for Western guarantees precluding NATO's expansion to Ukraine, and the buildup could reflect an attempt to back up the message.

Here is a look at the current tensions:

### **WHAT ARE THE ROOTS OF THE RUSSIA-UKRAINE STANDOFF?**

Ukraine, which was part of the Russian empire for centuries before becoming a Soviet republic, won independence as the USSR broke up in 1991. The country has moved to shed its Russian imperial legacy and forge increasingly close ties with the West.

A decision by Kremlin-leaning Ukrainian President Viktor Yanukovich to reject an association agreement with the European Union in favor of closer ties with Moscow sparked mass protests that led to his ouster in 2014. Russia responded by annexing Ukraine's Crimean Peninsula and throwing its weight behind a

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separatist insurgency that broke out in Ukraine's east.

Ukraine and the West accused Russia of sending its troops and weapons to back the rebels. Moscow denied that, charging that Russians who joined the separatists were volunteers.

More than 14,000 people have died in the fighting that devastated Ukraine's eastern industrial heartland known as Donbas.

A 2015 peace agreement brokered by France and Germany helped end large-scale battles, but efforts to reach a political settlement have failed, and sporadic skirmishes have continued along the tense line of contact.

Earlier this year, a spike in cease-fire violations in the east and a Russian troop concentration near Ukraine fueled war fears, but tensions abated when Moscow pulled back the bulk of its forces after maneuvers in April.

## THE LATEST RUSSIAN MILITARY BUILDUP

U.S. intelligence officials last week determined that Russia is planning to deploy an estimated 175,000 troops and almost half of them are already stationed along various points near Ukraine's border in preparation for a possible invasion that could begin as soon as early 2022.

Ukraine has complained that Moscow has kept over 90,000 troops not far from the two countries' border following massive war games in western Russia in the fall.

The Ukrainian Defense Ministry said units of the Russian 41st army have remained near Yelnya, a town about 260 kilometers (160 miles) north of the Ukrainian border.

Ukrainian Defense Minister Oleksii Reznikov told lawmakers Friday that the number of Russian troops near Ukraine and in Russian-annexed Crimea is estimated at 94,300, warning that a "large-scale escalation" is possible in January.

Additionally, the commander-in-chief of the Ukrainian armed forces says Russia has about 2,100 military personnel in Ukraine's rebel-controlled east and that Russian officers hold all commanding positions in the separatist forces. Moscow has repeatedly denied the presence of its troops in eastern Ukraine.

Russia hasn't provided any details about its troop numbers and locations, saying that their deployment on its own territory shouldn't concern anyone.

## WHAT DOES MOSCOW WANT?

The Kremlin has accused Ukraine of failing to honor the 2015 peace deal and criticized the West for failing to encourage Ukrainian compliance. The agreement was a diplomatic coup for Moscow, requiring Ukraine to grant broad autonomy to the rebel regions and offer a sweeping amnesty to the rebels.

Ukraine, in turn, has pointed to cease-fire violations by Russia-backed separatists and insists there is a continuing Russian troop presence in the rebel east despite the Kremlin's denials.

Amid the recriminations, Russia has rejected a four-way meeting with Ukraine, France and Germany, saying it's useless in view of Ukraine's refusal to abide by the 2015 agreement.

Moscow has strongly criticized the U.S. and its NATO allies for providing Ukraine with weapons and holding joint drills, saying that encourages Ukrainian hawks to try to regain the rebel-held areas by force.

Earlier this year, Putin ominously said a military attempt by Ukraine to reclaim the east would have "grave consequences for Ukrainian statehood."

The Russian president has repeatedly described Russians and Ukrainians as "one people" and claims that Ukraine has unfairly received historic Russian lands during Soviet times.

Putin has strongly emphasized that Ukraine's aspirations to join NATO represent a red line for Moscow, and also expressed concern about plans by some NATO members to set up military training centers in Ukraine. He said that would give them a military foothold there even without Ukraine joining NATO.

