

Groton Daily Independent

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UpComing Events

Tuesday, Dec. 21

7 p.m.: City Council Meeting
Boys Basketball hosting Redfield. C game at 5 p.m. followed by JV and then varsity.

Wednesday, Dec. 22

St. John's Lutheran Christmas Program on GDIL-IVE.COM. 10:30 a.m. and Noon.

End of Second Quarter

1 p.m.: Elementary Christmas Concert

2 p.m.: Early dismissal for Christmas vacation

Monday, Dec. 27

6 p.m.: Boys Basketball at Jamestown College Classic (Harold Newman Arena), Groton Area vs. Kindred, N.D.

Thursday, Dec. 30

9:30 a.m.: Wrestling at Webster

Friday, Dec. 31

Girls Basketball at Webster. C game at 11 a.m. followed by JV and then varsity

Monday, Jan. 4

School resumes
Basketball Double Header at Warner. Girls JV at 4 p.m. followed by Boys JV, Girls Varsity and Boys Varsity.

5 p.m.: Junior High Wrestling Tournament at Groton.

Thursday, Jan. 6

6 p.m.: Wrestling Tri-angular at Groton with Redfield and Webster

Friday, Jan. 7

Penguin Classic Debate on-line

5 p.m.: Junior High Wrestling at Milbank

Girls Basketball hosts Sisseton with JV at 6 p.m. and varsity to follow

Saturday, Jan. 8

Groton Robotics Tournament, 8 a.m. to 6 p.m.

Penguin Classic Debate on-line

Girls Basketball Classic at Redfield

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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Pheasants escape the grasp of the Tigers in the fourth quarter to win

Groton Area lost a nine-point lead going into the fourth quarter as Redfield rallied to overcome the Lady Tigers, 44-42.

Groton Area led for most of the game, having an 11-6 lead after the first quarter and opening up a 16-8 lead midway in the second quarter. Redfield scored eight straight points to the game at 16, but Groton held on for a 19-18 lead at half time. Redfield scored first in the third quarter to take its first lead, 21-19. The lead then changed hands three more times and was tied once before Groton Area scored 10 unanswered points to take a 32-23 lead at the end of the third quarter. The shooting by the Tigers turned ice cold in the fourth quarter, making just one of 12 shots while the Pheasants were five of seven and that was enough to propel the Pheasants to the 44-42 win.

Allyssa Locke had a perfect fourth quarter from the free throw line, making eight of eight and she led the Tigers in scoring with 10 points and she had one assist. Alyssa Thaler had seven points, one rebound, three assists, one steal and one block. Sydney Leicht, fouled out with 3:48 left in the game, finished with seven points, two rebounds, one steal and one block shot. Jaedyn Penning had six points, one assist and two steals. Brooke Gengerke had five points and six rebounds. Gracie Traphagen had four points, 10 rebounds, one assist and three steals. Aspen Johnson had two points, two rebounds, two assists and two steals. Jerica Locke had one point, two rebounds, one assist and one steal. Kennedy Hansen had one assist.

The Tigers made 13 of 42 field goals for 31 percent, was two of 10 in three-pointers for 20 percent, made 10 of 15 free throws for 67 percent off of Redfield's 14 team fouls, had 10 turnovers, 10 assists, 23 rebounds, 10 steals and two block shots.

Redfield was led by Camryn Rohlfs with 12 points (she made two three-pointers in the fourth quarter), Grace Fast had 11 points which included a three-pointer and four of four free throws in the fourth quarter, Katie Rozell had nine points, Ashlyn Clausen had six, Chelsea Smith had four and Ellie Evans added two points. The Pheasants were 12 of 33 in shooting for 36 percent, made 11 of 17 free throws for 64 percent off of Groton Area's 18 team fouls, and had 19 turnovers.

The game was broadcast live on GDILIVE.COM, sponsored by Dacotah Bank, Groton Ford, the John Sieh Agency, Bary Keith at Harr Motors and Allied Climate Professionals with Kevin Nehls.

Groton Area won the junior varsity game, 35-14. Kennedy Hanson had seven points, Laila Roberts and Jaedyn Penning each had six, Faith Traphagen, Talli Wright and Mia Crank each had four points and Jerica Locke and Brooklyn Hansen each had two points. Annie Smith led Redfield with nine points.

The junior varsity game was broadcast live on GDILIVE.COM, sponsored by Rich and Tami Zimney.

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Weekly Vikings Roundup

By Jack & Duane Kolsrud

In the words of ESPN's Chris Berman, it was another Central Division collision as the Bears and Vikings met in Chicago at the historic Soldier Field on Monday Night Football.

It wasn't pretty, but the Vikings did what they had to do, getting back to .500 by taking advantage of an inept Bears team and coming away with a 17-9 victory.

The Bears' head coach Matt Nagy set the tone early by getting one of the Bears four unsportsmanlike conduct penalties of the game. It was as if he was looking to spend this Christmas away from Chicago, as rumors have him fired at the end of the season.

As for the Vikings, it was a night of milestones for the team. Kirk Cousins threw for only 87 yards, the lowest yardage total of his ten-year career.

Justin Jefferson had a quiet night, with four catches and a touchdown, but he passed Randy Moss for the most yards by a Viking wide receiver in his first two years. Jefferson is just 21 yards short of Odell Beckham's NFL record. It was also the first Viking win when Jefferson failed to get seven catches.

The Viking's defense had not stopped one team from scoring once they got to a goal-to-goal situation. Tonight they broke that streak and created a turnover in the second quarter.

Eric Kendricks got ejected for the first time in his career on a helmet-to-helmet hit on Justin Fields.

Defensive end DJ Wonnum had the best game of his career with three sacks and a forced fumble. Wonnum has had big shoes to fill since taking over for Danielle Hunter in the middle of season but is showing he belongs as a starter.

The rookie wide receiver from the University of Iowa, Imir Smith-Marsette, catches the first touchdown of his career to put the Vikings up 17-3.

Playoff picture:

With just three games to go, the Vikings are the seventh seed in the NFC. That could be temporary if Washington defeats Philadelphia on Tuesday night. With a 7-7 record, they currently hold the tiebreaker on the New Orleans Saints and Philadelphia Eagles. If the season were to end today, the Vikings would travel to Dallas for the first round of the playoffs.

The Vikings have the toughest remaining schedule in the NFC with a home game against the 9-4 Los Angeles Rams and a road game against the #1 seed, Green Bay Packers. They finish at home against the Bears. For the Vikings to make the playoffs, they will need to earn the opportunity and not hope to get in through the back door.

Next up: Los Angeles Rams

The Vikings may benefit from all of the NFL Covid restrictions when they meet their next opponent is the Los Angeles Rams. The reason is the Rams had their game this weekend moved to Tuesday night.. That makes for a short week of preparation. Let's hope Matthew Stafford has memories of getting sacked ten times as a Detroit Lion when he returns as the Rams' new quarterback and has trouble finding the top receiver in the league this season in Cooper Kupp. The Vikings will need a packed US Bank Stadium to make some noise and get the Vikings to win number 8. Let's hope Santa Claus brings us just a few more wins in his sleigh this weekend. Merry Christmas!!

That's Life by Tony Bender

Joe's goodbye

Editor's note: Tony is taking a a break for the holiday. Here's one of our favorites from 2013.

The sky was darkened by wings flying south, the sound a deafening rumbling, an announcement of winter. God's calendar. Like the fallen leaves, a warning that growing things must stop, hunker down or die. Wondrous, yet in the din, the message they bring is somber. Fly away if you can. Prepare, you must. Times are going to get hard.

Looking up at the sky, Joe knew he was going to die. Hell, we all know we're going to die, but the way it happened surprised everyone.

I met Joe once, some twenty years ago at my friend Steve's wedding in Michigan. It was inauspicious start to a marriage. Margo and a bridesmaid crashed into a big buck deer the night before wedding, and though there was a lot of broken glass and a totaled car, no severe injuries. Except for the deer.

Steve's older brother Joe dressed out the animal and the next day when the bride and groom made good their escape from the rice shower, there dangling from the rear view mirror, taxidermist-clean, were the buck's family jewels, decorated with a curled violet ribbon. All of us guys in tuxedos laughed, but most the women were really mad. This was not the kind of wedding one reads about in Bride Magazine. That was Joe.

My cell phone rang a few weeks ago when I was under yet another oppressive deadline. It was Steve. I knew I didn't have the 30 minutes the bull session might take so I didn't pick up, knowing that he would understand. The next day, still under deadline, I missed another one of his calls. The following day, I picked up.

Joe was dead. The words hung like a shroud in the air. He had collapsed suddenly doing what he loved—hunting under a crisp autumn sky. They found him unconscious in a field. A blood vessel in his brain had burst. The irony was he was already dying of cancer. Everyone knew death was coming, but they had expected to have more time, the one small bit of dignity cancer typically allows—time for goodbyes.

Joe was a big brother with a little brother's rascal soul, a guy to whom rules were sometimes, well, optional. An army vet, thin and wiry, he was a guy who got things done, as good with a hammer as he was with a shotgun or a skinning knife. He had a toughness and force of will that made it hard to believe he could die, but that was the prognosis.

Steve was past the initial shock of it all, and I rationalized that it was just as well that I hadn't picked up sooner. Steve talked and I mostly listened. I guess I've been on this end of things enough times to know that "I'm sorry" is about the best you can do. When it got too hard, Steve said goodbye.

A week or so later, he called again. "I wanted to tell you something else," he said in his understated cadence, not a monotone, but steeped in stoicism. He wanted to tell me how Joe had died.

"Okay," I said. I thought I knew the story, but as it turns out, I didn't know everything.

They rushed Joe to the hospital in a coma and it was as bad as things can get without the patient being dead. No responsiveness. No chance for anything but death. His wife and one of his daughters kept a somber vigil, hoping he would make the grim decision that needed to be made. To let go. These are the things you hope for when there is no hope. Nurses came and went. Nothing changed.

At one point, they decided to step out for a moment to get some air. They sighed, rose, and buttoned jackets, but just as they were about to leave, something impossible happened. Joe sat up. His eyes opened and he smiled beatifically at each of them. Then he laid back down, closed his eyes, and stopped breathing forever. And that is when they started breathing again.

I was silent at the other end of the line when the story ended, afraid that my words would turn into something else. Finally, I croaked out, "It was a gift..."

Joe had gotten his goodbyes after all. In the end, he had reached across from that place that is Almost Heaven to comfort those he loved.

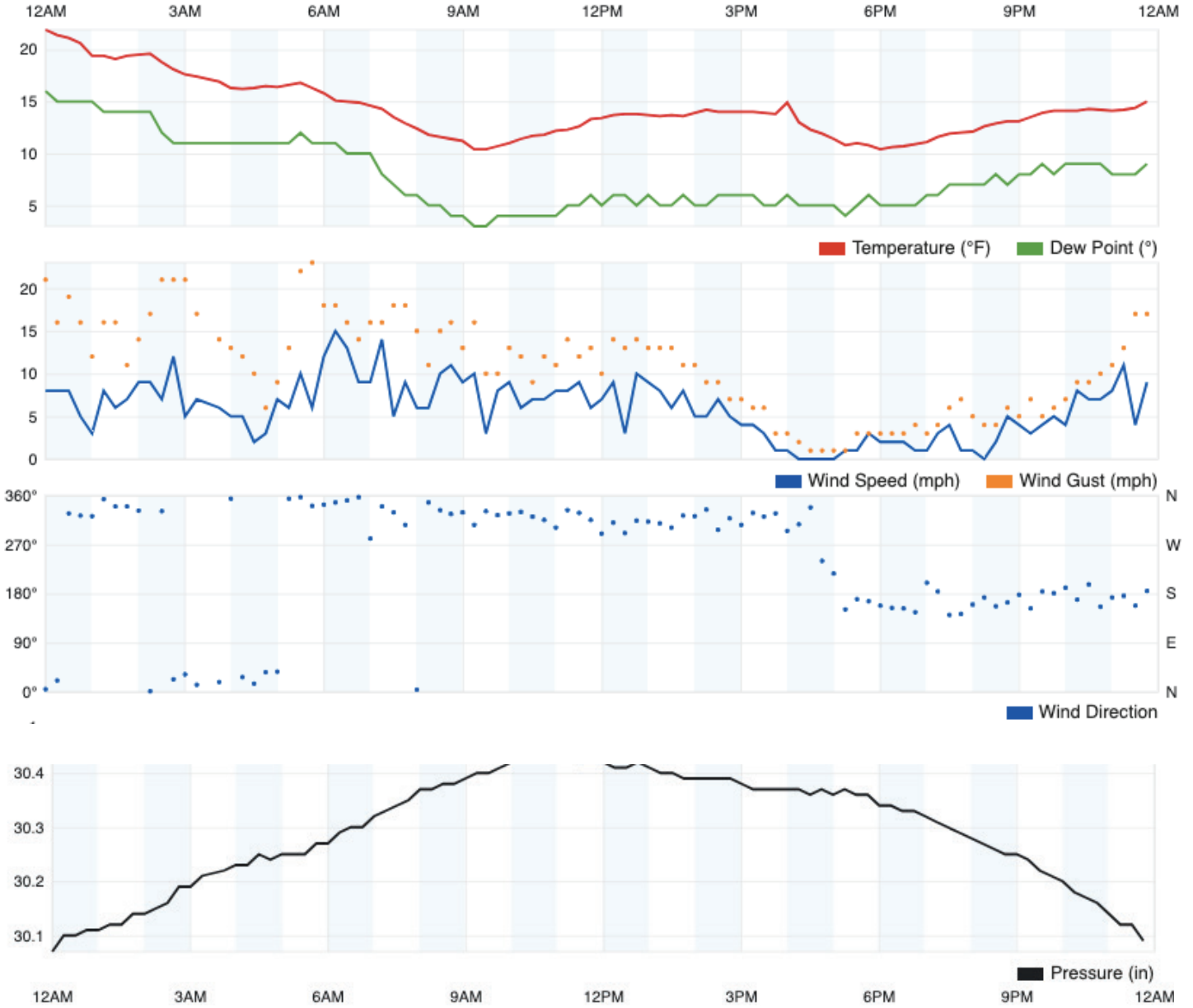
That was Joe.

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Yesterday's Groton Weather Graphs



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Today



Blustery.
Slight Chance
Snow then
Sunny

High: 22 °F

Tonight



Increasing
Clouds

Low: 7 °F

Wednesday



Mostly Sunny

High: 33 °F

Wednesday
Night



Decreasing
Clouds

Low: 16 °F

Thursday



Mostly Sunny

High: 37 °F

December 21, 2021
3:06 AM

Light Snow Possible This Morning

Today
*Chance of snow this AM, otherwise dry
Highs teens east, near 30 west*

Wednesday
*Partly Sunny
Highs 20s east, 40s west*

Thursday
*Mostly cloudy chc light snow early
Highs 30s east, 40s west*

National Weather Service
Aberdeen, SD

Light snow is possible across mainly northern South Dakota and west central Minnesota this morning, with only light accumulations expected. Wednesday and Thursday should be mainly dry, but with a chance of light snow Wednesday night. Temperatures will turn milder for mid-week.

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Tuesday is the Winter Solstice! This is the shortest day of the year and the beginning of astronomical Winter for those of us in the Northern Hemisphere.

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Today in Weather History

December 21, 1968: A blizzard visited South Dakota and Minnesota on the 21st and 22nd. Snowfall during the storm was generally 1 to 2 inches in the western part of South Dakota, to 5 to 10 inches in Minnesota. More than 12 inches of snow was reported from Artichoke Lake in Big Stone County to the southeast in Minnesota and up to 18 inches in east-central and southeast South Dakota. The snowfall, on top of an already-existing deep snowpack, was whipped by 30-50 mph winds causing reduced visibility to near zero, created snowdrifts up to 10 feet or more. Almost all forms of traffic were blocked on highways for Sunday and blocked most of the secondary roads as well as some other roads for nearly a week.

Early blizzard warnings and the fact that the blizzard occurred late Saturday through Sunday, the highway patrol reported a minimum of accidents and stranded travelers. Most schools were closed, and other activities were curtailed. Many utility lines were down. Record December snowfall amounts were recorded for more than 40 locations in Minnesota. Artichoke Lake in Big Stone County received 16 inches of snow from this storm, by far its largest daily snowfall on record for any month of the year. Clear Lake, in Deuel County, measured 18 inches of snow, which also remains the most substantial daily snowfall on record for any month in that location. Watertown and Bryant received nine inches from this blizzard, while Castlewood reported seven inches.

1892: From December 21st to the 23rd, Portland, Oregon saw 26 inches of snow!

1967: An F4 tornado traveled 33 miles across Iron and Washington Counties in Missouri during an unusual time of day, 12:45 to 1:20 am. The tornado killed 3 and injured 52 others. Most of the intense damage occurred in the town of Potosi, about 55 miles southwest of St. Louis. The tornado swept through the business district, destroying City Hall, library, a large supermarket, and a shopping center complex. Northeast of town, two people were killed when their home was swept from its foundation. The Red Cross reported 24 homes and trailers, along with 14 businesses destroyed. 81 other houses and trailers were damaged.

1929 - An exceptional storm produced snow from the Middle Rio Grande Valley of Texas to southern Arkansas. The storm produced 26 inches of snow at Hillsboro TX, 18 inches at El Dorado AR, and 14 inches at Bossier LA. (21st-22nd) (David Ludlum) (The Weather Channel)

1964 - A great warm surge from the Pacific Ocean across Oregon and northern California brought torrential rains on a deep snow cover resulting in record floods. (David Ludlum)

1987 - High winds continued along the eastern slopes of the Rockies. During the morning hours winds gusted to 64 mph at Cheyenne WY, and reached 97 mph near Boulder CO. Gale force winds prevailed across the Great Lakes Region. (The National Weather Summary) (Storm Data)

1988 - Seven cities in the eastern U.S. reported record high temperatures for the date, including Charleston SC with a reading of 78 degrees. A storm in the northwestern U.S. produced 22 inches of snow at Idaho City ID in two days, and up to two feet of snow at Happy Camp CA. Ski resorts in Idaho reported three to six feet of snow on the ground. (The National Weather Summary) (Storm Data)

1989 - Forty cities in the north central U.S., including thirteen in Iowa, reported record low temperatures for the date. Havre and Jordan, MT, tied for honors as the cold spot in the nation with morning lows of 43 degrees below zero, and the temperature remained close to 40 degrees below zero through the daylight hours. Dickinson ND reported a morning low of 33 degrees below zero and a wind chill reading of 86 degrees below zero. The high for the date of 16 degrees below zero at Sioux Falls SD was December record for that location. (The National Weather Summary)

1998 - Cold air spread into the southern San Joaquin Valley of California. For the next four nights, temperatures in the agricultural portions of Fresno, Tulare, and Kern counties dropped below 28 degrees for several hours at a time. In some locations, temperatures dipped into the teens. The California citrus industry suffered more than \$600 million in damages due to the extreme cold.

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Yesterday's Groton Weather Today's Info

High Temp: 21.9 °F at Midnight

Low Temp: 10.4 °F at 9:15 AM

Wind: 23 mph at 5:45 AM

Precip: 0.00 About 1/2" of snow this morning

Record High: 50° in 1979

Record Low: -31° in 1916

Average High: 27°F

Average Low: 6°F

Average Precip in Dec.: 0.40

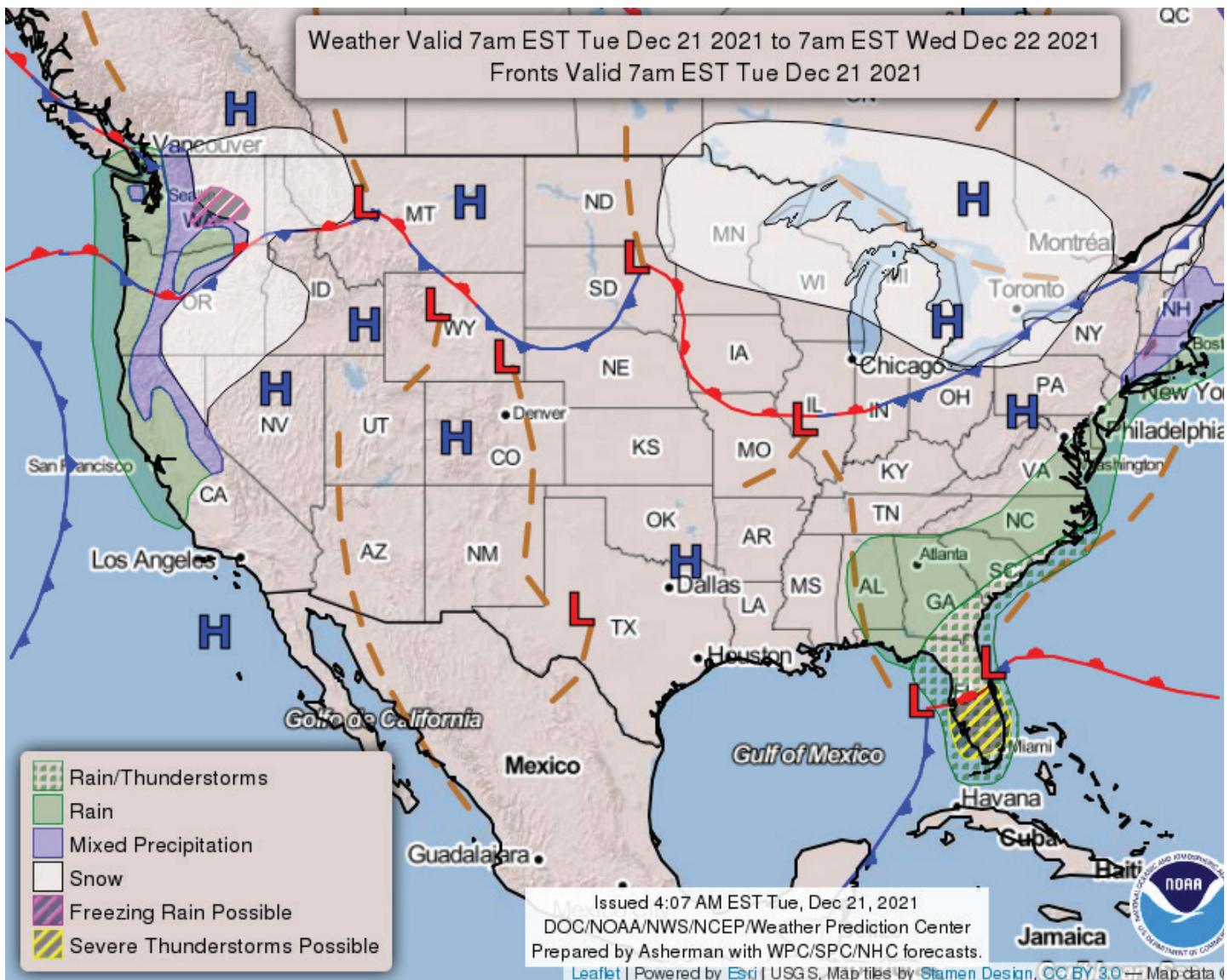
Precip to date in Dec.: 0.47

Average Precip to date: 21.61

Precip Year to Date: 20.03

Sunset Tonight: 4:53:47 PM

Sunrise Tomorrow: 8:08:05 AM





CHRIST'S DAY

On Mother's Day, we focus all of our attention on our Mothers, recalling and remembering how much they struggled to raise us. Lovingly we shower gifts on them, purchase cards that describe her many sacrifices for us, and the unending care she gave to us. She deserves all of the attention and recognition we can give her.

On Father's Day, we turn our thoughts to "Dad" – what he has done for us and then express our gratitude to him for the time he spent with us. We recall his efforts to teach us to throw a ball, catch a pass, cast a fishing line or attend a special event. He, too, deserves all the attention and recognition we can give him.

We also give recognition and attention to our Grandparents, to brothers and sisters, aunts and uncles and friends and relatives on their special days.

But what will we do that is really special or unique to show our appreciation and gratitude for Jesus on His day this year?