Last week, Putin emphasized that Russia will seek "reliable and long-term security guarantees" from the U.S. and its allies "that would exclude any further NATO moves eastward and the deployment of weapons systems that threaten us in close vicinity to Russian territory."

He charged that "the threats are mounting on our western border," with NATO placing its military infrastructure closer to Russia and offered the West to engage in substantive talks on the issue, adding that

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Moscow would need not just verbal assurances, but "legal guarantees."

Putin's foreign affairs advisor, Yuri Ushakov, said the Russian leader will push for these guarantees in a video call with U.S. President Joe Biden set for Tuesday, but numerous former U.S. and NATO diplomats say any such Russian demand to Biden would be a nonstarter. Biden himself said Friday that he doesn't "accept anyone's red line."

IS THE THREAT OF A RUSSIAN INVASION REAL?

Russia rejected talk of an invasion plot as a Western smear campaign and charged the claims could conceal a Ukrainian intention for an attack in the east. Ukraine denies such plans.

Some observers interpret the troop buildup as a demonstration by Putin that Russia is prepared to raise the stakes to convince NATO to respect Moscow's red lines and stop sending troops and weapons to Ukraine.

Last month, Putin noted with satisfaction that Moscow's warnings finally have some traction and caused a "certain stress" in the West. He added: "It's necessary to keep them in that condition for as long as possible so that it doesn't occur to them to stage some conflict on our western borders that we don't need."

U.S. officials conceded that Moscow's intentions are unclear, but pointed to Russia's past behavior as a cause for concern.

Biden pledged Friday to make it "very, very difficult" for Putin to attack Ukraine, saying that a set of new initiatives coming from his administration are intended to deter Russian aggression.

Dasha Litvinova in Moscow contributed to this report.

## Whistleblower: As Afghanistan fell, UK abandoned supporters

By DANICA KIRKA and JILL LAWLESS Associated Press

LONDON (AP) — Britain's Foreign Office abandoned many of the nation's allies in Afghanistan and left them to the mercy of the Taliban during the fall of the capital, Kabul, because of a dysfunctional and arbitrary evacuation effort, a whistleblower alleged Tuesday.

In devastating evidence to a parliamentary committee, Raphael Marshall said thousands of pleas for help via email were unread between Aug. 21 and Aug. 25. The former Foreign Office employee estimated that only 5% of Afghan nationals who applied to flee under one U.K. program received help. He said that at one point, he was the only person monitoring the inbox.

"There were usually over 5,000 unread emails in the inbox at any given moment, including many unread emails dating from early in August," he wrote to the Foreign Affairs Select Committee, which is investigating Britain's chaotic departure from Afghanistan. "These emails were desperate and urgent. I was struck by many titles including phrases such as 'please save my children'."

Marshall said some of those left behind had been killed by the Taliban.

One of Marshall's most explosive allegations is a claim that British officials spent time and energy arranging the evacuation of almost 200 dogs and cats from a Kabul animal shelter run by Nowzad, a charity founded by former Royal Marine Pen Farthing.

Marshall claimed Foreign Office staff had "received an instruction from the Prime Minister to use considerable capacity to transport Nowzad's animals." He claimed British soldiers were put at risk to get the animals out of Kabul.

Prime Minister Boris Johnson's spokesman, Max Blain, said the allegation was "entirely untrue" and neither Johnson nor his wife Carrie, an animal-welfare advocate, had been involved in helping the animals leave.

He said Farthing and his animals left Afghanistan on a privately chartered plane which was given clearance by British officials.

"We are confident that at no point clearance for that charter plane interrupted our capability to evacuate people," Blain said.

As the Taliban took power in August, the United States, the U.K. and other countries rushed to evacuate Afghans who had worked with Western forces and others at risk of violent reprisals.

Britain managed to airlift 15,000 people out of the country in two weeks, and the government says it

has since helped more than 3,000 others leave Afghanistan.

But an Afghan Resettlement Scheme announced by the government in August with the goal of bringing another 20,000 people to Britain has yet to get underway.

Former Foreign Secretary Dominic Raab, who was moved from the Foreign Office to become Justice Secretary after the crisis, defended his actions.