Will there be an envelope under the tree with a special love-offering that recognizes His importance in our lives? Will it match the amount we gave others?

Will we sacrifice some of our time to show God's love by being with those who would otherwise be alone and lonely on His day?

Will we share a meal with someone who is hungry? Give some clothes to those who are cold and have little? Spend time reading His story to children?

"In as much as you have done it to the least of these, you have done it unto Me!"

Prayer: Take Your peace from us Father, until and unless we show others Your love on Your day. Why? "In as much as you have done to others, you did to Me." In Jesus' Name, Amen.

Scripture For Today: Matthew 25:40 And the King will answer and say to them, "Assuredly, I say to you, inasmuch as you did it to one of the least of these My brethren, you did it to Me."

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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

Subscription Form

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News from the Associated Press

Monday's Scores

The Associated Press

GIRLS PREP BASKETBALL=

Aberdeen Roncalli 51, Sully Buttes 24
Arlington 65, Oldham-Ramona/Rutland 21
DeSmet 54, Dell Rapids St. Mary 43
Edgemont 50, Bison 47
Estelline/Hendricks 48, Lake Preston 26
Faulkton 53, Highmore-Harrold 39
Howard 54, Freeman 43
Kadoka Area 77, Oelrichs 26
Lemmon 47, Newell 24
Marshall, Minn. 44, Harrisburg 38
Redfield 44, Groton Area 42
Strasburg-Zeeland, N.D. 52, North Central Co-Op 50
Warner 65, Northwestern 23
Waubay/Summit 51, Leola/Frederick 41

BOYS PREP BASKETBALL=

Aberdeen Roncalli 56, Sully Buttes 37
DeSmet 60, Dell Rapids St. Mary 42
Estelline/Hendricks 53, Lake Preston 19
Howard 70, Freeman 33
Lemmon 60, Newell 15
Oelrichs 56, Kadoka Area 50
Sisseton 48, Wilmot 40
Waubay/Summit 53, Leola/Frederick 43
Waverly-South Shore 64, Iroquois/Doland 52
West Central 63, Garretson 46

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

SD Lottery

By The Associated Press undefined

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

Mega Millions

Estimated jackpot: \$171 million

Powerball

02-13-23-34-66, Powerball: 2, Power Play: 4

(two, thirteen, twenty-three, thirty-four, sixty-six; Powerball: two; Power Play: four)

Estimated jackpot: \$363 million

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Abmas leads Oral Roberts past South Dakota 82-73

VERMILLION, S.D. (AP) — Max Abmas had 32 points as Oral Roberts defeated South Dakota 82-73 on Monday night in the Summit League opener for both teams.

Issac McBride had 16 points for Oral Roberts (7-5). Trey Phipps added 13 points.

Kruz Perrott-Hunt had 21 points for the Coyotes (7-5). Tasos Kamateros scored a season-high 20 points and had seven rebounds. Xavier Fuller had 19 points.

Mason Archambault, the Coyotes' second leading scorer at 13 points per game, failed to make a shot (0 of 6).

For more AP college basketball coverage: <https://apnews.com/hub/college-basketball> and http://twitter.com/AP_Top25

This was generated by Automated Insights, <http://www.automatedinsights.com/ap>, using data from STATS LLC, <https://www.stats.com>

Wilson, Appel lead S. Dakota St. past Kansas City 89-57

BROOKINGS, S.D. (AP) — Douglas Wilson had 16 points to lead five South Dakota State players in double figures as the Jackrabbits easily defeated Kansas City 89-57 on Monday night. Luke Appel added 13 points for the Jackrabbits. Zeke Mayo chipped in 12, Charlie Easley scored 10 and Baylor Scheierman had 10.

Wilson hit all 10 of his free throws.

Both teams were playing their first Summit League game of the season.

Timothy Barnes had 11 points for the Roos (5-6, 0-1 Summit League).

For more AP college basketball coverage: <https://apnews.com/hub/college-basketball> and http://twitter.com/AP_Top25

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Missouri court adds to ban on Biden contractor vaccine rule

By DAVID A. LIEB Associated Press

JEFFERSON CITY, Mo. (AP) — A federal judge in Missouri added another legal block Monday against President Joe Biden's requirement that federal contractors receive COVID-19 vaccinations.

The new preliminary injunction prohibits enforcement of the contractors' vaccine mandate in 10 states that collectively sued. It comes on top of a nationwide injunction issued earlier this month by a federal judge in Georgia.

Biden's administration has tried to spur workplace vaccinations through a series of administrative orders that also affect federal employees, health care providers participating in the Medicare and Medicaid programs, and businesses with more than 100 employees. All face legal challenges.

The requirement for federal contractors stems from a September executive order issued by Biden requiring compliance with workplace safety guidelines developed by a federal task force. That task force subsequently issued guidelines requiring that new, renewed or extended contracts include a clause requiring employees to be fully vaccinated by Jan. 18, with limited medical or religious exceptions. That meant those receiving a two-dose vaccine must get their second shot by Jan. 4.

A judge in Kentucky initially barred enforcement of the requirement only in Kentucky, Ohio and Tennessee. A Georgia judge presiding over a separate lawsuit imposed a nationwide injunction on Dec. 7. The latest injunction — issued by U.S. Magistrate Judge David Noce in another lawsuit — applies in Alaska, Arkansas, Iowa, Missouri, Montana, Nebraska, New Hampshire, North Dakota, South Dakota and Wyoming.

Noce said the vaccine requirement likely exceeds the president's power to set purchasing rules as spelled

out in federal law. Federal rules for contractors typically cover such things as employees' rights, wages and nondiscrimination policies, he said.

"The vaccine mandate would reach beyond the workplace and into the realm of public health," Noce wrote. "The Court concludes that plaintiffs are likely to succeed on the issue of whether the mandate exceeds the scope of the power granted to the President" under federal law.

Biden's other vaccine mandates are in various stages of enforcement.

A three-judge panel of the 6th U.S. Circuit Court of Appeals on Friday reversed a previous injunction against a Biden mandate that employers with more than 100 employees require their workers to be vaccinated or get tested weekly and wear masks. But Republican attorneys general, business associations and several conservative groups immediately appealed to the U.S. Supreme Court.

A separate requirement that health workers be vaccinated against COVID-19 is on hold in half the states due to preliminary injunctions. But Biden's administration has asked the Supreme Court to block those lower court orders

South Dakota inmate walks away from work release job site

SIOUX FALLS, S.D. (AP) — A minimum-security state prison inmate has been placed on escape status, South Dakota corrections officials said Monday.

Authorities say Paul Standing Crow Beck left his work release job site in Rapid City on Sunday without authorization. He faces a charge of second-degree escape, which carries a maximum penalty of five years in prison.

Standing Crow Beck, 25, is serving a sentence for third-degree burglary out of Brown County.

Dubai ruler must pay ex-wife \$700M in divorce settlement

LONDON (AP) — A British court on Tuesday ordered the ruler of Dubai to pay his ex-wife and their children close to 550 million pounds (\$730 million), in one of the most expensive divorce settlements in British history.

The High Court said Sheikh Mohammed bin Rashid Al Maktoum must pay 251.5 million pounds to his sixth wife, Princess Haya Bint Al Hussein, and make ongoing payments for their children Al Jalila, 14, and Zayed, 9, underpinned by a bank guarantee of 290 million pounds.

The total amount the children receive could be more or less than 290 million pounds, depending on factors including how long they live and whether they reconcile with their father.

The settlement includes 11 million pounds a year to cover security costs for Princess Haya and the children while they are underage.

Judge Philip Moor said the family needed "water-tight security," and that "absolutely uniquely," the main threat to them came from Sheikh Mohammed, rather than outside sources.

Haya, 47, fled to the U.K. in 2019 and sought custody of her two children through the British courts. The princess, who is the daughter of the late King Hussein of Jordan, said she was "terrified" of her husband, who is alleged to have ordered the forced return to the Gulf emirate of two of his daughters.

Sheikh Mohammed, 72, is also the prime minister of the United Arab Emirates and a major horse breeder. The founder of the successful Godolphin horse-racing stable, he is on friendly terms with Queen Elizabeth II.

A British family court judge ruled in October that Sheikh Mohammed had authorized the hacking of Princess Haya's phone during their legal battle. He denied knowledge of the hacking.

The judge also ruled that Sheikh Mohammed had conducted a campaign of fear and intimidation against his estranged wife and "ordered and orchestrated" the abduction and forced return to Dubai of two of his adult daughters: Sheikha Shamsa in August 2000 and her sister Sheikha Latifa, in 2002 and again in 2018.

Biden to pledge 500M free COVID-19 tests to counter omicron

By JOSH BOAK and RICARDO ALONSO-ZALDIVAR Associated Press

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WASHINGTON (AP) — With the omicron variant on the march, President Joe Biden plans to announce 500 million free rapid tests for Americans, increased support for hospitals under strain and a redoubling of vaccination and boosting efforts.

In a speech scheduled for Tuesday afternoon, Biden is announcing major changes to his COVID-19 winter plan, his hand forced by the arrival of the fast-spreading omicron variant, whose properties are yet not fully understood by scientists.

The world is confronting the prospect of a second straight holiday season with COVID-19 as families and friends begin to gather. Scientists don't yet know whether omicron causes more serious disease, but they do know that vaccination should offer strong protections against severe illness and death. The White House provided details on the proposals Biden will announce in his speech.

A cornerstone of the plan is Biden's decision for the government to purchase 500 million coronavirus rapid tests and ship them free to Americans starting in January. People will use a new website to order their tests, which will then be sent to them by U.S. mail at no charge. It marks a major shift for Biden, whose earlier plan had called for many Americans to purchase the hard-to-find tests on their own and then seek reimbursement from their health insurance.

Public health experts had criticized Biden's initial approach as unwieldy and warned that the U.S. would face another round of problems with testing at a critical time. They pointed to other advanced countries such as the United Kingdom, where the government ensures access to testing. In the U.S., rapid tests for at-home use are much more expensive than in Europe, and they have proved to be frustratingly hard to find in stores.

The federal government will also establish new testing sites and use the Defense Production Act to help manufacture more tests. The first new federally supported testing site will open in New York this week. The new testing sites will add to 20,000 already available. White House officials said they're working with Google so that people will be able to find them by searching "free COVID test near me."

To assist hospitals buckling under the new COVID-19 wave, Biden is prepared to deploy an additional 1,000 troops with medical skills. Additionally, he is immediately sending federal medical personnel to Michigan, Indiana, Wisconsin, Arizona, New Hampshire and Vermont. There are also plans to ready additional ventilators and protective equipment from the national stockpile, expanding hospital resources.

As a backstop, the Federal Emergency Management Agency will deploy hundreds of ambulances and paramedic teams so that if one hospital fills up, they can transport patients to open beds in other facilities. Ambulances are already headed to New York and Maine, and paramedic teams are going to New Hampshire, Vermont and Arizona.

But vaccination remains the main defense, since it can head off disease in the first place. The government will stand up multiple vaccination sites and provide hundreds of personnel to administer shots. New rules will make it easier for pharmacists to work across state lines to administer a broader range of shots.

For those who are already fully vaccinated, a booster shot has been shown in lab tests to provide strong protection against omicron. Although reports of breakthrough cases abound, data show that vaccinated people who become infected are much less likely to suffer serious disease leading to hospitalization or death. To the unvaccinated, Biden plans to deliver a stern admonition that they're risking their lives and the lives of their loved ones.

In a preview of Biden's speech, White House press secretary Jen Psaki said at Monday's press briefing that the Democratic president doesn't plan to impose any lockdowns and will instead be encouraging people to get inoculated — and, if they're eligible, to get their booster shot.

"This is not a speech about locking the country down. This is a speech about the benefits of being vaccinated," Psaki told reporters.

Biden has found himself in the delicate position of both alerting the country to the dangers posed by omicron and reassuring Americans that the vaccines will protect them. White House officials are looking to ease the nation back toward accepting the reality of an endemic virus with far lower stakes for the vaccinated. This has meant setting a difficult balance as cases rise and as deaths and serious illness among

the unvaccinated dominate headlines.

There are 40 million eligible but unvaccinated American adults. Efforts to increase vaccination rates have struggled to overcome a series of political, social and cultural divides. Psaki said the president plans to appeal to survival instincts.

"Our health experts assess that you are 14 times more likely to die of COVID if you have not been vaccinated versus vaccinated," she said Monday.

Scientists say omicron spreads even easier than other coronavirus strains, including delta. It has already become the dominant strain in the U.S., accounting for nearly three-quarters of new infections last week.

Underscoring how widespread the virus is, the White House said late Monday that Biden had been in close contact with a staff member who later tested positive for COVID-19. The staffer spent about 30 minutes around the president on Air Force One on Friday on a trip from Orange, South Carolina, to Philadelphia. The staffer, who was fully vaccinated and boosted, tested positive earlier Monday, Psaki said.

Psaki said Biden has tested negative twice since Sunday and will test again on Wednesday. Citing guidance from the Centers for Disease Control and Prevention, Psaki said Biden didn't need to quarantine and would continue with his regular schedule.

In New York City, nearly 42,600 people citywide tested positive from Wednesday through Saturday — compared with fewer than 35,800 in the entire month of November. The city has never had so many people test positive in such a short period of time since testing became widely available.

The latest outbreak reflects the global challenges of stopping the coronavirus pandemic.

The Dutch government began a tough nationwide lockdown on Sunday to rein in sharply rising infections, but many European leaders have opted for something less. British Prime Minister Boris Johnson said officials have decided against imposing further restrictions, at least for now.

France and Germany have barred most British travelers from entering, and the government in Paris has banned public concerts and fireworks displays at New Year's celebrations. Ireland imposed an 8 p.m. curfew on pubs and bars and limited attendance at indoor and outdoor events, while Greece will have 10,000 police officers on duty over the holidays to carry out COVID-19 pass checks.

In Spain, the national average of new cases is double what it was a year ago. Neighboring Portugal is telling most nonessential workers to work from home for a week in January.

Stock markets in Asia, Europe and the U.S. fell on Monday with the expectation that the infections could weigh on global economic growth and worsen global supply chain challenges.

Associated Press writer Darlene Superville contributed to this report.

Texas governor's decision: Whether to pardon George Floyd

By PAUL J. WEBER Associated Press

AUSTIN, Texas (AP) — Doling out pardons is a holiday tradition for Texas Gov. Greg Abbott, who around every Christmas grants them to a handful of ordinary citizens, typically for minor offenses committed years or decades ago.

But one name stands out on his desk: George Floyd.

Abbott has not said whether he will posthumously pardon Floyd this year for a 2004 drug arrest in Houston by a former officer whose police work is no longer trusted by prosecutors. Texas' parole board — stacked with Abbott appointees — unanimously recommended a pardon for Floyd in October.

Since then, the two-term Republican governor, who is up for reelection in 2022, has given no indication of whether he will grant what would be only the second posthumous pardon in Texas history. Floyd, who was Black, spent much of his life in Houston before moving to Minnesota, where his death under the knee of a white police officer last year led to a U.S. reckoning on race and policing.

"It doesn't matter who you think George Floyd was, or what you think he stood for or didn't stand for," said Allison Mathis, a public defender in Houston who submitted Floyd's pardon application. "What matters is he didn't do this. It's important for the governor to correct the record to show he didn't do this."

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A spokeswoman for Abbott did not respond to requests for comment.

Pardons restore the rights of the convicted and forgive them in the eyes of the law. Floyd's family and supporters said a posthumous pardon for him in Texas would show a commitment to accountability.

In February 2004, Floyd was arrested in Houston for selling \$10 worth of crack in a police sting. He pleaded guilty to a drug charge and served 10 months in prison.

His case happened to be among dozens that prosecutors revisited in the fallout over a deadly drug raid in 2019 that resulted in murder charges against an officer, Gerald Goines, who is no longer with the Houston force. Prosecutors say Goines lied to obtain a search warrant in the 2019 raid that left a husband and wife dead, and the office of Harris County District Attorney Kim Ogg has since dismissed more than 160 drug convictions tied to Goines.

Goines has pleaded not guilty and his attorneys accuse Ogg of launching the review for political gain.

Abbott has several primary challengers from the far right, and his ongoing silence about a potential pardon for Floyd has raised questions by Mathis and others over whether political calculations are at play. His office has not responded to those charges.

Abbott attended Floyd's memorial service last year in Houston, where he met with the family and floated the idea of a "George Floyd Act" that would take aim at police brutality. But Abbott never publicly supported such a measure months later when lawmakers returned to the Capitol, where Republicans instead made police funding a priority.

State Sen. Royce West, a Democrat who carried the "George Floyd Act" in the Senate, said he understands the politics if Abbott was waiting until after the GOP primary elections in March. But he said the governor should act on the recommendation.

"As he's always said, he is a law and order governor," West said. "And this would be following the law."

Jury at Kim Potter trial in Wright death returns Tuesday

By AMY FORLITI and SCOTT BAUER Associated Press

MINNEAPOLIS (AP) — A jury will resume deliberations Tuesday in the trial of a suburban Minneapolis police officer who says she meant to use her Taser instead of her gun when she shot and killed Black motorist Daunte Wright.

The jury met for about five hours Monday following closing arguments in which prosecutors accused Kim Potter of a "blunder of epic proportions" in Wright's death in an April 11 traffic stop — but said a mistake was no defense.

Potter's attorneys countered that Wright, who was attempting to get away from officers as they sought to handcuff him for an outstanding warrant on a weapons charge, "caused the whole incident."

Potter, who is white, is charged with first- and second-degree manslaughter. If convicted of the most serious charge, Potter, 49, would face a sentence of about seven years under state guidelines, though prosecutors have said they will seek more.

The mostly white jury got the case after about a week and a half of testimony about an arrest that went awry, setting off angry protests in Brooklyn Center just as nearby Minneapolis was on edge over Derek Chauvin's trial in George Floyd's death. Potter resigned two days after Wright's death.

Prosecutor Erin Eldridge called Wright's death "entirely preventable. Totally avoidable." She urged the jury not to excuse it as a mistake: "Accidents can still be crimes if they occur as a result of reckless or culpable negligence."

"She drew a deadly weapon," Eldridge said. "She aimed it. She pointed it at Daunte Wright's chest, and she fired."

Potter's attorney Earl Gray argued that Wright was to blame for trying to flee from police. Potter mistakenly grabbed her gun instead of her Taser because the traffic stop "was chaos," he said.

"Daunte Wright caused his own death, unfortunately," he said. He also argued that shooting Wright wasn't a crime.

"In the walk of life, nobody's perfect. Everybody makes mistakes," Gray said. "My gosh, a mistake is not

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a crime. It just isn't in our freedom-loving country."

Potter testified Friday that she "didn't want to hurt anybody" and that she was "sorry it happened."

Eldridge said the case wasn't about whether Potter was sorry.

"Of course she feels bad about what she did. ... But that has no place in your deliberations," she said.

Playing Potter's body camera video frame by frame, Eldridge sought to raise doubts about Potter's testimony that she fired after seeing "fear" on the face of another officer, then-Sgt. Mychal Johnson, who was leaning into the car's passenger-side door and trying to handcuff Wright.

The defense has argued that Johnson was at risk of being dragged and that Potter would have been justified in using deadly force. But Eldridge pointed out that for much of the interaction Potter was behind a third officer, whom she was training, and that Johnson didn't come into her camera's view until after the shot was fired — and then it showed the top of his head as he backed away.

"Sgt. Johnson was clearly not afraid of being dragged," Eldridge said. "He never said he was scared. He didn't say it then, and he didn't testify to it in court."

Eldridge also noted that Potter put other people at risk when she fired her gun, highlighting that the third officer was so close to the shooting that a cartridge casing bounced off his face.

"Members of the jury, safe handling of a firearm does not include firing it into a car with four people directly in harm's way," she said.

Gray started his closing argument by attacking Eldridge's summation, highlighting how she had played slowed-down depictions of events that Potter saw in real time.

"Playing the video not at the right speed where it showed chaos, playing it as slow as possible ... that's the rabbit hole of misdirection," Gray said. He also noted that Potter's body camera was mounted on her chest and gave a slightly different perspective than her own vision.

Judge Regina Chu told jurors that intent is not part of the charges and that the state doesn't have to prove she tried to kill Wright.

The judge said for first-degree manslaughter, prosecutors must prove that Potter caused Wright's death while committing the crime of reckless handling of a firearm. This means they must prove that she committed a conscious or intentional act while handling or using a firearm that creates a substantial or unjustifiable risk that she was aware of and disregarded, and that she endangered safety.

For second-degree manslaughter, prosecutors must prove she acted with culpable negligence, meaning she consciously took a chance of causing death or great bodily harm.

Associated Press writer Michael Tarm in Chicago contributed to this story. Bauer reported from Madison, Wisconsin.

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

Live updates: Catalonia plans new restrictions amid spike

By The Associated Press undefined

BARCELONA, Spain — Catalonia is preparing to become the first Spanish region to reinstate serious limitations given the latest spike in infections in a country that is among the world leaders in vaccination.

Health authorities have asked the courts to authorize a battery of measures including a new nightly curfew from 1-6 a.m., a limit of 10 people per social gathering, the closure of night clubs, and capping restaurants at 50% of seating indoors and stores, gyms and theaters to 70% capacity.

If approved by the courts, they would take effect on Friday and last for 15 days in the northeast region surrounding Barcelona.

Regional health chief Josep Argimon said that the measures are needed because of the arrival of the more contagious omicron variant. "Infections have grown 100% over the past week," he said.

Spain's prime minister is meeting via video with the heads of Spain's regions on Wednesday to discuss new measures for the country that has seen cases rapidly increasing having given two doses of vaccines

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to over 80% of its entire population of 47 million.

Spain has been relying on administering booster shots and mandatory face mask use indoors for the past months.

HERE'S WHAT YOU NEED TO KNOW TODAY ABOUT THE CORONAVIRUS PANDEMIC:

- Biden to urge Americans to get vaccinated as Christmas nears
- Explainer: Boosters key to fight omicron, lot still to learn
- Feeling powerless, families bring elderly home in pandemic
- British nurses warn the health care system at a breaking point as omicron cases soar
- German military gives hospital an edge in treating COVID-19 patients

Go to <https://APNews.com/coronavirus-pandemic> for updates throughout the day.

HERE'S WHAT ELSE IS HAPPENING TODAY:

WASHINGTON — The White House says President Joe Biden had close contact with a staff member who later tested positive for the coronavirus and is experiencing symptoms of COVID-19.

Press secretary Jen Psaki said in a statement Monday night that the staff member tested positive earlier in the day. Psaki says the staff member spent about 30 minutes around the president on Air Force One on Friday during a trip from Orange, South Carolina, to Philadelphia.

Psaki says the staff member is fully vaccinated and boosted and tested negative before boarding Air Force One. She says the staffer began experiencing symptoms Sunday night.

Psaki says the 79-year-old Biden is tested regularly for the virus and has had two negative tests since Sunday. She says he will be tested again Wednesday.

HOUSTON — An unvaccinated man with health issues has become the first person in the Houston area whose death has been linked to COVID-19 caused by the omicron variant of the coronavirus.

Harris County Judge Lina Hidalgo announced the death of the man in his 50s during a news conference Monday.

One Houston hospital system has reported the omicron variant is accounting for 82% of new COVID-19 cases it is treating.

The medical director of diagnostic microbiology at Houston Methodist Hospital said in a tweet Sunday that the omicron variant became the "cause of the supermajority" of new Houston Methodist cases in less than three weeks. In comparison, the delta variant took three months during the summer before it was the cause of more than 80% of cases.

ATLANTA -- The number of patients hospitalized with COVID-19 has risen almost 50% in Georgia in the last month, and the number of infections detected continues to accelerate.

More than 1,200 patients were hospitalized statewide Monday with the respiratory illness. That's well below the record of roughly 6,000 that was reached in early September at the peak of Georgia's fourth surge of virus cases. But it is well above the recent low of 824 patients recorded on Nov. 22.

Among those who have tested positive for the virus is Atlanta-mayor elect Andre Dickens, who has put himself in self-isolation though he reports feeling well with mild symptoms. Dickens, says he is fully vaccinated.

EUGENE, Ore. — As the highly transmissible omicron variant spreads across the country, University of Oregon students, faculty and staff will be required to get a coronavirus booster shot as soon as they are eligible.

Currently the university and the state's six other public universities require vaccinations for those on campus.

As of Monday afternoon, the University of Oregon is the only public university in the state to publicly announce a booster requirement.

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University President Michael Schill says in a letter posted online that "boosters are the next step in the evolving public health strategy in which we have adapted and responded as a community during the pandemic,"

RALEIGH, N.C. — North Carolina's governor has issued his strongest public health warning yet heading into the Christmas holidays.

Gov. Roy Cooper said Monday that officials expect the omicron variant of the coronavirus to soon severely strain hospitals and lead to the highest daily case counts since the pandemic hit the state in March 2020.

Cooper also says he will not reimpose any statewide mandates or roll out any financial inducements for residents to get a booster shot of coronavirus vaccine. In place of mandates, North Carolina will rely on additional resources for at-home test and an informational campaign to encourage the roughly 62% of vaccinated residents to get a booster shot.

BATON ROUGE, La. — Louisiana is starting to see growing numbers of COVID-19 cases months after emerging from a fourth surge of the coronavirus outbreak, with the state at risk of another spike as the omicron variant spreads.

Data released Monday by the Louisiana Department of Health shows the number of new coronavirus cases reached more than 2,300 since Friday — and more than 4,800 over the last week. That's more than double the amount of new cases from the prior week.

And the health department warned those numbers are expected to balloon as dozens of cases of the fast-spreading omicron variant have been confirmed in Louisiana.

Still, the number of people hospitalized in Louisiana with COVID-19 remains low so far, reported at 241 patients Monday. That continues to be among the lowest number of COVID-19 hospitalizations since March 2020 and well below the state's peak of more than 3,000 in August.

BOISE, Idaho — State health officials have deactivated crisis guidelines for rationing care at northern Idaho hospitals as COVID-19 cases have dropped.

The Idaho Department of Health and Welfare said Monday that the number of COVID-19 patients remains high but no longer exceeds available health care resources.

The crisis standards for the state's five most northern counties had been in place since Sept. 7.

Health and Welfare Director Dave Jeppesen says the situation remains precarious because of the omicron variant that appeared in Idaho last week. Jeppesen says getting vaccinated, getting booster doses and wearing masks in crowded areas could help prevent the health care system from being overwhelmed again.

NEW YORK — "Hamilton" and "Aladdin," two of Broadway's biggest musicals, are shuttering their doors during the busy Christmas week after finding breakthrough COVID-19 cases in their companies.

All matinee and evening performances of "Aladdin" from Tuesday through Friday were canceled. Performances are scheduled to resume Sunday. "Aladdin" had previously canceled its Dec. 19 performance.

"Hamilton" canceled shows on Tuesday, Wednesday, Thursday, Friday and Sunday and performances are scheduled to resume Dec. 27. The production had previously canceled its Dec. 17 through Dec. 19 performances, as well as its Dec. 15 show due to the detection of positive results.

The two hit shows join "Mrs. Doubtfire," "MJ" and "Ain't Too Proud," among others, in announcing multi-day cancellations due to the virus. Shows often add performances around Christmas week and the holidays are usually the most lucrative shows of the year.

MISSION, Kan. — Rural Kansas hospitals are struggling to transfer patients as COVID-19 numbers surge, with some patients left stranded in emergency rooms for a week while they wait for a bed.

Space also was in short supply last winter and again over the summer when the delta variant first hit the state. The situation improved slightly this fall, but according to Motient, a company contracting with

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Kansas to help manage transfers, the situation now is worsening again.

And it isn't just rural hospitals looking for beds. Overwhelmed hospitals as far away as Minnesota and Michigan have been calling looking for beds in larger Kansas hospitals. Often there simply isn't room.

Dr. Richard Watson, founder of Motient, said Friday that the long-distance transfers and long waits for beds are sadly becoming commonplace as the pandemic ends its second year.

EXPLAINER: Why Elizabeth Holmes' trial hinges on intent

By MICHAEL LIEDTKE AP Technology Writer

SAN JOSE, Calif. (AP) — The high-profile trial of former Theranos CEO Elizabeth Holmes boils down to a single question: Did she cover up defects in her startup's blood-testing technology to rip off investors while potentially endangering the lives of unwitting patients?

Federal prosecutors charged Holmes, 37, with 11 felony counts of fraud and conspiracy in 2018 after Theranos collapsed under the weight of her bogus boasts about its technological prowess. She repeatedly claimed that Theranos had a new way to scan for hundreds of diseases and health problems using just a few drops of blood taken with a finger prick.

That would have been a dramatic change from the conventional method of drawing vials of blood via needles inserted into patients' veins, then shipping them off to be tested by Quest Diagnostics or Labcorp -- a process that could take days.

SMOKE AND MIRRORS

But it all tuned out to be a mirage.

The web of alleged lies and other deceptive tactics covered in the trial occurred from 2010 to 2015, when, according to prosecutors, Holmes duped investors in her startup while also misleading patients about the accuracy of the company's blood tests.

In defending herself during seven days of often dramatic testimony on the stand, Holmes acknowledged making some bad decisions and mistakes. But she maintained that she never stopped believing Theranos was on the verge of a breakthrough that could redefine health care.

Holmes also insinuated that she had been manipulated and deceived by her former lover, Sunny Balwani. Holmes testified that Balwani, who she secretly lived with while he was Theranos' chief operating officer from 2009 to 2016, let her down by failing to fix the laboratory problems that he had promised to fix and, in the most dramatic testimony of the trial, alleged he had turned her into his pawn through a long-running pattern of abuse while exerting control over her diet, sleeping habits and friendships.

Balwani, whose lawyer adamantly denied Holmes' accusations, is facing similar fraud charges in a separate trial scheduled to begin in February.

A jury of composed of eight men and four women is currently mulling whether to find Holmes guilty of the charges hanging over her future or to acquit. The jurors completed their their first full day of deliberations Monday without sending any notes to U.S. District Judge Edward Davila, who has been presiding over the trial since it commenced in early September. They will return to the courthouse in San Jose, California, on Tuesday morning.

THE BIG PROMISE

If Theranos' technology worked as well as Holmes declared, it could have saved lives and lowered health care costs by making it more convenient and cheaper for people to get blood tests — and for doctors to understand their physiology in much greater detail.

It was such an exciting concept that Holmes was able to assemble a high-powered board that included former Cabinet members of administrations spanning from Richard Nixon to Donald Trump. It also briefly turned Holmes into a media sensation that had Silicon Valley buzzing.

At its height, privately held Theranos was valued at \$9 billion, with half of that paper wealth belonging to Holmes, who dropped out of Stanford University in 2003 to start the company when she was just 19.

THE BIG LETDOWN

But Theranos' much-touted technology turned out to be a monumental flop. It produced such wildly

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unreliable results that the company's lab secretly began using conventional blood-testing machines and methods, even as Holmes continued to hail it as a breakthrough while boasting about lucrative deals with the U.S. military and major drug companies such as Prizer that didn't really exist.

It all came crashing down in 2015 and 2016 when revelations about Theranos' testing flaws emerged in a series of articles in The Wall Street Journal and the findings of an audit by the Centers for Medicare & Medicaid Services.

The U.S. Justice Department filed its charges against Holmes nearly three and a half years ago, but the trial was delayed by the pandemic and then by Holmes' pregnancy.

THE BIG PICTURE

The case can also be seen as a warning shot aimed at the zeitgeist in Silicon Valley, where ambitious young entrepreneurs often get lost in their own hubris and hyperbole as they pursue fame and fortune.

Although Theranos raised more than \$900 million before its failure, the fraud charges focus on about \$155 million raised from five investors between December 2013 and December 2014. The largest chunk of that money was a \$100 million investment by the DeVos family, including former U.S. Education Secretary Betsy DeVos, that made its fortune from Amway.

Holmes' alleged fraud against patients involved Theranos' transmission of inaccurate blood results in May 2015 and a \$1.1 million payment in August 2015 for advertisements promoting its blood tests in Walgreens pharmacies. That partnership, one of Theranos' big selling points, eventually dissolved as the startup's woes mounted.

The two conspiracy counts alleged that Holmes had cooked all of it up as part of an elaborate scheme that bamboozled business partners such as Walgreens and media outlets such as Fortune magazine, in addition to the investors and patients covered in the fraud counts.

Freezing in the Alps, migrants find warm hearts and comfort

By JOHN LEICESTER Associated Press

MONTGENEVRE, France (AP) — From the inky night, two women loomed. Police? The wary migrants, crossing the high-altitude Alpine border clandestinely from Italy to France, couldn't be sure. They scattered and ran.

In fact, the women wanted to help the Moroccans evade border patrols, not detain them. They distributed hand-warmers to the shivering migrants, helped them hide in snowy woods until the coast was clear, and then steered them to waiting cars that whisked them from the frozen peaks to a warm shelter.

"They treated us like humans," said Hamid Saous, among the rescued. "Not everyone does that."

As Europe erects ever more fearsome barriers against migration, volunteers working along the Italy-France border to keep migrants from being killed or maimed by cold and mountain mishaps are driven by a simple creed: The exiles from conflict zones and oppression of all kinds who trek through the Alps and onward to European cities in search of brighter futures are people, first and foremost.

Armed with thermoses of hot tea and the belief that their own humanity would be diminished if they left pregnant women, children and men young and old to fend for themselves, the Alpine helpers are a counter-argument to populist politicians with large followings in Europe who say migrants, particularly Muslims and Africans, are threatening European livelihoods and liberal traditions.

In the Alps, on both sides of the border, the approach is essentially humanist and humanitarian, grounded in local traditions of not leaving people alone against the elements. Starting around 2016, when they first began encountering sneakered and thinly clothed migrants in trouble on Alpine passes, mountain workers refused to look the other way.

That assistance grew into networks of hundreds of volunteers who run migrant shelters, clothe those in need for the hazardous crossing and trek into the cold. They clear paths in the snow by day for migrants to follow and wait for them at night, to guide them past border police to safety and, if necessary, treatment for frostbite and other medical needs.

"Often, we say, 'Welcome! How are you?' We speak a bit of English because most people speak at least

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a bit," said volunteer helper Paquerette Forest, a retired teacher.

Some refuse assistance, generally "men who are quite robust," she said. "Exhausted people say, 'Yes.'" "We walk with them, discreetly. We try to avoid being spotted. We wait in the forest if needed. And we sort out vehicles to come and pick them up," she said.

Migrants credit the volunteers for saving lives and limbs. The Alps aren't as deadly for migrants as the Mediterranean Sea, where many hundreds have died or gone missing this year alone. And the mountains have so far been spared a tragedy on the scale of the boat sinking that killed 27 men, women and children, the majority Iraqi Kurds, in the English Channel in November.

"If not for them, we would have died of cold," said Aymen Jarnane, 23, another Moroccan led to safety on a night when the thermometer dropped to minus-15 degrees Celsius (5 Fahrenheit).

But there have been deaths. Aid groups pleaded for French authorities to provide Alpine shelter to exiles and stop pushing them back into Italy after a Togolese man found hypothermic in freezing temperatures died during a night trek across the border in February 2019.

Iranian exile Bizhan Bamedi had a companion film him on the crossing, to show how punishing it is.

"Hi guys. I'm recording this for those who say, 'Good for you, you went to Europe!'" he said, ankle-deep in snow in a clearing amid frosted pines. "Someone like me who has crossed through jungles and mountains from Turkey is now here. I have no place to lie, no place to sit. ... It's a really difficult path."

"The temperature is minus-10 degrees," he continued. "I'm hungry and thirsty but can't eat snow. Good luck!"

On top of the physical difficulty, a cruelty of the crossing is that Europeans pass through the border without even knowing it's there. Crisscrossed by ski runs, the frontier is a playground for vacationers who don't get stopped by police. But it is so inhospitable for migrants that some quickly give up, even equipped with donated cold-weather gear.

"When you are African or Arab with black hair you're not getting through even if you dress up like that," said Jarnane. "If you put on a hat or something, people can still see your brown or black eyes and that you're not from around here."

Health workers in a volunteer-run shelter for migrants on the French side, in the fortified town of Briançon, patch up those who get through.

"People arrive cold, dehydrated, thirsty, hungry," said Isabelle Lorre of Doctors of the World, after taking care of an Iranian with an infected toe who trekked for 15 hours through snow he said was thigh-deep at times.

European opponents of migration argue that aiding exiles encourages others to follow. The view of those assisting them in the Alps is that not helping simply isn't an option.

"Some of them have traveled 7,000 or 8,000 kilometers before getting here, so it's not a mountainous barrier that will stop them," said Jean Gaboriau, a mountain guide who helps run the Briançon shelter.

"Regardless of skin color, political or religious beliefs, everyone has the right to be saved or simply to be welcomed."

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New Syrian migrants seek Europe, driven by post-war misery

By SARAH EL DEEB and CHRISTOPH NOELTING Associated Press

GIESSEN, Germany (AP) — She had already walked for 60 hours through the wet, dark forests of Poland, trying to make her way to Germany, when the 29-year-old Syrian Kurd twisted her knee.

It wasn't the first setback in Bushra's journey.

Earlier, her road companion and best friend had fainted in a panic attack as Polish border guards chased them. They hid in ditches and behind trees as her friend tried to regain her breath, but it was no good. They turned themselves in and the guards dumped them back across the border into Belarus.

They quickly returned, bedraggled and wet, on the same trail. After twisting her knee, Bushra persevered.

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For two more days, she dragged her right foot behind her through the rain and freezing temperatures of the forests. Finally, they reached a Polish village where a car took them across the border into Germany — for a life she hopes will be free.

“I put up with the unbearable pain. Running away from something is sometimes the easiest thing,” Bushra said in the central German town of Giessen, where she applied for asylum as a refugee. “There is no future for us in Syria.”

Bushra, who asked that her last name be withheld for her own safety, is the face of the new Syrian migrant. More Syrians are leaving home, even though the 10-year-old civil war has wound down and conflict lines have been frozen for years.

They are fleeing not from the war’s horrors, which drove hundreds of thousands to Europe in the massive wave of 2015, but from the misery of the war’s aftermath. They have lost hope in a future at home amid abject poverty, rampant corruption and wrecked infrastructure, as well as continued hostilities, government repression and revenge attacks by multiple armed groups.

More than 78,000 Syrians have applied for asylum in the European Union so far this year, a 70% increase from last year, according to EU records. After Afghans, Syrians are the largest single nationality among this year’s nearly 500,000 asylum applicants so far.

Nine out of 10 people live in poverty in Syria. Around 13 million need humanitarian assistance, a 20% increase from the year before. The government is unable to secure basic needs, and nearly 7 million are internally displaced.

Roads, telecommunications, hospitals and schools have been devastated by the war and widening economic sanctions are making reconstruction impossible.

The coronavirus pandemic compounded the worst economic crisis since the war began in 2011. Syria’s currency is collapsing, and minimum wage is barely enough to buy five pounds of meat a month, if meat is even available. Crime and drug production are on the rise while militias, backed by foreign powers, operate smuggling rackets and control entire villages and towns.

The numbers are far below the levels of 2015, but desperate Syrians are racing to get out. Social media groups are dedicated to helping them find a way. Users ask where they can apply for work or scholarship visas. Others seek advice on the latest migration routes, cost of smugglers, and how risky it would be to use assumed identities to get out of Syria or enter other countries.

At the same time, Syria’s neighbors, grappling with their own economic crises, are calling for the refugees on their soil to be sent home. Among the new migrants to the EU are Syrians leaving Turkey or Lebanon, where they had been refugees for years.

Belarus briefly opened its border with Poland to migrants this summer. That created a standoff with the EU, which accuses Belarus President Alexander Lukashenko of orchestrating illegal migration in retaliation for European sanctions against him.

Bushra was one of only several thousand who managed to get through from Belarus, where 15 died trying to make the trek.

She left for Minsk from Irbil, Iraq, in late September.

It was the start of a harrowing journey. Bushra recounted how they survived on biscuits and water for days and how six of them slept sitting up on a single dry mat. Her friend broke a tooth shivering from the cold.

After the forest ordeal, they had to hide in a ditch at one point when a police patrol with sniffer dogs came to check their car. Riding along the highway, Bushra removed her head scarf to avoid suspicion at checkpoints. She reached Giessen on Oct. 12.

“I surprised myself by how I put up with all this,” Bushra said.

It was all worth it, she said. “When you lose hope, you follow a path more dangerous than where you started.”

Bushra’s life in Syria had been in upheaval for years. She was at university in the eastern city of Deir el-Zour when the war broke out in 2011 and anti-government protests spread in the city. She quickly

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moved to another university farther north. Soon Deir el-Zour and the rest of the east were taken over by the Islamic State group.

Bushra and her parents were outside IS rule in the Kurdish-held northeast but still lived in fear of violence. She hardly left the house for two years.

Eventually, she found a job with an international aid group. Ever since, she saved up to leave, checking into routes out of Syria.

Syria's oil-rich northeast, which already suffered from years of neglect, was devastated by the war. Drought wrecked farmers' livelihoods. The currency collapse gutted incomes. The salary of Bushra's father, a government employee, is now worth \$15 a month, down from \$100 at the start of the war.

Moreover, the region was not secure. IS militants were defeated in 2019, but sleeper cells continue to target Kurdish-led security and civil administration.

Eight kidnappings were reported this summer in a town near her.

Threats were made against Bushra after she exposed a corruption case involving powerful local officials, causing her to fear for her life. She declined to give details because her family remains in Syria.

The harassment expedited her plans to leave and convinced her parents, who had been worried about a single woman going on such a journey alone.

The U.S. troop withdrawal from Afghanistan this summer raised Bushra's worries that the U.S. would also pull out its 900 troops in Syria's Kurdish-administered northeast. The troops carry out anti-terrorism operations with local forces, and their presence also keeps rival forces at bay.

If they withdraw, she feared that Turkey, which considers the Kurdish-led forces in Syria as terrorists, could launch a military campaign against the Kurds. Syrian government forces would also move in, endangering Bushra because they consider those who work with international aid groups unregistered in Damascus as traitors.

"If I stay in Syria, I will be pursued by security all my life," she said.

Gaining asylum and residency in Germany is her gateway to freedom.

She hopes to study political science to understand the news, which she boycotted since the war started to avoid scenes of the atrocities she was already living. She wants to have freedom to travel. "I am done with restrictions," she said.

Going back to Syria is impossible, she said. If she doesn't get her papers in Germany, Bushra says she will keep trying.

"If I can't get to where I want to go, I will go to where I can live."

El Deeb reported from Beirut.

AP Exclusive: Polish opposition duo hacked with NSO spyware

By FRANK BAJAK and VANESSA GERA Associated Press

WARSAW, Poland (AP) — The aggressive cellphone break-ins of a high-profile lawyer representing top Polish opposition figures came in the final weeks of pivotal 2019 parliamentary elections. Two years later, a prosecutor challenging attempts by the populist right-wing government to purge the judiciary had her smartphone hacked.

In both instances, the invader was military-grade spyware from NSO Group, the Israeli hack-for-hire outfit that the U.S. government recently blacklisted, say digital sleuths of the University of Toronto-based Citizen Lab internet watchdog.

Citizen Lab could not say who ordered the hacks and NSO does not identify its clients, beyond saying it works only with legitimate government agencies vetted by Israel's Defense Ministry. But both victims believe Poland's increasingly illiberal government is responsible.

A Polish state security spokesman, Stanislaw Zaryn, would neither confirm nor deny whether the government ordered the hacks or is an NSO customer.

Lawyer Roman Giertych and prosecutor Ewa Wrzosek join a list of government critics worldwide whose

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phones have been hacked using the company's Pegasus product. The spyware turns a phone into an eavesdropping device and lets its operators remotely siphon off everything from messages to contacts. Confirmed victims have included Mexican and Saudi journalists, British attorneys, Palestinian human rights activists, heads of state and Uganda-based U.S. diplomats.

But word of the Poland hacking is especially notable, coming as rights groups are demanding an EU-wide ban on the spyware. The 27-nation European Union has tightened export restrictions on spyware, but critics complain that abuse of it by EU member states urgently needs to be addressed.

Citizen Lab previously detected multiple infections in Poland dating from November 2017, though it didn't identify individual victims then. The Pegasus spyware has also been linked to Hungary, which like Poland has been denounced for anti-democratic abuses. Germany and Spain are reportedly among NSO's customers, with Catalan separatists accusing Madrid of targeting them with Pegasus.

"Once you start aggressively targeting with Pegasus, you'll join a fraternity of dictators and autocrats who use it against their enemies and that certainly has no place in the EU," said senior researcher John-Scott Railton of Citizen Lab.

Former EU parliament member Marietje Schaake of the Netherlands, now international cyber policy director at Stanford University, said: "The EU cannot credibly condemn human rights violations in the rest of the world while turning a blind eye to problems at home."

The Polish targets see the hack as evidence of a perilous erosion of democracy in the very nation where Soviet hegemony began unraveling four decades ago.

Just hours before Zaryn answered emailed questions about the hack from The Associated Press, a provincial prosecutor filed a motion seeking the arrest of Giertych, the lawyer, in a financial crimes investigation.

Zaryn did not comment on whether the two matters might be related. He said Poland conducts surveillance only after obtaining court orders.

"Suggestions that Polish services use operational methods for political struggle are unjustified," Zaryn said.

An NSO spokesperson said Monday that the company is a "software provider, the company does not operate the technology nor is the company privy to who the targets are and to the data collected by the customers." Citizen Lab and Amnesty International researchers say, however, that NSO appears to maintain the infection infrastructure.

The company spokesperson also called the allegations of Polish misuse of Pegasus unclear: "Once a democratic country lawfully, following due process, uses tools to investigate a person suspected in committing a crime, this would not be considered a misuse of such tools by any means."

In July an investigation by a global media consortium found Pegasus was used in Hungary to hack at least 10 lawyers, an opposition politician and several journalists. Last month, a Hungarian governing party official acknowledged that the government had purchased Pegasus licenses.

In 2019, independent Polish broadcaster TVN found evidence the government anti-corruption agency spent more than \$8 million on phone spyware. The agency denied the report but Prime Minister Mateusz Morawiecki was more ambiguous, saying all would "be clarified in due time."

In the last four months of 2019, Giertych was hacked at least 18 times, Citizen Lab found. At the time, he was representing former Prime Minister Donald Tusk of Civic Platform, now head of the largest opposition party, and former Foreign Minister Radek Sikorski, now a European Parliament member.

The "jaw-droppingly aggressive" tempo and intensity of the targeting — day-by-day, even hour-by-hour — suggested "a desperate desire to monitor his communications," Scott-Railton said. It was so unrelenting that the iPhone became useless and Giertych abandoned it.

"This phone was with me in my bedroom and it was with me when I went to confession. They scanned my life totally," he said.

Most of the hacks occurred just ahead of an Oct. 13, 2019, parliamentary election that the Law and Justice party of Jaroslaw Kaczynski won by a slim margin, leading to a further erosion of judicial independence and press freedom.

Giertych was also involved representing an Austrian developer at the time who claimed that Kaczynski,

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Poland's most powerful politician, stiffed him as a deal to build twin business towers in Warsaw fell apart. Revelations of that deal-gone-sour triggered a scandal because Polish law bans political parties from profit — and the towers were to be built on land owned by Kaczynski's party.

Giertych also represented Sikorski in an illegal wiretapping case in which the former foreign minister's conversations were recorded and published; Sikorski alleges the government failed to investigate the possible involvement of Kaczynski allies. Last year, anti-corruption officials searched Giertych's home and office in a manner a Polish court deemed illegal and the EU called emblematic of how Poland's government treats hostile lawyers in politically sensitive cases.