"Some of the criticism seems rather dislocated from the facts on the ground, the operational pressures that with the takeover of the Taliban, unexpected around the world," he told the BBC. "I do think that not enough recognition has been given to quite how difficult it was."

Tom Tugendhat, a Conservative lawmaker who heads the foreign affairs committee, said Marshall's testimony "raises serious questions about the leadership of the Foreign Office." The committee is due to quiz senior Foreign Office civil servants later Tuesday.

The Taliban stormed across Afghanistan in late summer, capturing all major cities in a matter of days, as Afghan security forces trained and equipped by the U.S. and its allies melted away. The Taliban took over Kabul on Aug. 15.

Tens of thousands of Afghans attempted to leave by air or land, fearing the country could descend into chaos or that the Taliban would reimpose the harsh interpretation of Islamic law that they relied on when they ran Afghanistan from 1996 to 2001. At the time, women had to wear the all-encompassing burqa and be accompanied by a male relative whenever they went outside. The Taliban banned music, cut off the hands of thieves and stoned adulterers.

## **In and outside court, Smollett fights for reputation, career**

By SARA BURNETT and CHARLES REX ARBOGAST Associated Press

CHICAGO (AP) — Outside the courtroom where former "Empire" actor Jussie Smollett is fighting charges accusing him of lying to Chicago police about being the victim of an anti-gay, racist attack, his publicist has introduced a roster of supporters to the assembled TV cameras.

Renowned opera singer Lauren Michelle, who also appeared on "Empire," spoke of how one of her best friends from high school has maintained his humanity despite the attacks on his character. Smollett's pastor from New York, Damon Mack, said the person prosecutors are portraying in court is not "the Jussie I know."

And activist Bella BAHHS, who met Smollett while protesting the police murder of a 16-year-old, said she doesn't trust Chicago police not to make things up — including the allegations against her friend.

The daily turns at the microphone are part of a broader strategy underway since Smollett's trial started at the Chicago courthouse roughly one week ago: trying to ensure the 39-year-old emerges from this scandal and legal troubles with his reputation and career intact, or at least having suffered as little damage as possible, whatever the outcome.

The charges against Smollett — six counts of disorderly conduct for lying to police about the January 2019 attack — are low-level felonies and carry a possible sentence of three years in prison. Legal experts say if convicted he would most likely get probation and be ordered to perform community service.

The impact on his livelihood could be far more serious. Taking the witness stand Monday, Smollett testified that "I've lost my livelihood." His media relations team, which is led by a former Chicago TV reporter, released a statement to The Associated Press from family friend Fania Davis, who said Smollett already has lost income and "many professional opportunities" due to a "character assassination and disinformation campaign" by Chicago police.

"This is an injury to his personal reputation, to his career and his soul," said Davis, whose sister is civil rights activist Angela Davis. "He could easily have copped a plea, with a slap on the wrist and then moved on with his life. But he chose instead to stand up to injustice."

Publicist Danny Deraney, who works with entertainment figures and often takes on crisis PR clients but is not working with Smollett, said the performer will be hurt in any attempt to return to his career because he was far from a household name before, and so many learned his identity because of the alleged attack and charges against him.



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"Nobody really knew who he was, unless you watched the show," Deraney said. "For the time being, I don't see any other way of people seeing him and not knowing him for this."

The atypical accusations, the absurdity of his alleged crime and his tendency to be fodder for comedians may hurt him more than accusations, even of serious crimes.

"Being in the public eye as far as being on television or film or whatever it is, that's going to be hard for him. I don't think people are going to take him seriously," Deraney said. "People who become the butt of jokes, of doing things as ridiculous and absurd as what allegedly happened, have a harder time working."

Some of the Smollett strategy is playing out in the court proceedings, where Smollett testified he was a victim of a hate crime after two brothers said the actor recruited them to carry out the attack on him so he could publicize it via social media. Police testified they were able to corroborate the siblings' accounts.

Smollett's defense attorneys have argued that the brothers committed the attack because they are homophobic and don't like Smollett, who is gay. They say the men told police it was all staged by the actor so they could shake him down for \$1 million each to not testify.