When the Lublin regional prosecutor applied for a court order Monday seeking Giertych's arrest, it said the lawyer had refused to appear for questioning, and seemed to be "deliberately hiding from justice."

Giertych called this absurd and said the financial wrongdoing investigation was trumped-up, that a Poznan court had already dismissed it for lack of evidence. Prosecutors say he is suspected of money laundering for legal fees he received in a Warsaw property dispute case a decade ago.

Citizen Lab was still investigating how Giertych's phone was infected but said it expects a "zero-click" vulnerability, which wouldn't involve user interaction. They believe Wrzosek was similarly hacked. Citizen Lab found six intrusions on her phone from June 24-Aug. 19.

Last year, Wrzosek ordered an investigation into whether presidential elections should be postponed over concerns they could threaten the health of voters and election workers. Almost immediately, she was stripped of the case and transferred to the distant provincial city of Srem with two days' notice.

"I didn't even know where the city was and I had nowhere to live there," said Wrzosek, who was hacked shortly after returning to Warsaw and resuming media appearances critical of the government.

A vocal member of an independent prosecutors' association, Wrzosek learned she'd been hacked — and tweeted about it -- when Apple sent out alerts last month to scores of iPhone users across the globe targeted by NSO's Pegasus, including 11 U.S. State Department employees in Uganda. In a lawsuit it filed the same day, Apple called NSO "amoral 21-century mercenaries." In 2019, Facebook sued the Israeli firm for allegedly hacking its globally popular WhatsApp messenger app.

Wrzosek has filed an official complaint but doesn't expect prompt accountability, believing "the same services that tried to break into my phone will now be conducting the proceedings, looking for perpetrators."

Bajak reported from Boston. Associated Press reporter Josef Federman contributed from Jerusalem.

Omicron sweeps across nation, now 73% of new US COVID cases

By MIKE STOBBE AP Medical Writer

NEW YORK (AP) — Omicron has raced ahead of other variants and is now the dominant version of the coronavirus in the U.S., accounting for 73% of new infections last week, federal health officials said Monday.

The Centers for Disease Control and Prevention numbers showed nearly a six-fold increase in omicron's share of infections in only one week.

In much of the country, it's even higher. Omicron is responsible for an estimated 90% or more of new infections in the New York area, the Southeast, the industrial Midwest and the Pacific Northwest. The national rate suggests that more than 650,000 omicron infections occurred in the U.S. last week.

Since the end of June, the delta variant had been the main version causing U.S. infections. As recently as the end of November, more than 99.5% of coronaviruses were delta, according to CDC data.

CDC Director Dr. Rochelle Walensky said the new numbers reflect the kind of growth seen in other countries.

"These numbers are stark, but they're not surprising," she said.

Scientists in Africa first sounded the alarm about omicron less than a month ago and on Nov. 26 the World Health Organization designated it as a "variant of concern." The mutant has since shown up in about 90 countries.

Much about the omicron variant remains unknown, including whether it causes more or less severe

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illness. Early studies suggest the vaccinated will need a booster shot for the best chance at preventing omicron infection but even without the extra dose, vaccination still should offer strong protection against severe illness and death.

"All of us have a date with omicron," said Dr. Amesh Adalja, a senior scholar at the Johns Hopkins Center for Health Security. "If you're going to interact with society, if you're going to have any type of life, omicron will be something you encounter, and the best way you can encounter this is to be fully vaccinated."

Adalja said he was not surprised by the CDC data showing omicron overtaking delta in the U.S., given what was seen in South Africa, the U.K. and Denmark. He predicted spread over the holidays, including breakthrough infections among the vaccinated and serious complications among the unvaccinated that could stress hospitals already burdened by delta.

Dr. Eric Topol, head of the Scripps Research Translational Institute, said other countries had seen omicron's fast growth, but the U.S. data showed "a remarkable jump in such a short time."

Topol also said it's unclear how much milder omicron really is compared with other variants. "That's the big uncertainty now."

CDC's estimates are based on thousands of coronavirus specimens collected each week through university and commercial laboratories and state and local health departments. Scientists analyze their genetic sequences to determine which versions of the COVID-19 viruses are most abundant.

On Monday, the CDC revised its estimate for omicron cases for the week that ended Dec. 11, after analyzing more samples. About 13% of the cases that week were from omicron, not the 3% previously reported. The week before, omicron accounted for just 0.4% of cases.

CDC officials said they do not yet have estimates of how many hospitalizations or deaths are due to omicron.

Though there remain a lot of new infections caused by the delta variant, "I anticipate that over time that delta will be crowded out by omicron," Walensky said.

Associated Press writers Luran Neergaard and Carla K. Johnson contributed to this report.

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Democrats try to 'build back' after Manchin tanks \$2T bill

By LISA MASCARO and FARNOUSH AMIRI Associated Press

WASHINGTON (AP) — Democrats are struggling to pick up the pieces after Sen. Joe Manchin effectively crushed President Joe Biden's big domestic policy bill. But they face serious questions whether the \$2 trillion initiative can be refashioned to win his crucial vote or the party will be saddled with a devastating defeat.

Senate Majority Leader Chuck Schumer vowed on Monday that the chamber would vote early in the new year on Biden's "Build Back Better Act" as it now stands so every senator "has the opportunity to make their position known on the Senate floor, not just on television." That was a biting reference to Manchin's sudden TV announcement against the bill on Sunday.

Biden and Manchin spoke later Sunday, according to a person familiar with the call, first reported by Politico. It was cordial and respectful, said the person who spoke only on condition of anonymity.

But the conservative West Virginia Democrat and his party are so far apart, his relationships so bruised after months of failed talks, it's unclear how they even get back to the negotiating table, let alone revive the sprawling more than 2,100-page social services and climate change bill.

"We're going to work like hell to get it done," said White House press secretary Jen Psaki, repeating the phrase several times at a briefing but never saying how.

The setback throws Biden's signature legislative effort into deep doubt at a critical time, closing out the end of the president's first year and ahead of congressional midterm elections when the Democrats' slim hold on Congress is at risk.

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Coupled with solid Republican opposition, Manchin's vote is vital in the 50-50 split Senate on this and other initiatives, including the Democrats' priority voting rights legislation that Schumer also promised would come to an early vote.

From the White House, Psaki struck a more conciliatory tone than her weekend hardball reaction to Manchin, saying Biden is a "longtime friend" of the senator and the president is focused on moving forward.

Vice President Kamala Harris told CBS News "the stakes are too high" for this to be about "any specific individual." She said, "This is about let's get the job done."

Steeped in the politics of a state that Biden lost decisively to Donald Trump, Manchin has little to gain from aligning too closely with fellow Democrats, raising fresh questions over whether he still has a place in the party.

In a radio interview Monday, he reiterated his position that the social and environment bill has far too much government spending — on child care, health care and other programs — without enough restrictions on incomes or work requirements.

But the lifelong Democrat was less clear when asked if the party still has room for him — describing himself as "fiscally responsible and socially compassionate."

Manchin said: "Now, if there's no Democrats like that then they have to push me wherever they want."

After months of negotiations with the White House and Senate staff members as well as Biden and fellow senators, he lashed out at hardline tactics against him by those he said "just beat the living crap out of people and think they'll be submissive."

The next steps remain highly uncertain for the president and his party. Biden returned to Washington from his Delaware home and lawmakers assessed their options with Congress on recess for the holiday break. The president's reputation as a seasoned legislator who wants to show the country government can work hangs in the balance along with his proposals.

Rep. Pramila Jayapal, D-Wash., a leader of the progressive caucus, spoke with Manchin early Monday, but emerged warning her colleagues the senator was an untrustworthy partner who "went back on his word."

Jayapal said Democrats were working with the White House on alternative means of reaching the bill's goals through executive or administrative actions, without legislation.

"We cannot make the same mistakes twice," she said on a conference call with other progressives. "We cannot hang the futures of millions of Americans on the words of one man."

The White House appeared to take interest in Manchin's preference for a reimagined bill that would tackle a few top priorities, for longer duration, rather than the multifaceted and far-reaching House-passed version.

But it will be extraordinarily difficult for progressive and centrist Democrats to rebuild trust to launch a fresh round of negotiations having devoted much of Biden's first year in office to what is now essentially a collapsed effort.

For example, Manchin wants to authorize the social programs for the full 10 years of a standard budget window — rather than just a few years as Democrats would as a way to keep the price tag down. That change would force painful cuts elsewhere in the package.

Despite Biden's long courtship of Manchin, the senator has been clear throughout that the Democrats' bill does not fit his vision of what the country needs, even though many residents in his state are low income, some in desperate need of the health, education and child care services the bill would provide.

The sweeping package is among the biggest of its kind ever considered in Congress, unleashing billions of dollars to help American families nationwide — nearly all paid for with higher taxes on corporations and the wealthy.

For families with children, it would provide free pre-school and child care aid. There are subsidies for health insurance premiums, lower prescription drug costs and expanded Medicaid access in states that do not yet provide it. The bill would start a new hearing aid program for seniors. And it includes more than \$500 billion to curb carbon emissions, a figure considered the largest federal expenditure ever to combat climate change.

A potential new deadline for Biden and his party comes with the expiration of an expanded child tax credit that has been sending up to \$300 monthly directly to millions of families' bank accounts. If Congress

fails to act, the money won't arrive in January.

Talks between Biden and Manchin deteriorated during a final round last week that turned heated, according to a person granted anonymity to discuss the private talks.

In a stunning repudiation of his party, Manchin gave the president's staff just a 20-minute heads-up he was about to announce his opposition to the bill.

It called to mind the famous thumbs-down vote by Sen. John McCain, R-Ariz., that killed Trump's 2017 effort to repeal the health care law enacted under President Barack Obama.

Republicans hailed Manchin as a maverick, but Democrats and the White House were merciless in their criticism.

House Speaker Nancy Pelosi struck an optimistic chord at an event in her San Francisco district. "This will happen," she said. "I'm not deterred at all."

Associated Press writers Alan Fram, Darlene Superville, Colleen Long and Hope Yen contributed to this report.

Feeling powerless, families bring elderly home in pandemic

By ADAM GELLER AP National Writer

ROTTERDAM JUNCTION, N.Y. (AP) — Pushed up to the breakfast table, Betty Bednarowski folds and refolds her napkin with studied intensity, softly singing "Winter Wonderland" without the words, the same as she did in March and July and September.

Dessert today is a tiny cup of pudding, like yesterday's, with seven pills Bednarowski can't swallow, crushed into the butterscotch. Between mouthfuls, Bednarowski, who has advanced Alzheimer's disease, glances at her daughter, Susan Ryder, and flashes a blissful grin.

It's probably just as well that, a year after Ryder took her mother out of a nursing home locked down against COVID-19 to rescue her from isolation and neglect, the retired sandwich shop worker never remembers what comes next.

"OK Mom, I'm going to put your stockings on," Ryder says.

"I don't want to help!" the 79-year-old growls. The pudding smile is gone. "I can't do this!"

By the time Bednarowski's family brought her home they, and thousands more with loved ones in nursing facilities slammed by the pandemic, were desperate. After months of separation, Bednarowski had dropped 20 pounds. Her delight in other's company had given way to a hollow stare. Her hair was filled with lice.

That's in the past now. But only because Ryder is her mother's keeper.

"Oh God! Oh God!" Betty wails. "I'm too..." Before she can finish the sentence, the thought slips away.

Crouched on the floor, Ryder struggles alongside a nursing assistant to pull the compression hose over her mother's scarred calves. Today is easier. On mornings without help, she presses her face against Betty's knee to hold it down.

"I know Mom," she says. "I'm sorry. You're doing great Betty."

Mothers and children have battled over getting dressed forever, only here the roles are reversed. If anyone can relate it's the many families who made the same decision: to bring home the people they love and find peace in comforts and consequences that could outlast the pandemic itself.

"We mostly hear two things. One, they're really happy they did it. They're genuinely happy to have their loved ones at home," says John Schall of the Caregiver Action Network, which has fielded calls from thousands of distressed families. "The other thing we hear is, 'Oh My God, how difficult this has turned out to be.' ...It really is fairly unrelenting."

To families like Bednarowski's, the longer the lockdowns stretched on the less that leaving loved ones in a nursing home felt like a choice.

Patients, many frail and unable to communicate their needs, were walled off from the family members who could advocate for them, even as staffing shortages and pandemic restrictions sharply reduced care. COVID has killed more than 140,000 residents of U.S. nursing homes, with deaths from other causes also

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far surpassing previous years.

And Ryder and others like her -- standing at nursing home windows watching the condition of their loved ones deteriorate -- felt powerless to do anything about it.

"It was fear for her safety, for her wellbeing -- this is your mother!" says Ryder, herself the parent of two 20-somethings.

"I mean, I don't know if you have kids. But can you imagine being at work and the school calls and says 'We're going to lock the school and we're going to keep your kids for their own safety?'"

"What would you do?"

The search for an answer to that question began on a March afternoon in 2020. Alarm over COVID was rising quickly, but in New York state it was still focused mostly on the area around the nation's biggest city, about three hours south.

Ryder, then an office manager at a package delivery contractor, was planning a stop to see her mom at the Schenectady Center for Rehabilitation and Nursing. An hour before her workday ended, an email arrived from a social worker at the home. The facility was barring visitors, effective immediately.

"He was just very matter of fact: we're doing this for the safety of the residents," says Ryder, whose family had joined others to raise concerns about care at the facility well before the pandemic. "He promised me that he would check on my mother every day which, in hindsight, was lip service."

The decision to lock down, while sudden, followed state and federal guidelines and visits were allowed to resume as soon as officials eased restrictions and virus cases were in check, said Jeff Jacomowitz, a spokesman for the nursing home.

But "families who were willing to take their loved ones out of the facility permanently to take care of them were opened to do so," he said in a written statement.

Driving home, Ryder cried at the wheel. Anyone who knew her mother could see she thrived on human interaction. She loved fussing over customers at Subway, where managers made her the hostess after dementia began limiting her abilities behind the counter. At the nursing facility, she scooted her wheelchair up and down the halls to visit residents and staff.

That need for social connection was one of the reasons the family had resisted placing her in a nursing home. One of Ryder's sisters spent five years as a live-in caregiver. But after their mother was hospitalized again in 2017 the siblings decided to move her to a care facility, with a pact that family members would visit Bednarowski every day.

In three years before the pandemic hit, they missed just one. Family members brought Bednarowski homemade macaroni and cheese and picked up her dirty laundry. They danced with her, took her out for burgers, held her hand and tucked her in at night.

Then the lockdown forced them to break their promise. They were far from the only ones.

It's hard to know just how many families have taken loved ones out of nursing homes during the pandemic. But this year has seen a 14 percent increase in patients discharged to go home, according to CarePort, a software provider that connects hospitals with nursing facilities.

In a June survey by the American Health Care Association, an industry group, operators of nearly four in ten nursing homes said they were losing money because patients were moving out.

And with 1.3 million Americans in nursing homes before the outbreaks, advocates say it has forced a painful reckoning in many more households.

"We've heard from a lot of families who are just crushed by guilt, in these really tough positions, who want to take their loved ones home but they know they can't live independently," says Sam Brooks of the National Consumer Voice for Quality Long-Term Care, which advocates for nursing home residents.

As lockdowns stretched on, taking action began to feel like a necessity to some families.

"I was like an archaeologist looking for clues," says Beth Heard Frith of Lafayette, La., who was barred for months from spending time with her 92-year-old mother, but continued stopping by the nursing home to pick up her laundry. "Why is there a hospital gown in there when I know she's supposed to have eight

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nightgowns? Why did everything reek of urine?"

Last fall, Frith moved her mother out of the facility and into her home after a doctor determined that Elizabeth Heard's declining health qualified her for hospice care. When Heard died in February, her family was there to pray at her bedside.

Of course, when the lockdowns started, no one knew how long they would last.

During window visits, when Bednarowski motioned to her daughter to come inside, Ryder promised she'd be right there -- knowing that within a few seconds the moment would slip from her mother's mind.

Once a week, nursing home staffers put a tablet computer in front of Bednarowski and connected her with her children by video. But she just stared into the air before shuffling away, leaving family members with a view of the nursing home ceiling.

Ryder says she tried hard not to let her mother's condition bother her. Late on many nights, though, husband Jimmy heard her sobbing in the bathroom.

"It killed her," he says.

Bednarowski's family and the relatives of other nursing home residents pressed for entry, arguing that the care they provided was essential, but got no traction. By early September, after six months of separation, the frustration was boiling over.

Ryder joined about 40 others on the sidewalk outside the nursing home demanding entry. A few weeks later, state officials began allowing brief visits, but with sharp restrictions.

At their first meeting, in late September of 2020, mother and daughter were required to stay at opposite ends of an eight-foot table. Bednarowski's hair, wet and unbrushed, was filled with lice. Instead of clothes, she was wrapped in a towel, eyes cast down in a vacant stare, a photo taken during the visit shows.

"I couldn't touch her. I couldn't hug her," Ryder says. "She looked right through me."

Back in her garage, Ryder spent hours mounting protest signs on lengths of wood moulding. "Essential Caregivers Work for LOVE," read one. "SAVE Betty," demanded another.

In mid-October she joined dozens of other New Yorkers with relatives in nursing homes in front of the state Capitol, calling on Gov. Andrew Cuomo to give family caregivers immediate access. Their request was denied.

About 10 days later, Ryder's brother, Bill Bednarowski, the oldest of the four siblings, had his own distanced visit with their mother and left shaken.

"Actual photo of how well I'm keeping it all together right now," brother texted sister afterward. He attached a picture of an electrical pole snapped apart like a toothpick and held up, just barely, with bands of duct tape. There was only one thing the siblings could do.

"Let's bring her home," Ryder answered.

Early last October, a woman named Jill Wisler, who lives about 200 miles from Ryder on New York's Long Island, took her own mother out of a nursing facility.

Months of separation had been hard on both women, the only two living members of their family. When staffers wheeled Arlene Wisler, 88, to the nursing home window with a black eye and no adequate explanation, her daughter knew she couldn't leave her there.

Jill Wisler, an insurance fraud investigator working from home during the pandemic, learned New York state would allow her mother's Medicaid assistance to pay for home care. Wisler spent months cycling through nursing aides, who are in short supply. Because her mother has advanced Alzheimer's, she does not know who Wisler is and she must be lifted in and out of bed.

With care, Arlene has regained lost weight and stabilized. And Jill, who stays home each night to be with her mother, has found some peace.

"Even if the pandemic ended tomorrow, I still have my mom," says Wisler, of Plainview, N.Y. "Some days are good and some days are bad. But every day is a victory."

After bringing her mother home, Wisler mentioned her decision on a Facebook group for families battling the lockdowns, Caregivers for Compromise. Another New York woman looking to remove her mother from a nursing home asked Wisler for guidance. Then another. And another.

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Susan Ryder was one. Last November 4, days after collecting advice and encouragement from Wisler, Ryder pulled up in front of the nursing home. Employees had piled all of Betty Bednarowski's clothes and other possessions into clear plastic bags, waiting at the curb.

In addition to the lost weight, Bednarowski was no longer continent. She spent hours whistling "Winter Wonderland," something she hadn't done before the lockdown. Her children believe she seized on the song as a source of comfort from the isolation.

Ryder settled her mom into a bedroom one of her sons left behind, hanging a sign on the door salvaged from Bednarowski's quarters at the nursing home: "Betty's Place." On shelves above the bed, she lined up plush figurines her mother had won at nursing home games of Bingo.

"She wakes up every single day to a familiar face. She tells me she loves me...and I know she's safe," Ryder says. "I don't have to wonder where bruises came from on her body. I don't have to wonder if she's sitting in a wet undergarment."

With those worries put aside, the days have settled into a routine that seesaws between a new set of stresses and moments of affirmation.

"Sweet Caroline! Good times never seemed so good!" Ryder sings on a recent afternoon spent, like so many others, with Bednarowski swaying to her lead from a recliner in the living room.

"So good! So good! So good!" Bednarowski sings back, gleefully. She can't play the piano or dance the jitterbug the way she used to, but music is still her go-to place.

Other times mother and daughter bat a balloon back and forth or sit together to watch episodes of "Friends." On Tuesdays, Ryder's brother takes a seat alongside Betty at dinner and on Friday mornings, it's his sister Cheryl's turn.

Bednarowski struggles to remember who they are. But from the moment she wakes to Ryder's touch, she is reminded that this is home.

The good times, though, are often just moments removed from the hard ones. Bednarowski, fierce in protecting her modesty, curses at her daughter when she tries to change soiled clothes. She strains to get away when Ryder takes a blood sample, required to monitor one of her medications.

It's like being the parent of a small child again, Ryder says, except a toddler learns to do things. Betty never does so Susan has to.

"I used to be like: 'You have to do this. Put your foot in this pants legs!...' And she would fight me," Ryder says. "Now I take five seconds and just wait and do nothing and try again. And sometimes it works and sometimes it doesn't."

One night this fall, locked together in the bathroom, the battle of wills over changing soiled undergarments exploded just as Ryder broke into the sweat of a hot flash. The feelings that welled up inside her were so intense, she kicked a hole in a wall.

When Ryder was laid off about a month after taking her mother out of the home, she embraced it as a chance to fully devote herself to caregiving. Medicaid pays for a nursing assistant to visit for eight hours, four days a week, giving Ryder a chance to leave care to someone else, shop for groceries and get to the chiropractor.

But getting by on the paycheck of her husband, a flooring installer, has created a squeeze. Not long before Bednarowski came to live with them, the Ryders finally retired thousands in credit card debt they took on to rebuild their home after a 2011 flood. Now, Ryder is back to agonizing over which bills she can delay paying.

The couple agree she should look for a new job. But she worries about finding one with hours and flexibility that will allow her to care for her mother. The reasons for going back to work, though, extend beyond finances.

"Do I wish I had my life back? Some days, especially when there's so much craziness going on," Ryder says. "But I know she's safe. I know she's happy and that's what matters most. Right?"

"Right Mama?"

Bednarowski, sitting across the breakfast table, looks up but doesn't answer.

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The Ryders joke that the past year, with all its joys and exasperations, could be a reality television show. They'd call it "Bringing up Betty."

Today's episode ends where it began.

In the bathroom, Betty curses at her daughter for trying to change her clothes, but Susan laughs off the threat. Waiting in the hallway, Jimmy Ryder takes his mother-in-law's hand and guides her to her bedroom. Susan turns the radio on low so her mother can drift off to music.

"I love you," she tells Bednarowski, tucking her in. "Who do you love? How about Susan and Cheryl and Karen?" It's a gentle reminder to her mother that she raised three daughters.

"You're right!" Betty says, beaming.

"I had a good Mom. She taught me lots of stuff," Susan tells her. She leans down to kiss her mother, then turns off the light as a 1980s anthem floats from the radio.

"We are strong. No one can tell us we're wrong," it goes. "Both of us knowing, Love is a battlefield."

Jan. 6 panel seeks interview, records from Rep. Scott Perry

By FARNOUSH AMIRI and MARY CLARE JALONICK Associated Press

WASHINGTON (AP) — The House panel investigating the Jan. 6 U.S. Capitol insurrection requested an interview and documents from Republican Rep. Scott Perry of Pennsylvania on Monday, marking the first time the committee publicly sought to sit down with a sitting member of Congress.

The latest request launches a new phase for the lawmakers on the committee, who have so far resisted reaching out to one of their own as they investigate the insurrection by President Donald Trump's supporters and his efforts to overturn the election. Perry and other congressional Republicans met with Trump ahead of the attack and strategized about how they could block the results at the Jan. 6 electoral count.

In a letter to Perry, Mississippi Rep. Bennie Thompson, the Democratic chairman of the panel, said the panel had received evidence from multiple witnesses, including then-acting Attorney General Jeffrey Rosen and then-acting Deputy Attorney General Richard Donoghue, that Perry had "an important role" in efforts to install Justice Department official Jeffrey Clark as acting attorney general.

The letter requests an interview with Perry, who pushed the Justice Department to overturn the election and met with Trump ahead of the violent attack, according to investigators. The panel also asked for any documents and correspondence between Perry and Trump, his legal team or anyone involved in the planning of Jan. 6 events.

A request for comment left with Perry's office was not immediately returned.

The lawmaker representing Pennsylvania's 10th District was cited more than 50 times in a Senate Judiciary report released in October outlining how Trump's effort to overturn his 2020 election defeat brought the Justice Department to the brink of chaos and prompted top officials there and at the White House to threaten to resign.

Perry, who has continuously disputed the validity of President Joe Biden's victory in Pennsylvania, has said he obliged Trump's request for an introduction to Clark, then an assistant attorney general whom Perry knew from unrelated legislative matters. The three men went on to discuss their shared concerns about the election, Perry has said.

The Justice Department found no evidence of widespread fraud in Pennsylvania or any other state, and senior Justice officials dismissed Perry's claims.

The recent Senate report outlined a call Perry made to Donoghue last December to say the department wasn't doing its job with respect to the elections. Perry encouraged Donoghue to elicit Clark's help because he's "the kind of guy who could really get in there and do something about this," the report said.

Perry has previously said his "official communications" with Justice Department officials were consistent with the law.

The letter sent Monday night is the first time the panel has publicly released a request to a fellow member of Congress as it investigates Trump's communications with his Republican allies. But the panel notably did not subpoena Perry, as it has other witnesses close to Trump whom lawmakers believe have

relevant information.

In his letter to Perry, Thompson added that the panel "has tremendous respect for the prerogatives of Congress and the privacy of its Members. At the same time, we have a solemn responsibility to investigate fully all of these facts and circumstances."

The panel voted in November to hold Clark in contempt after he showed up for a deposition yet declined to answer questions. But Thompson has said he will hold off pursuing the charges and allow Clark to attend another deposition and try again. Clark's lawyer has said Clark intends to assert his Fifth Amendment right not to incriminate himself, but the deposition has been repeatedly postponed as Clark has dealt with an unidentified medical condition.

The panel has already interviewed around 300 people as it seeks to create a comprehensive record of the attack and the events leading up to it.

Trump at the time was pushing false claims of widespread voter fraud and lobbying Vice President Mike Pence and Republican members of Congress to try to overturn the count at the Jan. 6 congressional certification. Election officials across the country, along with the courts, had repeatedly dismissed Trump's claims.

An angry mob of Trump supporters were echoing his false claims as they brutally beat Capitol police and broke into the building that day, interrupting the certification of Biden's victory.

In his request for a meeting with Perry, Thompson wrote: "We would like to meet with you soon to discuss these topics, but we also want to accommodate your schedule."

NHL shuts down Wednesday through Saturday; 5 games postponed

By STEPHEN WHYNO and JOHN WAWROW AP Hockey Writers

The NHL is beginning a leaguewide shutdown Wednesday amid a rise in positive COVID-19 test results among players, and with 10 of the league's 32 teams' schedules already paused and their facilities closed.

The league announced Monday night that it will open its annual holiday break two days earlier than scheduled and have it run through Saturday. The decision, reached in coordination with the NHL Players' Association, means five additional games scheduled for Thursday will be postponed, bringing the total this season to 49.

Two games slated for Tuesday are still set to go on as scheduled. Teams will then report back for COVID-19 testing and practice on Sunday, a day before games are set to resume. Players and members of each team's traveling party will be required to test negative before being allowed back in their respective facilities.

The decision to begin the break early comes a day after the NHL and NHLPA issued a joint statement announcing they were attempting to avoid a leaguewide shutdown by making decisions on a team-by-team basis. The holiday break was previously supposed to run from Friday to Sunday.

Of the 49 games postponed, 44 have occurred over the past two weeks with the delta and omicron variants spreading across North America.

More than 15% of the league's 700-plus players are in virus protocol, and the resulting schedule disruption almost certainly has doomed the possibility of Olympic participation. A final decision on the Beijing Games is expected this week, and the odds of NHL players returning to the Olympics for the first time since 2014 have cratered.

The Columbus Blue Jackets, Montreal Canadiens, Edmonton Oilers and Ottawa Senators on Monday became the latest teams to pause all activities because of positive COVID-19 tests. The Boston Bruins, Colorado Avalanche, Detroit Red Wings, Florida Panthers, Nashville Predators and Toronto Maple Leafs also have their facilities closed, and the Calgary Flames just reopened theirs to players, coaches and staff not in protocol.

The U.S. and Canadian women's hockey teams were set to play a pre-Olympic game Monday night in St. Paul, Minnesota, but that was canceled because of COVID-19 concerns.

Much about the omicron coronavirus variant remains unknown, including whether it causes more or less

severe illness. Scientists say omicron spreads even easier than other coronavirus strains, including delta, and it is expected to become dominant in the U.S. by early next year. Early studies suggest the vaccinated will need a booster shot for the best chance at preventing an omicron infection but even without the extra dose, vaccination still should offer strong protection against severe illness and death.

More AP NHL: <https://apnews.com/hub/NHL> and https://twitter.com/AP_Sports

Ghislaine Maxwell jury begins deliberations after closings

By LARRY NEUMEISTER and TOM HAYS Associated Press

NEW YORK (AP) — A jury began deliberations Monday, tasked with considering whether Ghislaine Maxwell is a dangerous predator who recruited teens to be sexually abused by financier Jeffrey Epstein — as prosecutors put it — or the “innocent woman” a defense attorney described.

The jury received the case just before 5 p.m. after two prosecutors and a defense lawyer delivered their closing arguments over a six-hour period. They deliberated less than an hour and went home after being told to return at 9 a.m. Tuesday.

Maxwell, 59, had been composed, if not cheerful, as she interacted with her lawyers and family members for the first three weeks of the trial. But she seemed emotional as Assistant U.S. Attorney Maureen Comey rebutted defense arguments and asserted the British socialite believed her four trial accusers were beneath her.

“In her eyes, they were just trash,” Comey said as Maxwell shook her head slightly and then drooped her eyes.

Earlier, she had wiped her eyes twice as Comey attacked defense portrayals of the women who testified about abuse they incurred as teenagers. The prosecutor said Maxwell played a pivotal role in Epstein’s quest to sexually abuse teenage girls.

Defense lawyer Laura Menninger had argued that the women’s recollections of abuse by Epstein and Maxwell were flawed memories manipulated decades later by lawyers seeking payouts or U.S. government investigators seeking a scapegoat after Epstein killed himself in a federal jail in 2019 while awaiting his own sex trafficking trial.

Comey called a defense claim that Maxwell didn’t know about abuse that occurred for more than a decade a “laughable argument.”

“Those four witnesses gave you the most damaging testimony in this trial,” she said. “These women put themselves through the hell of testifying at this trial even though they have nothing to gain.”

Comey added: “They did it for justice.”

The prosecutor started her remarks by disputing a claim by the defense that nearly all the evidence pertained to Epstein, and Maxwell did not deserve to be blamed as a conspirator in his crimes.

“This case is about that woman,” Comey said, pointing at Maxwell, who sat at the defense table in a white sweater as four of her siblings watched from the first bench of spectators in a courtroom where everyone followed spacing rules dictated by the coronavirus.

Earlier, Assistant U.S. Attorney Alison Moe called Maxwell the “lady of the house” when Epstein abused girls at a New York mansion, a Florida estate and a New Mexico ranch.

“Ghislaine Maxwell was dangerous,” Moe said. She cited over \$30 million that Maxwell received from Epstein over the years. “Maxwell and Epstein committed horrifying crimes.”

Menninger, though, said prosecutors had failed to prove any charges beyond a reasonable doubt: “Ghislaine Maxwell is an innocent woman, wrongfully accused of crimes she did not commit.”

“Ghislaine Maxwell is not Jeffrey Epstein,” Menninger stated plainly.

She cited numerous inconsistencies in statements made by women over the years, saying “their memories are highly flawed” and there are “many reasons to hesitate and many reasons to doubt.”

“She’s being tried here for being with Jeffrey Epstein. Maybe that’s the biggest mistake of her life, but it’s not a crime,” Menninger added.

The summations came at the start of the fourth week of a trial that was originally projected to last six

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weeks. With a coronavirus outbreak in New York worsening by the day and a holiday weekend ahead, Judge Alison J. Nathan urged lawyers to keep their closings tight so the jury could begin deliberating as early as Monday.

Maxwell has been jailed since her arrest in July 2020. The judge has denied her bail repeatedly, despite her lawyer's arguments that the pledge of her \$22.5 million estate and a willingness to be watched 24 hours a day by armed guards would guarantee her appearance in court.

The closings came after two dozen prosecution witnesses testified, including the four women who say they were abused by Epstein with the help of Maxwell when they were teenagers.

Moe told jurors that Maxwell was a refined "age-appropriate woman" who provided cover for Epstein's "creepy" behavior.

She asked them to ignore the testimony of a psychology professor called by the defense, saying the testimony that memories can fade over time and be influenced by what people hear, see or read was a "total distraction."

"These women know what happened to their own bodies," she said. "Your common sense tells you that being molested is something you never forget, ever."

But Menninger defended the testimony of the memory expert, citing instances in which Maxwell's accusers never mentioned the defendant's name when they first spoke of the abuse they endured from Epstein.

She said the testimony from accusers was manipulated by lawyers representing them as they pursued millions of dollars in payouts from a special fund set up after Epstein's suicide to compensate his victims.

Menninger said the women suddenly "recovered memories that Ghislaine was there."

Asian markets bounce back from omicron sell-offs

By ELAINE KURTENBACH AP Business Writer

BANGKOK (AP) — Asian shares were mostly higher on Tuesday after a worldwide slump for financial markets spurred by worries about how badly the omicron variant, inflation and other forces will hit the world economy.

Tokyo gained nearly 2% and other benchmarks in Asia also were higher.

Much of the concern over the outlook has been driven by the omicron variant of coronavirus. Cases have skyrocketed in Europe and in the U.S., federal health officials have announced it accounted for 73% of new infections last week, a nearly six-fold increase in only seven days.

In Asia, cases of coronavirus have surged in Australia and South Korea, as governments tighten precautions to prevent or curb outbreaks.

Tokyo's Nikkei 225 index rose 2% to 28,496.83 and the Hang Seng in Hong Kong added 0.3% to 22,798.23. In Seoul, the Kospi gained 0.3% to 2,972.79, while the Shanghai Composite index picked up 0.2% to 3,601.53. In Sydney, the S&P/ASX 200 climbed 0.4% to 7,323.90.

Shares fell around the world on Monday. Stocks of oil producers helped lead the way lower after the price of U.S. crude fell 3.7% on concerns the newest coronavirus variant could lead factories, airplanes and drivers to burn less fuel.

Oil prices advanced early Tuesday, with U.S. crude gaining 81 cents to \$69.42 per barrel in electronic trading on the New York Mercantile Exchange. Brent crude, the international standard for pricing, rose 69 cents to \$72.21 per barrel.

Omicron may be the scariest force hitting markets, but it's not the only one. A proposed \$2 trillion spending program by the U.S. government took a potential death blow over the weekend when an influential senator said he could not support it. Markets are also still absorbing last week's momentous move by the Federal Reserve to more quickly remove the aid it's throwing at the economy, because of rising inflation.

They all combined to drag the benchmark S&P 500 1.1% lower to 4,568.02. The Dow Jones Industrial Average fell 1.2%, to 34,932.16. The Nasdaq composite fell 1.2%, to 14,980.94.

Smaller company stocks fared worse than the rest of the market. The Russell 2000 index fell 1.6%, to 2,139.87.

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Occidental Petroleum slid 3.8%, leading a long list of losing oil stocks. Producers of raw materials, technology companies and financial stocks also fell amid the omicron worries. Steelmaker Nucor lost 5.8%, Microsoft slid 1.2% and Synchrony Financial, which offers store-brand credit cards and other financial products, dropped 5.2%.

The Dutch government began a tough nationwide lockdown on Sunday, while a U.K. official on Monday said he could not guarantee new restrictions would not be announced this week. The Natural History Museum, one of London's leading attractions, said Monday it was closing for a week because of "front-of-house staff shortages."

In the U.S., President Joe Biden will announce on Tuesday new steps he is taking, "while also issuing a stark warning of what the winter will look like for Americans that choose to remain unvaccinated," the White House press secretary said over the weekend.

Another feared outcome of the omicron variant is that it could push inflation even higher and if it leads to closures at ports, factories and other key points of the long global supply chains leading to customers could worsen already ensnared operations.

Such troubles helped drive prices at the consumer level in November up 6.8% from a year earlier, the fastest inflation in nearly four decades.

But some economists argue that omicron could have the opposite effect: If the variant leads to lockdowns or scares consumers into staying home, economic activity could slow, and with it, the surging demand that has overwhelmed supply chains and driven up consumer prices

The worst-case scenario would see the economy decelerate without providing relief from already built-in inflation.

In currency trading, the U.S. dollar rose to 113.65 Japanese yen from 113.61 yen. The euro strengthened to \$1.1286 from \$1.1283.

AP Business Writers Damian J. Troise, Alex Veiga and Stan Choe contributed.

Virus fears widen as omicron variant takes hold across US

By PHILIP MARCELO and JILL LAWLESS Associated Press

BOSTON (AP) — The nation's second-largest city called off its New Year's Eve celebration Monday, and its smallest state re-imposed an indoor mask mandate as the omicron variant leaped ahead of other variants to become the dominant version of the coronavirus in the U.S.

The moves in Los Angeles and Rhode Island reflected widening fears of a potentially devastating winter COVID-19 surge. Much of the concern is being driven by omicron, which federal health officials announced accounted for 73% of new infections last week, a nearly sixfold increase in only seven days.

Omicron's prevalence is even higher in some parts of the U.S. It's responsible for an estimated 90% of new infections in the New York area, the Southeast, the industrial Midwest and the Pacific Northwest, federal officials said.

The announcement underscored the variant's remarkable ability to race across oceans and continents. It was first reported in southern Africa less than a month ago.

Scientists say omicron spreads more easily than other coronavirus strains, including delta, though many details about it remain unknown, including whether it causes more or less severe illness. But even if it is milder, the new variant could still overwhelm health systems because of the sheer number of infections.

Organizers of the New Year's Eve party planned for Grand Park in downtown LA nixed plans for an in-person audience, saying the event will be livestreamed instead, as it was last year. In Rhode Island, which has the most new cases per capita over the last two weeks, masks or proof of vaccination will be required in most indoor establishments for at least the next 30 days.

And in Boston, the city's new Democratic mayor announced to howls of protests that anyone entering a restaurant, bar or other indoor business will need to show proof of vaccination, starting next month. City employees will also be required to get vaccinated.

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"There is nothing more American than coming together to ensure that we're taking care of each other," Mayor Michelle Wu said at City Hall as protesters loudly blew whistles and shouted "Shame on Wu."

Erika Rusley, a 44-year-old Providence, Rhode Island, resident, says recent events prompted her family to pump the brakes on everyday activities.

The elementary school teacher and her physician husband pulled their two young daughters from swim lessons this week, limited their play dates and canceled medical appointments, even though the whole family is fully vaccinated.

"The past week or so we've really just shut things down. It's just not worth it," Rusley said. "We're back to where we were pre-summer, pre-vaccine. It's square one, almost."

In New York City, where a spike in infections is already scuttling Broadway shows and causing long lines at testing centers, Mayor Bill de Blasio is expected to decide this week whether the city's famous New Year's Eve bash in Times Square will come back "full strength" as he promised in November.

North of the border, the Canadian province of Quebec imposed a 10 p.m. closing time for restaurants, banned spectators from sporting events and shuttered gyms and schools and mandated remote work.

Across the Atlantic, the World Economic Forum announced Monday that it would again delay its annual meeting of world leaders, business executives and other elites in Davos, Switzerland.

But in Britain, Prime Minister Boris Johnson said Monday that officials decided against imposing further restrictions, at least for now.

The conservative government re-imposed face masks in shops and ordered people to show proof of vaccination at nightclubs and other crowded venues earlier this month. It is weighing curfews and stricter social distancing requirements.

"We will have to reserve the possibility of taking further action to protect the public," he said. "The arguments either way are very, very finely balanced."

Johnson's warning throws into stark relief the unpalatable choice government leaders face: wreck holiday plans for millions for a second consecutive year, or face a potential tidal wave of cases and disruption.

In the U.S., President Joe Biden planned to address the nation on the latest variant on Tuesday, less than a year after he suggested that the country would essentially be back to normal by Christmas.

White House press secretary Jen Psaki said the president would issue a "stark warning" and make clear that unvaccinated individuals "will continue to drive hospitalizations and deaths," she said.

U.S. vaccine maker Moderna announced Monday that lab tests suggested that a booster dose of its vaccine should offer protection against omicron. Similar testing by Pfizer on its vaccine also found that a booster triggered a big jump in omicron-fighting antibodies.

The country is averaging nearly 130,500 new COVID-19 cases a day, up from about 122,000 a day two weeks ago, according to Johns Hopkins University data.

In Texas, a hospital system in Houston reports that omicron already accounts for 82% of new symptomatic COVID-19 cases it is treating, a dramatic increase from Friday, when testing showed it was responsible for just 45% of the system's cases.

But in Missouri, an early epicenter of the delta surge, the variant still accounts for 98% to 99% of COVID-19 samples, according to the state's Department of Health and Senior Services.

Meanwhile, hospitals in Ohio have postponed elective surgeries, while governors in Maine and New Hampshire have sent in National Guard reinforcements to help beleaguered hospital staff in recent days.

In Kansas, rural hospitals are struggling to transfer patients, with some left stranded in emergency rooms for a week while they wait for a bed. Overwhelmed hospitals as far away as Minnesota and Michigan have been calling looking for beds in larger Kansas hospitals. Often there simply isn't room.

"It's already as crazy as it can be when you are talking about moving people from Minnesota to Kansas City for treatment," Dr. Richard Watson, founder of Motient, a company contracting with Kansas to help manage transfers, said Friday.

Still, many political leaders are reluctant to impose the stiff measures they resorted to earlier in the pandemic.

France is desperately trying to avoid a new lockdown that would hurt the economy and cloud President Emmanuel Macron's expected re-election campaign. The government in Paris, however, has banned public concerts and fireworks displays at New Year's celebrations.

Ireland has imposed an 8 p.m. curfew on pubs and bars and limited attendance at indoor and outdoor events, while Greece will have 10,000 police officers on duty over the holidays to carry out COVID-19 pass checks.

For Rusley's family in Rhode Island, the news is worrying, but not enough to deter them from a trip to Denver to visit her husband's family.

They fly out after Christmas, but have decided they will spend extended time indoors only with vaccinated people this holiday season, something they would not have considered just a few months ago.

"We've been here before, and we know how to do this," Rusley said. "We're not going to be hiding in our house, but at the same time, we're not going to be taking unnecessary risks."

Lawless reported from London. Associated Press writers Colleen Long in Washington; John Antczak in Los Angeles; Mark Pratt in Boston; Juan Lozano in Houston; Heather Hollingsworth in Mission, Kansas; Keith Ridler in Boise, Idaho; Rob Gillies in Toronto; Geir Moulson in Berlin; Aritz Parra in Madrid; Barry Hatton in Lisbon and Derek Gatopoulos in Athens contributed to this story.

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

No verdict yet in Kim Potter trial for Daunte Wright's death

By AMY FORLITI and SCOTT BAUER Associated Press

MINNEAPOLIS (AP) — The suburban Minneapolis police officer who says she meant to use her Taser instead of her gun when she shot and killed Black motorist Daunte Wright made a "blunder of epic proportions" and did not have "a license to kill," a prosecutor told jurors on Monday shortly before they began deliberating in her manslaughter trial.

Kim Potter's attorney Earl Gray countered during closing arguments that the former Brooklyn Center officer made an honest mistake by pulling her handgun instead of her Taser and that shooting Wright wasn't a crime.

"In the walk of life, nobody's perfect. Everybody makes mistakes," Gray said. "My gosh, a mistake is not a crime. It just isn't in our freedom-loving country."

The mostly white jury began deliberating shortly before 1 p.m. and quit for the day around 6 p.m. without reaching a verdict. They will be sequestered until they finish. Potter, who is white, is charged with first- and second-degree manslaughter in the April 11 shooting, which came after Wright was pulled over for having expired license plate tags and an air freshener hanging from his rearview mirror.

Prosecutor Erin Eldridge said during her summation that Wright's death was "entirely preventable. Totally avoidable." Claiming it was a mistake is not a defense, she said, pointing out that the words "accident" and "mistake" don't appear in jury instructions.

"Accidents can still be crimes if they occur as a result of reckless or culpable negligence," Eldridge said.

"She drew a deadly weapon," Eldridge said. "She aimed it. She pointed it at Daunte Wright's chest, and she fired."

Gray argued that Wright "caused the whole incident" because he tried to flee from police during a traffic stop. Potter mistakenly grabbed her gun instead of her Taser because the traffic stop "was chaos," he said.

"Daunte Wright caused his own death, unfortunately," he asserted.

Potter, 49, testified Friday that she "didn't want to hurt anybody," that she was "sorry it happened" and that she doesn't remember what she said or everything that happened after the shooting, as much of her memory of those moments "is missing."

Eldridge said Monday that the case wasn't about whether Potter was sorry.

"Of course she feels bad about what she did. ... But that has no place in your deliberations," she said.

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Playing Potter's body camera video frame by frame, Eldridge sought to raise doubts about Potter's testimony that she fired after seeing "fear" on the face of another officer, then-Sgt. Mychal Johnson, who was leaning into the car's passenger-side door and trying to handcuff Wright.

The defense has argued that Johnson was at risk of being dragged and that Potter would have been justified in using deadly force. But Eldridge pointed out to jurors that for much of the interaction Potter was behind a third officer, whom she was training, and that Johnson didn't come into her camera's view until after the shot was fired — and then it showed the top of his head as he backed away.

"Sgt. Johnson was clearly not afraid of being dragged," Eldridge said. "He never said he was scared. He didn't say it then, and he didn't testify to it in court."

Jurors sent a note to the judge Monday afternoon asking for the date that Potter spoke with Laurence Miller, a psychologist who testified for the defense. The judge told the jurors that all the evidence was in, "so you should rely on your collective memories." They then returned to the jury room.

When Potter was testifying, she agreed with Eldridge that she had decided to use her Taser after she saw that Johnson looked scared. But Eldridge pointed out an inconsistency, saying that when Potter spoke to Miller, she told him she didn't know why she used her Taser. Potter told the jury she didn't recall saying that.

It wasn't clear from Potter's testimony when Miller interviewed her over Zoom.

Eldridge, in her closing argument, also noted that Potter put other people at risk when she fired her gun, highlighting that the third officer was so close to the shooting that a cartridge casing bounced off of his face.

"Members of the jury, safe handling of a firearm does not include firing it into a car with four people directly in harm's way," she said.

Gray started his closing argument by attacking Eldridge's summation, highlighting how she had played extremely slowed-down depictions of events that Potter saw in real time.

"Playing the video not at the right speed where it showed chaos, playing it as slow as possible ... that's the rabbit hole of misdirection," Gray said. He also noted that Potter's body camera was mounted on her chest and gave a slightly different perspective than her own vision.

As prosecutors have done throughout the three-week trial, Eldridge stressed that Potter, who resigned from the police force two days after the shooting, was a "highly trained" and "highly experienced" 26-year veteran, and said she acted recklessly when she killed Wright.

"She made a series of bad choices that led to her shooting and killing Daunte Wright," Eldridge said. "This was no little oopsie. This was not putting the wrong date on a check. ... This was a colossal screw-up. A blunder of epic proportions."

Although there is a risk every time an officer makes a traffic stop, that didn't justify Potter using her gun on Wright after he pulled away from her and other officers as they were trying to arrest him on an outstanding weapons possession warrant, Eldridge said.

"This case is not about Daunte Wright," Eldridge said. "Daunte Wright is not on trial. He's not the reason we're here today."

Eldridge also downplayed testimony from some other officers who described Potter as a good person or said they saw nothing wrong in her actions: "The defendant has found herself in trouble and her police family has her back."