Smollett's legal team also has said Judge James Linn is biased against them, at one point asking for a mistrial — which Linn denied — after he cut off her questioning of one of the brothers about homophobic language he used, calling it "collateral" material. A defense attorney also claimed Linn "lunged" at her — all of which they could use as grounds for appeal if Smollett is convicted, and to argue in the court of public opinion that the legal system unfairly wronged him.

And separate from the trial, Smollett's team and his family — which includes five siblings, most of whom are also actors and a mother who was active in fighting for civil rights — have been promoting both the man and his talents.

On the first day of his trial, Smollett learned that a film he wrote, directed and produced, "B-Boy Blues," won the "fan favorite narrative feature" award in the American Black Film Festival Awards. His publicist blasted the news out to journalists, along with a link to a 2016 New York Times article about the Smollett family's acting chops and activism — supporting causes like HIV/AIDS and the Black Lives Matter movement — and a letter of support from activist and artists, including Davis and Danny Glover.

On Monday, his team sent out a photograph of Smollett and his family meeting with civil rights leader the Rev. Jesse Jackson over the weekend.

Early in his acting career, Smollett starred along with his brothers and sisters in the TV series "On Our Own," about a group of orphaned siblings, that aired for one season. He had other roles in TV and movies, including playing Langston Hughes in "Marshall," about Thurgood Marshall, the first Black Supreme Court justice.

His biggest role was on "Empire," a musical drama about an entertainment company that was filmed in Chicago. Smollett starred on the program for four years starting in 2015. Producers renewed his contract for the sixth and final season in 2019, but he never appeared in an episode.

Deraney said it can be difficult to predict who will be accepted back into public life. A supportive family in the entertainment industry like Smollett has — sister Jurnee's acting career is thriving — might not be a huge career advantage initially, but if they get into prominent positions and can hire him for roles, it might.

"If you've got people behind you that are financially secure, this whole industry is built on nepotism, it's all about who you know. If his family stands behind him, that's going to be fine for him," Deraney said.

Fania Davis said in her statement to AP that Smollett comes from "a family of justice warriors" like her family and her sister's family.

"We are very proud that even in this difficult period, Jussie has persevered and created art at the highest level and we are confident he will continue to do so," she said.

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This story has been updated to correct the last name of Smollett's pastor.

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Check out the AP's complete coverage of the Jussie Smollett case.

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Associated Press entertainment writer Andrew Dalton contributed to this story from Los Angeles.

## European drug regulator backs mixing COVID-19 vaccines

THE HAGUE, Netherlands (AP) — The European Union drug regulator gave its backing Tuesday to mixing different types of vaccines in initial vaccination and booster campaigns to battle the coronavirus.

The European Medicines Agency said in a statement that using different types of vaccines together, known as heterologous vaccination, can provide protection against COVID-19.

The announcement comes as much of Europe is facing rising infection and hospital rates and concerns about the new omicron variant.

The EMA, together with the European Center for Disease Prevention and Control, said that a mix-and-match strategy could give nations more options in vaccination campaigns as much of the continent seeks to contain the latest surge in the pandemic.

"The evidence available so far with different types of authorized vaccines indicates that a heterologous booster appears as good as or better in terms of immune responses than a homologous booster," the agencies said in a statement.

"While research is ongoing to provide more evidence on long-term safety, duration of immunity and effectiveness, the use of heterologous schedules may offer flexibility in terms of vaccination options, particularly to reduce the impact on the vaccine rollout should a vaccine not be available for any reason," they added.

The agencies looked at data for mRNA vaccines like the Pfizer shot and so-called viral vector vaccines such as the one made by Johnson & Johnson. The two types of vaccines use different technologies to spur the body to fight the coronavirus.

U.S. and U.K. authorities have already given the green light to mixing and matching vaccines in booster campaigns.

Follow all AP stories on the pandemic at <https://apnews.com/hub/coronavirus-pandemic>.

## Shadow of Floyd, Chauvin case hangs over Kim Potter's trial

By STEVE KARNOWSKI and AMY FORLITI Associated Press

MINNEAPOLIS (AP) — It's former Officer Kim Potter who's on trial for the killing of Daunte Wright, but the trial in the same courtroom earlier this year of ex-cop Derek Chauvin in the death of George Floyd is casting a shadow over the proceedings.

During jury selection last week, there was little mention of Chauvin or Floyd, whose death sparked outrage over police brutality in the U.S. The court has seemed determined at times not to bring it up.

But with opening statements set for Wednesday, reminders of the earlier case are everywhere, ranging from the presence of some of the same prosecutors who tried Chauvin to potential jurors being asked about their fears of delivering an unpopular verdict.

Hennepin County Judge Regina Chu is using the same 18th-floor courtroom where Chauvin was convicted of murder in April by a jury that repeatedly watched video of the white officer kneeling on the neck of Floyd, a Black man, and where Chauvin was later sentenced by Judge Peter Cahill to 22 1/2 years.

Video will also figure prominently in Potter's manslaughter trial. The jury will see footage showing the white officer shouting "Taser, Taser, Taser" as she aimed her Glock 9 mm semi-automatic pistol at Wright, a Black man, as he tried to drive away from a traffic stop on April 11, then fired a fatal bullet into his chest before exclaiming, "I grabbed the wrong (expletive) gun."

Her attorneys say Wright's death was an innocent mistake, not a crime.

Though Floyd's death was rarely mentioned directly during jury selection, his case's impact on the trial has been obvious. The jury pool got nearly the same questionnaires used for Chauvin's trial, with only slight edits in some places to fit the circumstances of the Potter case. It doesn't mention either Chauvin

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or Floyd by name.

Jurors were asked whether they agree with the “defund the police” movement that gained momentum after Floyd’s death. They were asked whether they trust police — and whether it’s right to second-guess an officer’s actions under pressure. They were also asked if they had been affected by damaging protests.

Prosecutors and the defense sifted their answers carefully and probed deeper in court. People with moderate views were more likely to be seated, like a man who said he opposed cutting police funding but also said: “I absolutely believe there’s a need for change.”

Some potential jurors were asked by the defense if they had any concern about blowback if they were to acquit Potter. The only Black person to make it onto the jury, a woman in her 30s, said that “is not a concern for me.”

One of the few direct mentions of Floyd came from a woman who said his case “caused a lot of trauma in our city” and it made her sad. She said she did not like the negative attention it brought Minneapolis, but said a positive result of protests is that important issues are being discussed.

She made the jury as an alternate.

Just as with Chauvin, Potter’s trial is being livestreamed, a rarity in Minnesota that is partly a concession to high public interest and partly due to pandemic considerations. The courtroom has clear plastic dividers that are strategically placed.

People who tune in will see several of the same faces who successfully prosecuted Chauvin, too: Assistant Attorneys General Matthew Frank and Erin Eldridge sit at the prosecution table, with their boss Keith Ellison frequently in the courtroom.

Security is heightened for the trial, with several entrances to the courthouse closed off. But the tall chain-link fences, razor wire and concrete barriers put in place for Chauvin are gone, as are the National Guard soldiers and armored vehicles that patrolled the area this spring. And the building is open to the public.

Find the AP’s full coverage of the Daunte Wright case: <https://apnews.com/hub/death-of-daunte-wright>

## Today in History

By The Associated Press undefined

Today in History

Today is Wednesday, Dec. 8, the 342nd day of 2021. There are 23 days left in the year.

Today’s Highlight in History:

On Dec. 8, 1941, the United States entered World War II as Congress declared war against Imperial Japan, a day after the attack on Pearl Harbor.

On this date:

In 1813, Beethoven’s Symphony No. 7 in A Major, Op. 92, was first performed in Vienna, with Beethoven himself conducting.

In 1886, the American Federation of Labor was founded in Columbus, Ohio.

In 1949, the Chinese Nationalist government moved from the Chinese mainland to Formosa as the Communists pressed their attacks.