Wright's death set off angry demonstrations for several days in Brooklyn Center. It happened as another white officer, Derek Chauvin, was standing trial in nearby Minneapolis for the killing of George Floyd.

Judge Regina Chu told jurors that intent is not part of the charges and that the state doesn't have to prove she tried to kill Wright.

The judge said to prove first-degree manslaughter, prosecutors have to prove that Potter caused Wright's death while committing the crime of reckless handling of a firearm. This means they must prove that she committed a conscious or intentional act while handling or using a firearm that creates a substantial or unjustifiable risk that she was aware of and disregarded, and that she endangered safety.

For second-degree manslaughter, the state must prove that she acted with culpable negligence, meaning she consciously took a chance of causing death or great bodily harm.

State sentencing guidelines call for just over seven years in prison upon conviction of first-degree manslaughter and four years for second-degree, though prosecutors have said they plan to push for longer sentences.

Associated Press writer Michael Tarm in Chicago contributed to this story. Bauer reported from Madison, Wisconsin.

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

EXPLAINER: Boosters key to fight omicron, lot still to learn

By LAURAN NEERGAARD and CARLA K. JOHNSON AP Medical Writers

The new omicron variant took only a few weeks to live up to dire predictions about how hugely contagious it is but scientists don't yet know if it causes more severe disease even as the world faces exploding cases just before Christmas.

"Everything is riskier now because omicron is so much more contagious," said Dr. S. Wesley Long, who directs the testing lab at Houston Methodist Hospital — and over the past week has canceled numerous plans to avoid exposure.

Omicron now is the dominant variant in the U.S., federal health officials said Monday, accounting for about three-quarters of new infections last week.

The speed that it's outpacing the also very contagious delta variant is astonishing public health officials. In three weeks, omicron now makes up 80% of new symptomatic cases diagnosed by Houston Methodist's testing sites. It took the delta variant three months to reach that level, Long said.

The mutant's ability to spread faster and evade immunity came at a bad time — right as travel increased and many people let down their guard. But what the omicron wave will mean for the world is still unclear because so many questions remain unanswered.

Here's the latest on what's known and what's still to learn about omicron.

HOW MUCH PROTECTION DO VACCINES OFFER?

Vaccines in the U.S. and around the world do not offer as much protection against omicron as they have against previous versions of the coronavirus. However, vaccines still help — a lot. Lab tests show while two doses may not be strong enough to prevent infection, a booster shot of either the Pfizer or Moderna vaccine produces virus-fighting antibodies capable of tackling omicron.

Antibody levels naturally drop over time, and a booster revved them back up again, by 25 times for Pfizer's extra shot and 37 times for Moderna's. No one knows exactly what level is high enough — or how long it will be before antibody levels begin dropping again.

After a booster, the protection against an omicron infection still appears about 20% less than protection against the delta variant, said Dr. Egon Ozer of Northwestern University.

But if the virus gets past that first line of defense, the vaccinated have additional layers of protection.

"The vaccines are going to protect you against severe disease, hospitalization and death," said Houston Methodist's Long. "And that's really the most important thing."

Those extra defenses include T cells that mobilize to beat back the virus, plus memory cells that, once reactivated, race to make more and stronger antibodies.

WHAT ABOUT NATURAL IMMUNITY?

A prior infection doesn't seem to offer much protection against an omicron infection although, like with vaccination, it may reduce the chances of severe illness.

In South Africa, where omicron already has spread widely, scientists reported a jump in reinfections that they hadn't seen when two previous mutants, including delta, moved through the country.

In Britain, a report from the Imperial College of London on Friday found the risk of reinfection from

omicron was five times higher compared to the earlier delta variant.

Health experts say anyone who's survived a bout of COVID-19 still should get vaccinated, because the combination generally offers stronger protection.

WHY ELSE DOES OMICRON SPREAD SO FAST?

Scientists are trying to decode the dozens of mutations that omicron carries to figure out what else is going on. Researchers in Hong Kong recently reported hints that omicron may multiply more quickly in the airway than delta did, although not as efficiently deep in the lungs.

What scientists can't measure is human behavior: Many places were relaxing restrictions, winter forced gatherings indoors and travel has jumped right as omicron began spreading.

IS OMICRON CAUSING MILDER ILLNESS?

It's still too early to know — especially given that if the vaccinated get a breakthrough infection, it should be milder than if omicron attacks the unvaccinated.

Early reports from South Africa suggested milder illness but doctors were unsure whether that's because the population is fairly young — or that many retained some protection from a recent delta infection.

And that British study found no evidence that omicron has been milder than delta in Britain, even with young adults — who would be expected to have milder illness — having higher rates of infection with omicron.

"There's a hint, and I think many of us are hopeful, that omicron will be less severe. But I don't think we can bet the farm on that. We're still talking about SARS CoV-2, a virus that has killed millions of people," said Dr. Jacob Lemieux, who monitors variants for a research collaboration led by Harvard Medical School.

WHO'S MOST AT RISK?

Based on the behavior of other variants, "if you're older, if you have underlying conditions, if you're obese, you're more likely to have severe disease. I don't think it's going to be any different" than other variants, said Dr. Carlos del Rio of Emory University.

But even if you don't get very sick, an omicron infection could certainly ruin the holidays. Experts agree that in addition to getting vaccinated and boosted, it's wise to get back to the basics of protection: Wear masks indoors, avoid crowds and keep your distance.

AP Science Writer Laura Ungar contributed to this report.

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.

Pentagon issues rules aimed at stopping rise of extremism

By LOLITA C. BALDOR Associated Press

WASHINGTON (AP) — Warning that extremism in the ranks is increasing, Pentagon officials issued detailed new rules Monday prohibiting service members from actively engaging in extremist activities. The new guidelines come nearly a year after some current and former service members participated in the riot at the U.S. Capitol, triggering a broad department review.

According to the Pentagon, fewer than 100 military members are known to have been involved in substantiated cases of extremist activity in the past year. But they warn that the number may grow given recent spikes in domestic violent extremism, particularly among veterans.

Officials said the new policy doesn't largely change what is prohibited but is more of an effort to make sure troops are clear on what they can and can't do, while still protecting their First Amendment right to free speech. And for the first time, it is far more specific about social media.

The new policy lays out in detail the banned activities, which range from advocating terrorism or supporting the overthrow of the government to fundraising or rallying on behalf of an extremist group or "liking" or reposting extremist views on social media. The rules also specify that commanders must determine two things in order for someone to be held accountable: that the action was an extremist activity, as defined

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in the rules, and that the service member “actively participated” in that prohibited activity.

Previous policies banned extremist activities but didn’t go into such great detail, and also did not specify the two-step process to determine someone accountable.

What was wrong yesterday is still wrong today, said one senior defense official. But several officials said that as a study group spoke with service members this year they found that many wanted clearer definitions of what was not allowed. The officials provided additional details about the rules on condition of anonymity because they were not made public.

The military has long been aware of small numbers of white supremacists and other extremists among the troops. But Defense Secretary Lloyd Austin and other leaders launched a broader campaign to root out extremism in the force after it became clear that military veterans and some current service members were present at the Jan. 6 insurrection.

In a message to the force on Monday, Austin said the department believes that only a few service members violate their oath and participate in extremist activities. But, he added, “even the actions of a few can have an outsized impact on unit cohesion, morale and readiness - and the physical harm some of these activities can engender can undermine the safety of our people.”

The risk of extremism in the military can be more dangerous because many service members have access to classified information about sensitive military operations or other national security information that could help adversaries. And extremist groups routinely recruit former and current service members because of their familiarity with weapons and combat tactics.

The number of substantiated cases may be small compared to the size of the military, which includes more than 2 million active duty and reserve troops. But the number appears to be an increase over previous years where the totals were in the low two-digits. But officials also noted that data has not been consistent so it is difficult to identify trends.

The new rules do not provide a list of extremist organizations. Instead, it is up to commanders to determine if a service member is actively conducting extremist activities based on the definitions, rather than on a list of groups that may be constantly changing, officials said.

Asked whether troops can simply be members of an extremist organization, officials said the rules effectively prohibit membership in any meaningful way — such as the payment of dues or other actions that could be considered “active participation.”

Pentagon spokesman John Kirby told reporters that “there’s not a whole lot about membership in a group that you’re going to be able to get away with.” He added, “In order to prove your membership you’re probably going to run afoul of one of these criteria.”

Kirby also said that commanders will evaluate each case individually, so simply clicking “like” on one social media post, for example, might not merit punishment depending on all the circumstances involved.

He also noted that the Pentagon does not have the ability or desire to actively monitor troops’ personal social media accounts. Those issues would likely come up if reported to commanders or were discovered through other means.

The regulations lay out six broad groups of extremist activities and then provide 14 different definitions that constitute active participation.

Soon after taking office, Austin ordered military leaders to schedule a so-called “stand-down” day and spend time talking to their troops about extremism in the ranks.

The new rules apply to all of the military services, including the Coast Guard, which in peacetime is part of the Department of Homeland Security. They were developed through recommendations from the Countering Extremist Activities Working Group. And they make the distinction, for example, that troops may possess extremist materials, but they can’t attempt to distribute them, and while they can observe an extremist rally, they can’t participate, fund or support one.

The rules, said the officials, focus on behavior, not ideology. So service members have whatever political, religious or other beliefs that they want, but their actions and behavior are governed.

In addition to the new rules, the Pentagon is expanding its screening for recruits to include a deeper

look at potential extremist activities. Some activities may not totally prevent someone from joining the military, but require a closer look at the applicant.

The department also is expanding education and training for current military members, and more specifically for those leaving the service who may be suddenly subject to recruitment by extremist organizations.

More than 650 people have been charged in the Jan. 6 insurrection at the Capitol, including dozens of veterans and about a half dozen active duty service members.

After reprieve, NYC is rattled by a stunning virus spike

By JIM MUSTIAN and JENNIFER PELTZ Associated Press

NEW YORK (AP) — Just a couple of weeks ago, New York City seemed like a relative bright spot in the U.S. coronavirus struggle. Now it's a hot spot, confronting a dizzying spike in cases, scramble for testing, quandary over a major event and exhausting sense of déjà vu.

An omicron-variant-fueled wave of cases is washing over the nation's most populous city, which served as a nightmarish test case for the country early in the pandemic. While health officials say there are important reasons why it's not spring 2020 all over again, some Broadway shows have abruptly canceled performances, an indoor face mask mandate is back and testing is hard to come by.

"It's disappointing that we haven't developed a better system for this and that we weren't better prepared for there to be another wave," Jordan Thomas said Monday in her fourth hour of waiting for a test at a city-run health clinic near downtown Brooklyn.

With temperatures hovering near freezing, Nina Clark joined the line for the third time since her symptoms started Thursday. Once again, she ended up walking away.

"I stood there in the cold and said, 'I can't do this,'" she said. "Everywhere you go, there's a line."

As officials and health experts urged people to get not only tests but vaccine booster shots, an hourlong line for either one formed at a privately run pharmacy in lower Manhattan.

"I'm just trying to remain optimistic," Inga Chen said as she waited for a booster.

After shuttering some testing centers last month for lack of demand and in favor of pop-up testing vans, the city is racing to expand capacity again. The 130,000 daily tests at city-sponsored sites is already double what the number was just three weeks ago, and Mayor Bill de Blasio said Monday that the city would add 20 fixed locations and three vans this week. It also plans to distribute 500,000 at-home test kits.

Dr. Mitchell Katz, who runs the city public hospital system, said officials didn't anticipate "so much news about omicron" or supplies of home test kits running low. Meanwhile, smaller testing sites ran into staffing problems this weekend as workers themselves contracted the virus, he said.

Katz said the city would now ensure it had people ready to fill in and take other steps to ease the testing crunch.

The U.S. is contending with both the rise of omicron and a monthslong surge fueled by the virus' delta variant, and many other parts of the country have considerably higher infection rates than New York City did over the last week. But the speed of the onslaught here is rattling health experts, even after nearly two years of viral surprises.

"Um, we've never seen this before in #NYC," mayoral public health adviser Dr. Jay Varma tweeted Thursday, referencing the rising positive test rate in the previous days.

Nearly 42,600 people citywide tested positive from Wednesday through Saturday — compared to fewer than 35,800 in the entire month of November. More than 15,000 additional positive tests came back Sunday.

The city has never had so many people test positive in such a short period of time since testing became widely available; there's no clear picture of how many people got the virus during New York City's first surge in spring 2020.

As recently as Dec. 1, New York City's number of new cases per person was running just over half the state average, by state figures. Now, the city is above the statewide average.

Hospitalizations also have been increasing, though much more slowly. New admissions citywide were averaging around 110 per day through the middle of last week, roughly double the number a month earlier.

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But the average at this time last year was around 230, and it topped 1,600 in early April 2020.

The average number of deaths per day neared 800 then and 100 in late January of this year. It's fairly steady, at around a dozen, as of mid-last-week.

Hospitalizations and deaths tend to trail cases in rising and falling. But officials note that in South Africa, where the omicron variant was first identified, a surge in cases has not been followed by a commensurate rise in hospitalizations and deaths.

New York hospitals say they have seen modest, but manageable, increases.

Still, hospitals are bracing for staffing crunches as infections or exposures force staffers to stay home. Katz said the public system's clinics are shifting to almost all virtual visits so that some nurses and assistants can be shifted to hospitals and testing sites.

"We know how to do this. We are prepared," he said at a virtual news conference with the Democratic mayor.

In some ways, there's no comparison to the virus' terrifying first strike, when no one was vaccinated, mask-wearing was almost unheard of in New York and clinicians were just beginning to learn how to treat COVID-19.

Still, some public health experts say officials here and elsewhere still haven't learned from experience.

"We're seeing an underreaction, continually," said Dr. Stanley Weiss, a Rutgers University epidemiology professor. He thinks officials should immediately redefine "fully vaccinated" to include boosters; limit indoor public spaces to the vaccinated, boosted and constantly masked; and improve indoor ventilation, among other steps.

Whatever the differences, there still are some echoes of 2020.

The city is weighing whether it can go ahead with a beloved tradition — this time, the New Year's Eve celebration in Times Square, instead of the 2020 St. Patrick's Day Parade. And residents are once again wrestling with decisions about everyday activities that suddenly look risky.

Sheldon Rogers went to his office holiday party earlier this month, thinking it finally seemed safe to celebrate with colleagues at the tech company where he works in customer service. After a post-party outbreak, he spent nearly three hours waiting for a test — which came back negative — Wednesday at a privately run urgent care center in Brooklyn.

Miriam Van Harn waited Monday in a 200-person testing line in Times Square, trying to figure out whether she could see her family for Christmas. She had spent a week masking up in her own apartment and isolating herself from a roommate who had tested positive.

"It definitely feels like that first wave of the pandemic, with that anxiety," said Van Harn, a graduate student, remembering how "we didn't know what was happening."

"But we do know what's happening" now, she added. "We have vaccines. We have masks. We know how to keep ourselves safe."

___ AP video journalist Ted Shaffrey contributed.

Trump sues NY attorney general, seeking to halt civil probe

By MICHAEL R. SISAK Associated Press

NEW YORK (AP) — Former President Donald Trump sued New York Attorney General Letitia James on Monday, resorting to a familiar but seldom successful strategy as he seeks to end a yearslong civil investigation into his business practices that he alleges is purely political.

In the lawsuit, filed in federal court two weeks after James requested that Trump sit for a Jan. 7 deposition, Trump contends the probe into matters including his company's valuation of assets has violated his constitutional rights in a "thinly-veiled effort to publicly malign Trump and his associates."

The lawsuit describes James, a Democrat, as having "personal disdain" for the Republican ex-president and points to her numerous statements she's made about him, including her boast that her office sued his administration 76 times and tweets during her 2018 campaign that she had her "eyes on Trump Tower" and that Trump was "running out of time."

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"Her mission is guided solely by political animus and a desire to harass, intimidate, and retaliate against a private citizen who she views as a political opponent," the former president's lawyers wrote in the lawsuit, filed on behalf of Trump and his company, the Trump Organization.

In a statement, James said: "The Trump Organization has continually sought to delay our investigation into its business dealings and now Donald Trump and his namesake company have filed a lawsuit as an attempted collateral attack on that investigation."

"To be clear, neither Mr. Trump nor the Trump Organization get to dictate if and where they will answer for their actions. Our investigation will continue undeterred because no one is above the law, not even someone with the name Trump."

Trump responded that his lawsuit "is not about delay, this is about our Constitution!"

"Despite many years of investigation that nobody else could have survived even if they did things just slightly wrong, yours is just a continuation of the political Witch Hunt that has gone on against me by the Radical Left Democrats for years," Trump said in a statement.

James had announced a run for New York governor in late October, but earlier this month, she suspended that campaign and cited ongoing investigations in her decision to instead seek reelection as state attorney general.

News of the lawsuit, filed in upstate New York, was first reported by The New York Times. The case is assigned to Judge Brenda Sannes in Syracuse, who was appointed in 2014 by former President Barack Obama, a Democrat, but preliminary proceedings will be handled by a magistrate judge in Albany, which isn't unusual for federal court.

Trump seeks a permanent injunction barring James from investigating him and preventing her from being involved in any "civil or criminal" investigations against him and his company, such as a parallel criminal probe she's a part of that's being led by Manhattan District Attorney Cyrus Vance Jr. Although the civil investigation is separate, James' office has been involved in both.

Trump also wants a judge to declare that James violated his free speech and due process rights.

New York University law professor Stephen Gillers said that while it's clear James "gave Trump ammunition to argue that she has a vendetta against him," the lawsuit remains a longshot for Trump, who has lost multiple lawsuits aimed at foiling investigators, including a multiyear U.S. Supreme Court fight that ended in February with Vance obtaining his tax records.

"During her campaign for attorney general, James foolishly stressed her intent to target Trump and his businesses if elected," Gillers said. "Nonetheless, I think a federal court will want stronger proof of James' partiality than Trump can muster. It's very hard to get a federal court to stop a state investigation when state courts are available to review any misconduct."

James has spent more than two years investigating whether the Trump Organization misled banks or tax officials about the value of assets — inflating them to gain favorable loan terms or minimizing them to reap tax savings.

Last year, James' investigators interviewed one of Trump's sons, Trump Organization executive Eric Trump. Her office went to court to enforce a subpoena on the younger Trump, and a judge forced him to testify after his lawyers abruptly canceled a previously scheduled deposition.

Trump's lawsuit didn't explicitly mention James' request for his testimony, aside from a brief reference. But it's clear he won't be showing up Jan. 7, James' requested date, to answer questions voluntarily. As with Eric Trump, James' office will now likely have to issue a subpoena and go to a judge to order the former president to cooperate.

It's rare for law enforcement agencies to issue a civil subpoena for testimony from a person who is also the subject of a related criminal probe, in part because that person could simply invoke the Fifth Amendment right to remain silent. It's unlikely Trump's lawyers would allow him to be deposed unless they were sure his testimony couldn't be used against him in a criminal case.

Vance, a Democrat who is leaving office at the end of the year, recently convened a new grand jury to hear evidence as he weighs whether to seek more indictments in the investigation, which resulted in tax fraud charges in July against the Trump Organization and its longtime CFO Allen Weisselberg. They've

pleaded not guilty to charges alleging they evaded taxes on lucrative fringe benefits paid to executives. Both investigations are at least partly related to allegations by Trump's former personal lawyer, Michael Cohen, that Trump had a history of misrepresenting the value of assets.

James' office issued subpoenas to local governments for records pertaining to Trump's estate north of Manhattan, known as Seven Springs, and a tax benefit Trump received for placing land into a conservation trust. Vance later issued subpoenas seeking many of the same records.

James' office has also been looking at similar issues relating to a Trump office building in New York City, a hotel in Chicago and a golf course near Los Angeles. Her office also won a series of court rulings forcing Trump's company and a law firm it hired to turn over troves of records.

Follow Michael Sisak on Twitter at twitter.com/mikesisak

Church agency: Captive missionaries made daring escape

By PETER SMITH Associated Press

Berlin, OH (AP) — Captive missionaries in Haiti found freedom last week by making a daring overnight escape, eluding their kidnappers and walking for miles over difficult, moonlit terrain with an infant and other children in tow, according to the agency they work for, officials said Monday.

The group of 12 navigated by stars to reach safety after a two-month kidnapping ordeal, officials with the Christian Aid Ministries, the Ohio-based agency that the captive missionaries work for, said Monday at a press conference.

The detailed accounting of their journey to safety comes after news Thursday that the missionaries were free.

A total of 17 people from the missionary group — 12 adults and five minors — were abducted Oct. 16 shortly after visiting an orphanage in Ganthier, in the Croix-des-Bouquets area, where they verified it had received aid from CAM and played with the children, CAM has said. The group included 16 Americans and one Canadian.

Their captors from the 400 Mawozo gang initially demanded millions of dollars in ransom. Five other captives had earlier reached freedom. It is still unclear if any ransom was paid.

CAM General Director David Troyer did say supporters of CAM raised funds for possible use for a ransom, but he refused to say whether one was paid for any of the releases.

The 12 who fled last week carried the infant and 3-year-old, wrapping the baby to protect her from the briars and brambles, said CAM spokesman Weston Showalter.

"After a number of hours of walking, day began to dawn and they eventually found someone who helped to make a phone call for help," he said, his voice beginning to choke. "They were finally free."

The 12 were flown to Florida on a U.S. Coast Guard flight, and later reunited with five hostages who were released earlier.

CAM displayed photos at the news conferences showing the freed hostages being reunited, along with a video of the group singing a song that had inspired them during their captivity.

The missionaries were taken hostage on their way back from the orphanage on the afternoon of Oct. 16.

"They had no idea what was ahead of them," Showalter said. Only five or 10 minutes after getting underway, they saw a roadblock up ahead. The group's driver — the one Canadian in the group — turned around, but a pickup truck pursued them, and "gang members surrounded the van," CAM spokesman Weston Showalter said. He said early reports that the driver was a Haitian national were not accurate.

He said they were initially crowded into a small room in a house, but were moved around several times during their captivity.

They were not physically harmed by the kidnappers, Showalter said. He said the main physical challenges included the heat, mosquitoes and contaminated water for bathing, which led some of them to develop sores. Sometimes the young children got sick.

However, he said everyone appears to have emerged from captivity in good health.

The adults received small food portions, such as rice and beans for dinner, although the captors provided

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plenty of food suitable for the small children, he said.

The hostages gathered multiple times during the day for prayer and religious devotions, and sometimes singing loud enough for each other to hear when they were in separate rooms, Showalter said.

They also sought to encourage other hostages who were being held for ransom in separate kidnappings, Showalter said.

Over time, the hostages agreed to try to escape, and chose the night of Dec. 15 to flee.

"When they sensed the timing was right, they found a way to open the door that was closed and blocked, filed silently to the path they had chosen to follow, and quickly left the place they were held, despite the fact that numerous guards were close by," Showalter said.

Based in Berlin, Ohio, CAM is supported and staffed by conservative Anabaptists, a range of Mennonite, Amish and related groups whose hallmarks include nonresistance to evil, plain dress and separation from mainstream society.

None of the freed hostages were at the press conference. They came from Amish, Mennonite, and other Anabaptist communities in Wisconsin, Ohio, Michigan, Tennessee, Pennsylvania, Oregon, and Ontario, according to CAM.

After the news conference, a group of CAM employees stood and sang, "Nearer My God to Thee" in the robust, four-part acapella harmony that is a signature of conservative Anabaptist worship.

Associated Press religion coverage receives support from the Lilly Endowment through The Conversation U.S. The AP is solely responsible for this content.

Queen Elizabeth II to skip Christmas trip amid omicron surge

LONDON (AP) — Queen Elizabeth II has decided not to spend Christmas at the royal Sandringham estate in eastern England amid concerns about the fast-spreading omicron variant.

The palace said Monday that the 95-year-old queen will spend the holidays at Windsor Castle, west of London, where she has stayed for most of the pandemic.

Other members of the royal family are expected to visit over the Christmas period, with precautions taken against spreading the virus.

Coronavirus infections are surging in Britain — up 60% in a week — as omicron replaced delta as the dominant variant, and Prime Minister Boris Johnson has said more new restrictions may have to be introduced to slow its spread. His health minister has refused to rule out imposing new measures before Christmas.

For years, members of Britain's extended royal family have spent the holidays at Sandringham, where crowds gather to watch them attend the local church on Christmas Day.

The queen has cut down on travel and work since spending a night in the hospital in October and being told to rest by her doctors. She has since undertaken light duties including virtual audiences with diplomats and weekly conversations with the prime minister.

This is the queen's first Christmas since the death of her husband of 73 years, Prince Philip, in April at 99. The royal couple spent their final Christmas together at Windsor last year.

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

Biden boosts fuel-economy standards to fight climate change

By MATTHEW DALY Associated Press

WASHINGTON (AP) — In a major step to fight climate change, the Biden administration is raising vehicle mileage standards to significantly reduce emissions of planet-warming greenhouse gases, reversing a Trump-era rollback that loosened fuel efficiency standards.

A final rule issued Monday would raise mileage standards starting in the 2023 model year, reaching a

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projected industry-wide target of 40 miles per gallon by 2026. The new standard is 25% higher than a rule finalized by the Trump administration last year and 5% higher than a proposal by the Environmental Protection Agency in August.

"We are setting robust and rigorous standards that will aggressively reduce the pollution that is harming people and our planet – and save families money at the same time," EPA Administrator Michael Regan said. He called the rule "a giant step forward" in delivering on President Joe Biden's climate agenda "while paving the way toward an all-electric, zero-emissions transportation future."

The move comes a day after Democratic Sen. Joe Manchin delivered a potentially fatal blow to Biden's \$2 trillion social and environmental policy bill, jeopardizing Democrats' agenda and infuriating the White House. The West Virginia senator said he could not support the sweeping bill, which includes a host of climate proposals, saying it was too expensive and could spark inflation and expand the growing federal debt.

The now-stalled bill includes a \$7,500 tax credit to buyers to lower the cost of electric vehicles.

The administration will "continue to fight tirelessly" for the EV tax credits and other incentives in the so-called Build Back Better bill, Regan said, but even without them, "we believe that we proposed a rule that is doable, it's affordable, it's achievable, and we're excited about it."

The new mileage rules are the most ambitious tailpipe pollution standards ever set for passenger cars and light trucks. The standards raise mileage goals set by the Trump administration that would achieve only 32 miles per gallon in 2026. Biden had set a goal of 38 miles per gallon in August.

The standards also will help expand the market share of zero emissions vehicles, the administration said, with a goal of battery electric and plug-in hybrid vehicles reaching 17% of new vehicles sold in 2026. EVs and plug-in hybrids are expected to have about 7% market share in 2023.

The EPA said the rule would not only slow climate change, but also improve public health by reducing air pollution and lower costs for drivers through improved fuel efficiency.

Biden has set a goal of cutting U.S. greenhouse gas emissions by at least half by 2030 as he pushes a history-making shift in the U.S. from internal combustion engines to battery-powered vehicles.

He has urged that components needed to make that sweeping change — from batteries to semiconductors — be made in the United States, too, aiming for both industry and union support for the environmental effort, with the promise of new jobs and billions in federal electric vehicle investments.

While ambitious, the new standards provide adequate lead time for auto manufacturers to comply at reasonable costs, the administration said. EPA's analysis shows the industry can comply with the final standards with modest increases in the numbers of electric vehicles entering the fleet.

Environmental and public health groups mostly hailed the new rules, while the trade association representing most major automakers reacted cautiously.

Automakers are "committed to achieving a cleaner, safer, and smarter future," but EPA's final rule for greenhouse gas emissions is more aggressive than originally proposed, "requiring a substantial increase in electric vehicle sales, well above the 4% of all light-duty sales today," said John Bozzella, president and CEO of the Alliance for Automotive Innovation. The group represents manufacturers producing nearly 99% of new cars and light trucks sold in the U.S.

"Achieving the goals of this final rule will undoubtedly require enactment of supportive governmental policies – including consumer incentives ... and support for U.S. manufacturing and supply chain development," Bozzella said in a statement.

"We can all breathe a collective sigh of relief now that a strong federal clean car rule is restored," said Morgan Folger of Environment America, an advocacy group.

Despite pushback from the auto industry, the rule will significantly reduce air and climate pollution, Folger said. She called the announcement "a win" on climate that will help create "an onramp to a future with zero emissions from our cars and trucks."

EPA's action is "an important step forward that will reduce greenhouse gases and air pollution and improve lung health," added Harold Wimmer, president and CEO of the American Lung Association.

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EPA called the new rule critical to address climate change. Transportation is the single largest source of greenhouse gas emissions in the United States, making up 29% of all emissions. Within the transportation sector, passenger cars and trucks are the largest contributor, accounting for 58% of all transportation-related emissions and 17% of overall U.S. carbon emissions.

The final standards will contribute toward a goal set by the 2015 Paris climate agreement to keep the increase in the global average temperature to well below 2° Celsius above pre-industrial levels, the EPA said. The U.S. rejoined the Paris agreement on Biden's first day in office after former President Donald Trump had withdrawn the U.S. from the global pact.

The new rules would begin with the 2023 car model year and increase emissions reductions year by year through model year 2026. The rule accelerates the rate of emissions reductions to between 5 and 10% each year from 2023 through 2026, the EPA said, far higher than under previous rules.

Hubble telescope's bigger, more powerful successor to soar

By MARCIA DUNN AP Aerospace Writer

CAPE CANAVERAL, Fla. (AP) — The Hubble Space Telescope's successor is a time-traveling wonder capable of peering back to within a hair's breadth of the dawn of the universe. And it's finally on the brink of flight.

It will be the biggest and most powerful astronomical observatory ever to leave the planet, elaborate in its design and ambitious in its scope. At a budget-busting \$10 billion, it is the most expensive and also the trickiest, by far, to pull off.

Set to soar after years of delay on Friday, the James Webb Space Telescope will seek out the faint, twinkling light from the first stars and galaxies, providing a glimpse into cosmic creation. Its infrared eyes will also stare down black holes and hunt for alien worlds, scouring the atmospheres of planets for water and other possible hints of life.

"That's why it's worth taking risks. That's why it's worth the agony and the sleepless nights," NASA's science mission chief Thomas Zurbuchen said in an interview with The Associated Press.

NASA Administrator Bill Nelson said he's more nervous now than when he launched on space shuttle Columbia in 1986.

"There are over 300 things, any one of which goes wrong, it is not a good day," Nelson told the AP. "So the whole thing has got to work perfectly."

The Webb telescope is so big that it had to be folded origami-style to fit into the nose cone of the European Ariane rocket for liftoff from the coast of French Guiana in South America. Its light-collecting mirror is the size of several parking spots and its sunshade the size of a tennis court. Everything needs to be unfolded once the spacecraft is speeding toward its perch 1 million miles (1.6 million kilometers) away.

"We've been waiting a long time for this," said the Massachusetts Institute of Technology's planet hunter Sara Seager. "Webb will move our search for life forward, but to find signs of life we have to be incredibly lucky."

Named after the man who led NASA during the space-trailblazing 1960s, the 7-ton James Webb Space Telescope is 100 times more powerful than Hubble.

The 31-year-old Hubble — increasingly creaky but still churning out celestial glamour shots — focuses on visible and ultraviolet light, with just a smattering of infrared light.

As an infrared or heat-sensing telescope, Webb will see things Hubble can't, providing "an entirely new perspective on the universe that will be just as awe-inspiring," said Nikole Lewis, deputy director of Cornell University's Carl Sagan Institute.

Webb will attempt to look back in time 13.7 billion years, a mere 100 million years after the universe-forming Big Bang as the original stars were taking shape. Scientists are eager to see how closely, if at all, these initial galaxies resemble our modern day Milky Way.

To out-hustle Hubble, Webb requires a considerably bigger mirror spanning 21 feet (6.5 meters). It also needs a canopy large enough to keep sunshine and even reflections from the Earth and moon off the mirror and science instruments. The shiny, five-layered thin shade stretches 70 feet by 46 feet (21 meters

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by 14 meters), essential for keeping all four instruments in a constant subzero state — around minus 400 degrees Fahrenheit (minus 240 degrees Celsius).

The most daunting part of the mission: Unfolding Webb's mirror and sunshield following launch, and locking them into perfect position. The gold-plated mirror consists of 18 motor-driven segments, each of which must be meticulously aligned so they can focus as one.

NASA has never attempted such a complicated series of steps remotely. Many of the mechanisms have no backup, so the failure of any of 344 such parts could doom the mission.

Hubble had its own debacle following liftoff in 1990. A mirror defect wasn't detected until the first blurry pictures trickled down from orbit. The blunder prompted a series of risky repairs by shuttle astronauts who restored Hubble's sight and transformed the machine into the world's most accomplished — and beloved — observatory.

Webb will be too far away for a rescue mission by NASA and its European and Canadian partners.

To avoid a repeat of the Hubble fiasco, Zurbuchen ordered an overhaul of Webb after joining NASA in 2016, 20 years into development. Northrop Grumman is the prime contractor.

The sunshield ripped during a practice unfurling. Tension cables for the shade had too much slack. Dozens of fasteners fell off in a vibration test. All this and more led to more investigations, more delays and more costs.

The problems continued even after Webb's arrival at the South American launch site in October. A clamp came loose and jolted the telescope. A communication relay between the telescope and rocket malfunctioned.

Now comes the long-awaited liftoff, set for 7:20 a.m. EST Friday, with fewer spectators expected to travel to French Guiana because of the Christmas Eve timing.

It will take Webb a full month to reach its intended parking spot, four times beyond the moon. From this gravity-balanced, fuel-efficient location, the telescope will keep pace with Earth while orbiting the sun, continuously positioned on Earth's nightside.

It will take another five months for chilling and checking of Webb's infrared instruments before it can get to work by the end of June.

The Space Telescope Science Institute in Baltimore operates Hubble and will also oversee Webb. At least five to 10 years of observing are planned.

"Personally, I think that even with all of the hype, the Webb will still exceed expectations," said the institute's Ori Fox, who will use Webb to study supernovae, or exploded stars. "Many of what are considered Hubble's most inspiring discoveries were not part of the original plan."

His colleague, Christine Chen, who will focus on budding solar systems, finds serendipity "perhaps the most exciting aspect" of Webb. "The universe is more weird and wonderful than astronomers can imagine."

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UConn out of women's AP Top 10 for 1st time in 16 years

By DOUG FEINBERG AP Basketball Writer

UConn's record 16-year run in the top 10 is over.

The Huskies fell four spots to No. 11 in The Associated Press women's college basketball poll Monday after losing to Louisville a day earlier. UConn had been ranked among the first 10 teams in the poll for 313 straight weeks dating back to March 7, 2005, when the team was also 11th. That's 101 more weeks than the next-longest streak ever, held by Tennessee.

No. 10 Baylor now has the longest active streak, with 136 consecutive top-10 appearances.

South Carolina remained the unanimous top choice, receiving all 29 first-place votes from a national media panel. The Gamecocks will face No. 2 Stanford on Tuesday in the second 1-vs-2 showdown this season. The Cardinal moved up one spot after winning at Tennessee on Saturday. It's the 600th appearance in the

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AP Top 25 for Stanford coach Tara VanDerveer, who is 18 behind all-time leader Pat Summitt.

Louisville, Arizona and North Carolina State follow Stanford to round out the top five. The Wolfpack fell three places after losing in overtime to Georgia.

Maryland moved up three spots to sixth. The Terrapins were followed by Tennessee, Indiana and Michigan. The Wolverines knocked off Baylor in overtime on Sunday and now are in the top 10 for the first time ever.

The victory over then-No. 5 Baylor was Michigan's first against a top-five team in 34 tries.

"It hasn't sunk in yet we beat a top-five team," Wolverines coach Kim Barnes Arico said after the overtime victory at the Women's Hall of Fame Showcase. "It's a great signature win."

STILL STREAKING

UConn has been ranked for 533 consecutive weeks — the second-longest run in poll history, behind Tennessee's record 565. The Huskies also haven't lost consecutive games since 1993. They don't play again until Dec. 29 against Marquette. The Huskies already have three losses this season — the first time they've had that many before the New Year since 2004.

GAME OF THE WEEK

Stanford at South Carolina, Tuesday. The Cardinal already have faced five ranked teams this season and are involved in their first 1-vs-2 matchup since 2012. The Gamecocks also have been tested this season, beating five Top 25 teams.

More AP women's college basketball: <https://apnews.com/hub/womens-college-basketball> and <https://apnews.com/hub/ap-top-25-womens-college-basketball-poll> and https://twitter.com/AP_Top25

EU approves 5th COVID-19 vaccine for bloc, one by Novavax

By MIKE CORDER Associated Press

THE HAGUE, Netherlands (AP) — The European Union's executive branch on Monday authorized a fifth COVID-19 vaccine for use in the 27-nation bloc, giving the green light to the two-dose vaccine made by U.S. biotech company Novavax.

The European Commission confirmed a recommendation from the bloc's drug regulator to grant conditional marketing authorization for the vaccine for people ages 18 and over. The decision comes as many European nations are battling surges in infections and amid concerns about the spread of the new omicron variant.

Novavax says it's testing how its shots will hold up against omicron, and like other manufacturers has begun formulating an updated version to better match that variant in case it's eventually needed.

"At a time where the omicron variant is rapidly spreading, and where we need to step up vaccination and the administration of boosters, I am particularly pleased with today's authorization of the Novavax vaccine," European Commission President Ursula von der Leyen said.

Much about omicron remains unknown, including whether it causes more or less severe illness. Scientists say omicron spreads even easier than other coronavirus strains, including delta, and it is expected to become dominant in some countries by early next year. Early studies suggest the vaccinated will need a booster shot for the best chance at preventing an omicron infection. But even without the extra dose, vaccination still should offer strong protection against severe illness and death.

The Novavax shot joins those from Pfizer-BioNTech, Moderna, Johnson & Johnson and AstraZeneca as the authorized vaccines in the EU. The bloc has ordered up to 100 million Novavax doses with an option for 100 million more.

The European Commission said the first doses were expected to arrive in early 2022. EU member states have ordered around 27 million doses for the first quarter of next year.

Last week, the World Health Organization gave emergency approval to the Novavax vaccine, paving the way for its inclusion in the U.N.-backed program to get such vaccines to poorer countries around the world.

The European Medicines Agency, the EU's drug regulator, said that it's human medicines committee concluded by consensus "that the data on the vaccine were robust and met the EU criteria for efficacy, safety and quality."

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COVID-19 vaccines train the body to recognize the coronavirus by spotting the spike protein that coats it, but the Novavax option is made very differently than the most widely used shots.

It is a protein vaccine, made with an older technology that's been used for years to produce other kinds of vaccines. The Maryland-based Novavax uses genetic engineering to grow harmless copies of the coronavirus spike protein in insect cells. Scientists extract and purify the protein and then mix in an immune-boosting chemical.

Novavax President and CEO Stanley C. Erck said the company would "deliver the first protein-based vaccine to the EU during a critical time when we believe having choice among vaccines will lead to increased immunization."

Last summer, Novavax reported that a study of 30,000 people in the U.S. and Mexico found the vaccine was safe and 90% effective against symptomatic infection from earlier variants, similar to findings from a trial of 15,000 people in Britain. A follow-up study found a booster dose six months after the last shot could rev up virus-fighting antibodies enough to tackle the extra-contagious delta variant, which at the time was the biggest threat.

The Novavax vaccine was long anticipated to help increase global vaccine supplies, as the shots require only refrigerated storage. But Novavax was delayed for months because of problems lining up large-scale manufacturing.

In a statement, Novavax said the Serum Institute of India manufacturer will supply the initial doses for the EU and later doses will come from other manufacturing sites in its global supply chain.

Dr. Gregory Glenn, Novavax's research and development chief, recently told The Associated Press the problem wasn't producing the spike protein itself, which is straightforward, but capacity to make and bottle large quantities. Glenn said the company now has enough manufacturing capability. It partnered with the huge Serum Institute of India, and two companies recently received emergency authorization of the shots in Indonesia and the Philippines. In addition, Novavax has lined up production facilities in the Czech Republic, South Korea and elsewhere.

Novavax has been given emergency use authorization in Indonesia and the Philippines, has applications pending with the World Health Organization and Britain, and plans to file with the U.S. Food and Drug Administration by year's end.

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

Peng Shuai tells paper she never wrote of being assaulted

BEIJING (AP) — Chinese tennis star Peng Shuai has denied saying she was sexually assaulted, despite a November social media post attributed to her that accused a former top Communist Party official of forcing her into sex.

Lianhe Zaobao, a Singaporean Chinese-language newspaper, posted video of Peng it says was taken Sunday in Shanghai in which she said she has been mainly staying at home in Beijing but was free to come and go as she chose.

"First of all, I want to emphasize something that is very important. I have never said that I wrote that anyone sexually assaulted me. I need to emphasize this point very clearly," Peng told the newspaper's reporter.

The reporter did not ask how or why the lengthy and highly detailed Nov. 2 post appeared or whether Peng's account had been hacked.

The newspaper said it interviewed Peng at a promotional event for the Beijing Winter Olympic Games which begin Feb. 4. She was filmed on the observation deck of a facility where she watched a freestyle ski competition alongside former NBA star Yao Ming and other Chinese sports figures.

Peng dropped out of sight after the accusation against former Vice Premier Zhang Gaoli briefly appeared on her verified Weibo social media before being swiftly removed. Screen shots of the post were shared across the internet, drawing widespread concern about Peng's safety from politicians, fellow tennis stars

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and the Women's Tennis Association, which announced it was suspending all events in China indefinitely.

Following the posting, the three-time Olympian and former Wimbledon champion appeared standing beside a tennis court in Beijing, waving and signing oversized commemorative tennis balls for children. The foreign arm of state TV also issued a statement in English attributed to Peng that retracted her accusation against Zhang.

WTA chief executive Steve Simon questioned the emailed statement's legitimacy while others said it only increased their concern about her safety. In the Lianhe Zaobao interview, Peng said she wrote the statement in Chinese and it was later translated into English but that there was no substantive difference in meaning between the two versions.

Zhang, 75, was a member of the party's all-powerful Politburo Standing Committee until 2018 and a top lieutenant to president and party leader Xi Jinping. He has not appeared in public or commented on Peng's accusation.

Simon said the move to put a halt to the tour's play in China, including Hong Kong, came with the backing of the WTA board of directors, players, tournaments and sponsors. It was the strongest public stand against China taken by a sports body — and one that could cost the WTA millions of dollars.

Simon has made repeated calls for China to carry out an inquiry into the 35-year-old Peng's accusations and to allow the WTA to communicate directly with the former No. 1-ranked doubles player and owner of titles at Wimbledon and the French Open.

The IOC has taken a different tack, with top officials saying they believe Peng is fine after video-chatting with her.

The controversy surrounding Peng has added to protests over Beijing's hosting of the Winter Games because of the government's human rights abuses.

More AP tennis: <https://apnews.com/hub/tennis> and https://twitter.com/AP_Sports

The wonder of a world illuminated for the holidays

By The Associated Press undefined

In the darkest days of the year, in a very dark time, there is a longing for illumination.

And so, all around the world, the holiday lights go on — some of them humble, some of them spectacular, all of them a welcome respite from the dark.

They make the streets an interactive experience. There are tunnels of light — to walk through, as pedestrians do in Tokyo, at the zoo in Johannesburg, and at the Holiday Road light show in Calabasas, California; to drive through, at a mall in Panay, the Philippines, where visitors remained in their cars to curb the spread of COVID-19.

There are real trees and manmade trees and ginormous trees, like the light sculpture in Vigo, Spain, said to be the biggest tree in the world, so big that adults and children stroll inside. Vigo goes all out for Christmas, stringing 11 million LED lights on more than 350 streets.

Some displays are municipal, like the silvery strings of light that adorn the lampposts of Moscow. Some are commercial, like the lights that wrap an electronics store in Syntagma Square in Athens, turning it into a massive giftbox. And some are private, like the over-the-top trimmings of homes in the Brooklyn, New York, neighborhood of Dyker Heights.

All are wonderful, in the most literal meaning of the word.

Is it possible that as the world struggles through its second Christmas season beset by disease, we need the lights to be brighter than ever? And so we spread them above like a celestial canopy in places from Barcelona, Spain, to the Old City of Damascus, Syria?

Is this how we rage against the dying of the light?

Inflation squeezes holiday budgets for low-income shoppers

By ANNE D'INNOCENZIO AP Retail Writer

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NEW YORK (AP) — Emarilis Velazquez is paying higher prices on everything from food to clothing.

Her monthly grocery bill has ballooned from \$650 to almost \$850 in recent months. To save money, she looks for less expensive cuts of meat and has switched to a cheaper detergent. She also clips coupons and shops for her kids' clothing at thrift stores instead of Children's Place.

For the holidays, she's scaling back on gifts. She plans to spend \$600 on her three young children instead of \$1,000, and she won't be buying any gifts for relatives.

"It's stressful," said the 33-year-old stay-at-home mother from Boardman, Ohio, whose husband earns \$30,000 a year making pallets for stores. "You want to give it all to your kids, even though (Christmas) is about family. They still expect things. It is hard that you can't give them what they ask for."

Retailers may be forecasting record-breaking sales for the holiday shopping season, but low-income customers are struggling as they bear the brunt of the highest inflation in 39 years.

The government's report last week that consumer prices jumped 6.8% over the past year showed that some of the largest cost spikes have been for such necessities as food, energy, housing, autos and clothing.

Overall, rising prices are changing shopping habits for many Americans. For some, they're a mere inconvenience, pushing them to delay building a deck on their house amid higher lumber prices. But for lower-income households with little or no cash cushions, they're making harder choices such as whether they can put food on the table or if they'll have to drastically scale back on holiday presents for their children — or forgo them completely.

"Inflation is devastating the pocketbooks of low-income households," said C. Britt Beemer, chairman of the America's Research Group, estimating that low-income households are cutting back their holiday buying by 20% from a year ago. "They are going to have to decide what they are going to buy and what they're going to eat."

Even some retailers that built their businesses around the allure of ultra-low prices have begun boosting them. Dollar Tree — the last true dollar store — is increasing its prices to \$1.25 for a majority of its products because of higher costs of goods and freight. Velazquez says that 25 cents extra per item adds up, and the increase will force her to scale back on impulse buying there.

Despite the inflation pressures — as well as supply chain disruptions and the new COVID-19 omicron variant — the National Retail Federation says this year's holiday shopping season appears to be on track to exceed its sales growth forecast of between 8.5% and 10.5%.

According to a poll by The Associated Press-NORC Center for Public Affairs Research, about three-quarters of Americans say they will be giving gifts to friends and family to celebrate the winter holidays this year. But the rising costs have not gone unnoticed. About 6 in 10 Americans say holiday gift prices are higher than usual, while only 2 in 10 say they are not. Roughly 2 in 10 say they did not purchase gifts recently.

Overall, 4 in 10 Americans say it has been harder to afford the things they want to give as gifts this year. Roughly half say it's neither easier nor harder, while few say it has been easier.

But people in lower income groups are feeling the cost pressures most acutely.

Forty-five percent of Americans in households earning less than \$50,000 annually and 40% in households earning between \$50,000 and \$100,000 say it has been harder to afford gifts this year, compared with 30% in higher income households.

"It was hard enough a year ago, five years ago, for lower-income families to find extra money to buy gifts. But it is that much harder now," said Ted Rossman, senior industry analyst at CreditCards.com, whose survey in October found a significant number of low-income people were completely opting out of holiday gifting this year amid higher prices on essentials.

Such financial stress is being felt at the food pantries such as the one at Shiloh Church in Oakland, California. In the past three months, Shiloh has seen a spike in the number of people, particularly those with jobs, coming in to pick up a weekly box of essentials or shop at its market for free produce and other food, according to Jason Bautista, who runs the food pantry.