In 1972, a United Airlines Boeing 737 crashed while attempting to land at Chicago-Midway Airport, killing 43 of the 61 people on board, as well as two people on the ground; among the dead were Dorothy Hunt, wife of Watergate conspirator E. Howard Hunt, U.S. Rep. George W. Collins, D-Ill., and CBS News correspondent Michele Clark.

In 1980, rock star and former Beatle John Lennon was shot to death outside his New York City apartment building by Mark David Chapman.

In 1987, President Ronald Reagan and Soviet leader Mikhail S. Gorbachev signed a treaty at the White House calling for destruction of intermediate-range nuclear missiles.

In 1991, AIDS patient Kimberly Bergalis, who had contracted the disease from her dentist, died in Fort Pierce, Florida, at age 23.

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In 1998, struggling to stave off impeachment, President Bill Clinton's defenders forcefully pleaded his case before the House Judiciary Committee. The Supreme Court ruled that police cannot search people and their cars after merely ticketing them for routine traffic violations.

In 2001, the U.S. Capitol was reopened to tourists after a two-month security shutdown.

In 2008, in a startling about-face, Khalid Sheikh Mohammed told the Guantanamo war crimes tribunal he would confess to masterminding the Sept. 11 attacks; four other men also abandoned their defenses.

In 2014, the U.S. and NATO ceremonially ended their combat mission in Afghanistan, 13 years after the Sept. 11 terror attacks sparked their invasion of the country to topple the Taliban-led government.

In 2017, Japanese pitching and hitting star Shohei Ohtani announced that he would sign with the Los Angeles Angels.

Ten years ago: Former MF Global CEO Jon Corzine was called before Congress to explain the collapse of the securities firm just over a month earlier; Corzine told the House Agriculture Committee he didn't know what happened to an estimated \$1.2 billion in missing clients' money. The 161-day NBA lockout ended when owners and players ratified the new collective bargaining agreement.

Five years ago: John Glenn, whose 1962 flight as the first U.S. astronaut to orbit the Earth made him an all-American hero and propelled him to a long career in the U.S. Senate, died in Columbus, Ohio, at age 95.

One year ago: The Supreme Court rejected Republicans' last-gasp bid to reverse Pennsylvania's certification of President-elect Joe Biden's victory in the electoral battleground; the court refused to call into question the certification process in the state. A retired British shop clerk, 90-year-old Margaret Keenan, received the first shot in the country's COVID-19 vaccination program, the start of an unprecedented global immunization effort. Idaho public health officials abruptly ended a meeting to discuss a proposed mask mandate after the Boise mayor and chief of police said intense protests outside the health department building — as well as outside some health officials' homes — were threatening public safety.

Today's Birthdays: Flutist James Galway is 82. Singer Jerry Butler is 82. Pop musician Bobby Elliott (The Hollies) is 80. Actor Mary Woronov is 78. Actor John Rubinstein is 75. Actor Kim Basinger (BAY'-sing-ur) is 68. Rock musician Warren Cuccurullo is 65. Rock musician Phil Collen (Def Leppard) is 64. Country singer Marty Raybon is 62. Political commentator Ann Coulter is 60. Rock musician Marty Friedman is 59. Actor Wendell Pierce is 58. Actor Teri Hatcher is 57. Actor David Harewood is 56. Singer Sinéad (shih-NAYD') O'Connor (AKA Shuhada' Davitt) is 55. Actor Matthew Laborteaux is 55. Baseball Hall of Famer Mike Mussina is 53. Rock musician Ryan Newell (Sister Hazel) is 49. Actor Dominic Monaghan is 45. Actor Ian Somerhalder is 43. Rock singer Ingrid Michaelson is 42. R&B singer Christette Michele is 39. Actor Hannah Ware is 39. Country singer Sam Hunt is 37. MLB All-Star infielder Josh Donaldson is 36. Rock singer-actor Kate Voegelé (VOH'-geh) is 35. Christian rock musician Jen Ledger (Skillet) is 32. NHL defenseman Drew Doughty is 32. Actor Wallis Currie-Wood is 30. Actor AnnaSophia Robb is 28.