That prompted Bautista to bring in more holiday toys for the annual giveaway set for this Saturday. It will have about 2,000 toys to donate to families this weekend compared with about 1,500 a year ago.

"Families that would normally go to Safeway can't afford to with their fixed incomes," Bautista said.

"Their dollar is not stretching."

Miriam Canales, 34, of Oakland, has been going weekly to Shiloh for free food since the beginning of the pandemic. Her husband lost his job as a chef at a restaurant that permanently closed in the spring of 2020. He got another job at a different restaurant a few months ago, but he's only working on average six hours a week.

She said higher food prices have added financial stress, and she will not be buying gifts for her children, ages, 13 and 6. Instead, she plans to pick up toys on Saturday at Shiloh Church.

But Canales says she feels grateful this holiday season because of her husband's job as well as her daughter's recovery from brain radiation that landed her in the hospital with epilepsy a year ago. Now she's healthy again.

"I feel blessed," Canales said.

AP writers Marty Crutsinger in Washington and Dee-Ann Durbin in Detroit contributed to this report.

The AP-NORC poll of 1,089 adults was conducted Dec. 2-7 using a sample drawn from NORC's probability-based AmeriSpeak Panel, which is designed to be representative of the U.S. population. The margin of sampling error for all respondents is plus or minus 4.1 percentage points.

Jurors start weighing evidence in Elizabeth Holmes' case

By MICHAEL LIEDTKE AP Technology Writer

SAN JOSE, Calif. (AP) — The jurors now responsible for assessing 11 charges of fraud and conspiracy against former Theranos CEO Elizabeth Holmes are scheduled to begin their first full day of deliberations on Monday. They have plenty of evidence to review after a three-month trial that captivated Silicon Valley.

That included the testimony of 32 witnesses — including Holmes herself — and more than 900 exhibits.

The eight men and four women on the jury took the weekend off after Judge Edward Davila handed them the case late Friday afternoon. They are charged with deciding whether Holmes turned her blood-testing startup into a massive scam. If convicted on all counts, Holmes, 37, could face up to 20 years in prison.

The trial revolves around allegations that Holmes duped investors, business partners and patients about Theranos' technology. She repeatedly claimed that the company's new testing device could scan for hundreds of diseases and other problems with a few drops of blood taken with a finger prick instead of a needle stuck in a vein.

The concept was so compelling that Theranos and Holmes raised more than \$900 million, some of that from billionaire investors such as media magnate Rupert Murdoch and software titan Larry Ellison. The Palo Alto, California, company also negotiated potentially lucrative deals with major retailers Walgreens and Safeway. Holmes soon began to grace national magazine covers as a wunderkind.

Unknown to most people outside Theranos, the company's blood-testing technology was flawed, often producing inaccurate results that could have endangered the lives of patients who took the tests.

After the flaws were exposed in 2015 and 2016, Theranos eventually collapsed. The Justice Department filed its criminal case in 2018.

In a dramatic turn on the witness stand last month, Holmes testified that her former lover and business partner Sunny Balwani had been covertly controlling her diet, her friendships and more while subjecting her to mental, emotional and sexual abuse.

Although the testimony cast Holmes as Balwani's pawn, her defense team did not mention the alleged abuse and its effects on Holmes during closing arguments.

Balwani's lawyer adamantly denied Holmes' accusations in court documents that the jury never saw. Jurors also never heard from Balwani, who intended to invoke his Fifth Amendment right against self-incrimination if he had been called to testify. Balwani, 56, faces similar fraud charges in a separate trial scheduled to begin in February.

That leaves the jury to decide whether the alleged partner abuse may have affected Holmes' decisions

at Theranos.

Defiant in war and isolation, Hamas plays long game in Gaza

By JOSEPH KRAUSS and FARES AKRAM Associated Press

RAFAH, Gaza Strip (AP) — Each month, hundreds of trucks heavy with fuel, cement and other goods cross a plowed no man's land between Egypt and the Gaza Strip — and Hamas becomes stronger.

Hamas collects tens of millions of dollars a month in taxes and customs at the crossing in the border town of Rafah, according to estimates. The funds help it operate a government and powerful armed wing while international aid covers most of the basic needs of Gaza's 2 million residents.

That this is happening with the quiet acquiescence of Israel, which considers Hamas a terrorist group, might come as a surprise.

Israel says it works with Egypt to supervise Rafah in return for quiet. The opening of the crossing "was a common interest for all parties to ensure a lifeline for Hamas that would enable it to maintain calm in Gaza and prevent an explosion," said Mohammed Abu Jayyab, an economist and editor-in-chief of a business daily in Gaza.

But there's more to it. After surviving four wars and a nearly 15-year blockade, Hamas has only become more resilient, and Israel has been forced to accept that its sworn enemy is here to stay.

It has largely accepted Hamas' rule in Gaza because a prolonged invasion is seen as too costly. At the same time, Hamas furnishes Israeli leaders with a convenient boogeyman -- how can the Palestinians be allowed statehood if they are divided between two governments, one of which steadfastly opposes Israel's very existence?

Meanwhile, Hamas' willingness to use violence — in the form of rockets, protests along the border or incendiary balloons — has helped it to wrest concessions from Israel.

"Hamas stuck to its position and the Israeli government made a lot of compromises" after the war in May, said Omar Shaban, a Gaza-based political analyst. "Hamas was stubborn."

MILLIONS EACH MONTH

After Hamas seized power from the Palestinian Authority in 2007, Israel and Egypt imposed a punishing blockade aimed at preventing the group from arming. A massive economy based on smuggling tunnels sprang up in and around Rafah. Hamas levied taxes on goods that were brought in.

Egyptian President Abdel-Fattah el-Sissi ordered the tunnels destroyed after leading the 2013 overthrow of an Islamist government that had been sympathetic to Hamas. But four years and another Gaza war later, Egypt agreed to Hamas' demands to open an above-ground commercial crossing.

Imports through Gaza's only other functioning commercial crossing — with Israel — are already taxed by Israeli authorities, who transfer some of the revenues to the Palestinian Authority, so Hamas can only exact small tariffs without noticeably inflating prices. Rafah belongs to Hamas.

Hamas does not release figures on public revenues or expenses. An Egyptian government media officer did not respond to a request for comment.

Some 2,000 truckloads of cement, fuel and other goods entered through Rafah in September, nearly twice the monthly average in 2019 and 2020, according to Gisha, an Israeli rights group that closely monitors the Gaza closures.

Rami Abu Rish, the managing director of the crossings at the Hamas-run Economy Ministry — who used to supervise tax collection from the tunnels — says authorities derive no more than \$1 million a month from the Israeli crossing and up to \$6 million from Rafah.

But the Palestinian Authority's Finance Ministry estimates Hamas derives as much as \$30 million a month, mainly from taxes on fuel and tobacco coming in through Rafah, according to an official who spoke on condition of anonymity to discuss internal figures.

A cigarette importer in Gaza — who spoke on condition of anonymity for fear of jeopardizing the trade — said a small group of merchants imports 9,000 to 15,000 crates of cigarettes through Rafah each month, with Hamas charging \$1,000 to \$2,000 per crate. That alone would bring in \$18 million on average.

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Abu Jayyab, the Gaza economist, estimates Hamas makes up to \$27 million a month. That's in addition to taxes and customs paid on cement and fuel.

Mohammed Agha, whose family owns a chain of gas stations in Gaza, was one of the few businessmen who agreed to speak publicly about Hamas' management of the crossings. He said gas station owners are forced to buy most of their fuel from the supplies coming through Rafah because Hamas benefits from the trade.

He said Hamas jailed him for two months in 2019 when he protested the arrangement.

"We as businessmen are sustaining the government" as the wider economy suffers, he said. "Before Hamas, 1,000 shekels (about \$320) a month was enough for a family to get by. Now, 5,000 isn't enough because they tax the citizens."

The money Hamas collects could go to its estimated 50,000 civil servants or supporters of the political movement. Or it could be spent on Hamas' armed wing, which has improved its military capabilities with every war and fired over 4,000 rockets at Israel in 11 days last spring.

HAMAS AND ISRAEL

Hamas burst onto the scene during the first intifada, or uprising, in 1987. As the then-dominant Palestine Liberation Organization joined the nascent peace process with Israel, Hamas embraced armed struggle.

The militant group launched scores of attacks, including suicide bombings, in the 1990s and 2000s. Hundreds of Israelis were killed. The group called for Israel's demise and rejected peace negotiations. It adopted a more moderate political platform in 2017, but its goals hardly changed.

In 2006, Hamas won a landslide victory in Palestinian elections, igniting a bloody power struggle with President Mahmoud Abbas' Fatah party. Hamas seized power in Gaza the following year, confining his authority to parts of the Israeli-occupied West Bank.

Abbas' peaceful approach has spared the West Bank from war and isolation, but he has been powerless to end the 54-year military occupation or stop the expansion of Jewish settlements. There have been no substantive peace talks in over a decade, and Israel's current prime minister, Naftali Bennett, is opposed to Palestinian statehood.

By contrast, Israel withdrew all its settlers and troops from Gaza in 2005 — after a second and more violent Palestinian uprising — and its soldiers cannot enter without risking war.

Israel refuses to talk to Hamas, but over the last decade it has negotiated a series of informal cease-fires through Egyptian, Qatari and U.N. mediators in which it has eased the blockade in return for calm.

Bassem Naim, a senior Hamas official, attributes much of his group's popularity to "the failure of the other project," referring to the Western-backed Palestinian Authority.

"The majority of Palestinian factions believe that resistance, and particularly armed resistance, has to be one of the tools in our struggle for freedom." He said the easing of the blockade "doesn't address the root of the problem, which is the siege and the occupation."

Bennett was an outspoken critic of the previous government's policy of allowing Qatar to send suitcases of cash into Gaza through an Israeli crossing.

But within months of becoming prime minister, the payments to needy families resumed through a U.N.-run voucher system, and Qatar resumed its contribution to the Hamas-run government's payroll in the form of fuel.

Israel denies it has given in to Hamas' demands. The new government says it has modified policies to try to ensure that humanitarian aid bypasses Hamas while responding militarily to even minor attacks.

All construction materials — including those brought in through Rafah — are imported through a monitoring system established with the U.N. and the PA after the 2014 war. Israel says it is barring all new, large construction projects until a deal is reached to return two captives and the remains of two Israeli soldiers held by Hamas since 2014.

Restrictions on so-called dual-use items that could be used for military purposes are in place at both the Israeli and Egyptian crossings, said Abu Rish, the Hamas crossing official.

A senior Israeli Defense Ministry official said the goal is to maximize humanitarian aid while minimizing

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the risk that it benefits Hamas. The official, who spoke on condition of anonymity in line with regulations, would only say that Israel is aware of the Rafah imports, and is relying on Egypt to ensure that the same restrictions are in place there as there are at the Israeli crossing.

'THE OTHER CHOICE IS NOT BETTER'

Even as Hamas generates revenue for its government and from the crossings and taxing businesses, the international community sustains the people of Gaza.

U.N. agencies have spent more than \$4.5 billion in Gaza since 2014, including \$600 million in 2020 alone. Most of that funding goes through the U.N. agency for Palestinian refugees, which provides food aid, health services and operates schools for some 280,000 children.

The wealthy Gulf state of Qatar has sent \$1.3 billion to Gaza since 2012 to fund reconstruction and health services, including \$500 million pledged after the May war.

The largesse can be seen in Gaza City, where Qatari funds were used to build a scenic seaside promenade and expand a main road that runs past a Qatari-funded housing complex and the Qatari diplomatic mission, which resembles an embassy.

On the surface it all looks very prosperous, with families strolling past beach cafes, amusement parks and even a handful of luxury hotels. But the new construction is merely a backdrop to the grinding living conditions endured by most Gazans.

Unemployment hovers around 45% and nearly three out of five Gazans live in poverty, the World Bank reported in November. The average Gazan only has 13 hours of electricity a day and tap water is undrinkable.

Still, there has been almost no public opposition to Hamas within Gaza because Palestinians see no viable alternative. The Palestinian Authority has come to be seen by many as a corrupt, authoritarian extension of Israeli rule.

Mkhaimar Abusada, a political science professor at Gaza's Al-Azhar University, said the absence of protests "doesn't mean the Palestinians in Gaza are happy with Hamas."

He attributed the lack of visible opposition to Hamas' violent crackdown on protests over taxes and the rising cost of living in 2019, as well as the PA's failures.

"The other choice is not better than Hamas," he said. "Fatah and the PA are still seen by the Palestinian people as a very corrupted organization."

A poll this month found that despite the deprivations wrought by the confrontations between Hamas and Israel, 47% of Gazans would vote for Hamas if parliamentary elections were held, compared to just 29% who would vote for Abbas' Fatah.

Hamas isn't going anywhere. And Israel knows it.

"They are facing a number of problems here," Abusada said. "But resilience is part of their strategy. They're not going to give up."

Associated Press writer Helen Wieffering in Washington contributed to this report.

Moderna: Initial booster data shows good results on omicron

Associated Press undefined

Moderna said Monday that a booster dose of its COVID-19 vaccine should offer protection against the rapidly spreading omicron variant.

Moderna said lab tests showed the half-dose booster shot increased by 37 times the level of so-called neutralizing antibodies able to fight omicron.

And a full-dose booster was even stronger, triggering an 83-fold jump in antibody levels, although with an increase in the usual side effects, the company said. While half-dose shots are being used for most Moderna boosters, a full-dose third shot has been recommended for people with weakened immune systems.

Moderna announced the preliminary laboratory data in a press release and it hasn't yet undergone sci-

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entific review. But testing by the U.S. National Institutes of Health, announced last week by Dr. Anthony Fauci, found a similar jump.

Pfizer's testing likewise found its COVID-19 vaccine triggered a similarly big jump in omicron-fighting antibodies. The vaccines made by Pfizer and by Moderna, both made with mRNA technology, are used by many countries around the world to fight the coronavirus.

Together, the available evidence backs health authorities' increasing pleas for people to get their boosters as soon as they're eligible.

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. Other research suggests the vaccine still should induce good protection against severe disease if people do experience a breakthrough infection.

Both Moderna and Pfizer are developing shots to better match the omicron variant in case they're needed.

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.

375 dead, 56 missing after typhoon slams Philippines

By JIM GOMEZ Associated Press

MANILA, Philippines (AP) — The death toll from the strongest typhoon to batter the Philippines this year climbed to 375, with more than 50 others still missing and several central provinces struggling with downed communications and power outages and pleading for food and water, officials said Monday.

At its strongest, Typhoon Rai packed sustained winds of 195 kilometers (121 miles) per hour with gusts of up to 270 kph (168 mph) before blowing out into the South China Sea on Friday.

At least 375 people were killed, 56 were missing and 500 were injured, according to the national police. The toll may still increase because several towns and villages remained out of reach due to downed communications and power outages, although massive cleanup and repair efforts were underway.

Many were killed by falling trees and collapsing walls, flash floods and landslides. A 57-year-old man was found dead hanging from a tree branch and a woman was blown away and died in Negros Occidental province, police said.

Governor Arlene Bag-ao of Dinagat Islands, among the southeastern provinces first hit by the typhoon, said Rai's ferocity on her island province of more than 130,000 people was worse than that of Typhoon Haiyan, one of the most powerful and deadliest typhoons on record which devastated the central Philippines in November 2013 but did not inflict any casualties in Dinagat.

"If it was like being in a washing machine before, this time there was like a huge monster that smashed itself everywhere, grabbed anything like trees and tin roofs and then hurled them everywhere," Bag-ao said by telephone. "The wind was swirling north to south to east and west repeatedly for six hours. Some tin roof sheets were blown away and then were tossed back."

At least 14 villagers died and more than 100 others were injured by flying roofs, debris and glass shards and were treated in makeshift surgery rooms in damaged hospitals in Dinagat, Bag-ao said. Many more would have died if thousands of residents had not been evacuated from high-risk villages.

Dinagat and several other typhoon-hit provinces remained without electricity and communications and many residents needed construction materials, food and water. Bag-ao and other provincial officials traveled to nearby regions that had cellphone signals to seek aid and coordinate recovery efforts with the national government.

More than 700,000 people were lashed by the typhoon in central island provinces, including more than 400,000 who had to be moved to emergency shelters. Thousands of residents were rescued from flooded villages, including in Loboc town in hard-hit Bohol province, where residents were trapped on roofs and in trees where they went to escape the rising floodwaters.

Coast guard ships ferried 29 American, British, Canadian, Swiss, Russian, Chinese and other tourists who were stranded on Siargao Island, a popular surfing destination that was devastated by the typhoon,

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officials said.

Emergency crews were working to restore electricity in 227 cities and towns, officials said. Power had been restored in only 21 areas so far. Cellphone connections in more than 130 cities and towns were cut by the typhoon but at least 106 had been reconnected by Monday, officials said. Two local airports remained closed except for emergency flights, but most others have reopened, the civil aviation agency said.

Bag-ao and other officials were concerned that their provinces may run out of fuel, which was in high demand because of the use of temporary power generators, including those used for refrigerated warehouses with large amounts of coronavirus vaccine stocks. Officials delivered vaccine shipments to many provinces for an intensified immunization campaign, which was postponed last week due to the typhoon.

At the Vatican, Pope Francis expressed his closeness to the people of the Philippines on Sunday, referencing the typhoon "that destroyed many homes."

About 20 tropical storms and typhoons annually batter the Philippines, which lies between the Pacific Ocean and the South China Sea. It also lies along the seismically active Pacific "Ring of Fire" region, making it one of the world's most disaster-prone countries.

Today in History

By The Associated Press undefined

Today in History

Today is Tuesday, Dec. 21, the 355th day of 2021. There are 10 days left in the year. Winter arrives at 10:59 a.m. Eastern Standard Time.

Today's Highlight in History:

On Dec. 21, 1988, 270 people were killed when a terrorist bomb exploded aboard a Pam Am Boeing 747 over Lockerbie, Scotland, sending wreckage crashing to the ground.

On this date:

In 1620, Pilgrims aboard the Mayflower went ashore for the first time at present-day Plymouth, Massachusetts.

In 1864, during the Civil War, Union forces led by Maj. Gen. William T. Sherman concluded their "March to the Sea" as they captured Savannah, Georgia.

In 1891, the first basketball game, devised by James Naismith, is believed to have been played at the International YMCA Training School in Springfield, Massachusetts. (The final score of this experimental game: 1-0.)

In 1914, the U.S. government began requiring passport applicants to provide photographs of themselves.

In 1945, U.S. Army Gen. George S. Patton, 60, died in Heidelberg, Germany, 12 days after being seriously injured in a car accident.

In 1968, Apollo 8 was launched on a mission to orbit the moon.

In 1969, Vince Lombardi coached his last football game as his team, the Washington Redskins, lost to the Dallas Cowboys, 20-10.

In 1976, the Liberian-registered tanker Argo Merchant broke apart near Nantucket Island off Massachusetts almost a week after running aground, spilling 7.5 million gallons of oil into the North Atlantic.

In 1991, eleven of the 12 former Soviet republics proclaimed the birth of the Commonwealth of Independent States and the death of the Union of Soviet Socialist Republics.

In 1995, the city of Bethlehem passed from Israeli to Palestinian control.

In 2012, the National Rifle Association said guns and police officers were needed in all American schools to stop the next killer "waiting in the wings," taking a no-retreat stance in the face of growing calls for gun control after the Newtown, Connecticut, shootings that claimed the lives of 26 children and school staff.

In 2015, the nation's three-decade-old ban on blood donations from gay and bisexual men was formally lifted, but major restrictions continued to limit who could give blood in the U.S.

Ten years ago: The U.S. Army announced charges against eight soldiers related to the death of a fellow GI, Pvt. Daniel Chen, who apparently shot himself in Afghanistan after being hazed. (Of the eight, five

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received prison sentences and two received demotions; four of the eight faced dismissal from the service.) Green Bay Packers quarterback Aaron Rodgers was selected the 2011 AP Male Athlete of the Year. Baylor's Robert Griffin III was selected The Associated Press college football player of the year.

Five years ago: President-elect Donald Trump declared that the deadly truck attack on a Christmas market in Germany that killed 12 people two days earlier was "an attack on humanity and it's got to be stopped"; he also suggested he might go forward with his campaign pledge to temporarily ban Muslim immigrants from coming to the United States.

One year ago: President-elect Joe Biden received his first dose of the coronavirus vaccine on live television as part of a growing effort to convince the American public the inoculations were safe. The Vatican declared it "morally acceptable" for Roman Catholics to receive COVID-19 vaccines based on research that used fetal tissue from abortions. Undercutting President Donald Trump on multiple fronts, Attorney General William Barr said he saw no reason to appoint a special counsel to look into Trump's claims about the 2020 election or to name one for the tax investigation of Joe Biden's son. A statue of Confederate Gen. Robert E. Lee that represented Virginia in the U.S. Capitol was removed. Jupiter and Saturn merged in the night sky, appearing closer than they had in centuries. Country singer K.T. Oslin died in suburban Nashville at 78.

Today's Birthdays: Talk show host Phil Donahue is 86. Actor Jane Fonda is 84. Actor Larry Bryggman is 83. Singer Carla Thomas is 79. Musician Albert Lee is 78. Conductor Michael Tilson Thomas is 77. Actor Josh Mostel is 75. Actor Samuel L. Jackson is 73. Rock singer Nick Gilder is 71. Movie producer Jeffrey Katzenberg is 71. Actor Dennis Boutsikaris is 69. International Tennis Hall of Famer Chris Evert is 67. Actor Jane Kaczmarek is 66. Country singer Lee Roy Parnell is 65. Former child actor Lisa Gerritsen is 64. Actor-comedian Ray Romano is 64. Former Treasury Secretary Steven Mnuchin is 59. Country singer Christy Forester (The Forester Sisters) is 59. Rock musician Murph (The Lemonheads; Dinosaur Jr.) is 57. Actor-comedian Andy Dick is 56. Rock musician Gabrielle Glaser is 56. Actor Michelle Hurd is 55. Actor Kiefer Sutherland is 55. Actor Karri Turner is 55. Actor Khristyne Haje is 53. Country singer Brad Warren (The Warren Brothers) is 53. Actor Julie Delpy is 52. Contemporary Christian singer Natalie Grant is 50. Actor Glenn Fitzgerald is 50. Singer-musician Brett Scallions is 50. World Golf Hall of Famer Karrie Webb is 47. Rock singer Lukas Rossi (Rock Star Supernova) is 45. Actor Rutina Wesley is 43. Rock musician Anna Bulbrook (Airborne Toxic Event) is 39. Country singer Luke Stricklin is 39. Actor Steven Yeun is 38. Actor Kaitlyn Dever is 25.

Groton City Council Meeting Agenda

December 21, 2021 – 7:00pm

120 N Main Street

(NOTICE ADDRESS)

(IF YOU WOULD LIKE TO CALL IN TO THIS MEETING, PLEASE MAKE PRIOR ARRANGEMENTS TO DO SO BY CALLING CITY HALL 605-397-8422)

1. Carnival of Silver Skates Board Members – Skating Rink Plans
2. Public Comments - pursuant to SDCL 1-25-1
(Public Comments will offer the opportunity for anyone not listed on the agenda to speak to the council. Speaking time will be limited to 3 minutes. No action will be taken on questions or items not on the agenda.)
3. Minutes
4. Bills
5. November Finance Report
6. Second Reading of Ordinance #758 – Supplemental 2021 Appropriations
7. Electric Lineman credit hours
8. Electric Department work hours
9. 2022 Fee Schedule
10. Mayor Declaration – half day of leave for City employees on December 23rd
11. Holiday Lighting Contest Winners
 - 1st – Jason and Tara Hill
 - 2nd – Rick and Sherry Koehler
 - 3rd – Brett and Anna Schwan
12. Executive session personnel & legal 1-25-2 (1) & (3)
13. Adjournment