

# Groton Daily Independent

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## SABER SHRED HELP WANTED

Now hiring full or part-time positions. Tire handler, responsible for assisting in unloading tires from semi trailers, feeding the tire shredder and general cleanup tasks. Must be able to lift 50 lbs. Starting pay \$16/hr. Contact Robert Wegner at 605-397-7579. Saber Shred Solutions (formerly New Deal Tire Groton, SD)



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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## School Starts Aug. 24th

The Groton Area School District will begin classes on Wednesday, Aug. 24th. With that, the blinking lights on Broadway will be activated. When school is in session, they will blink from 7:45 a.m. to 8:30 a.m. and from 3:22 p.m. to 4 p.m. When the lights are flashing, the speed limit is reduced to 15 mph.

The exception will be for Parent-Teacher Conferences when school will dismiss at 1 p.m. on Sept. 29 and Feb. 16. On those days, the afternoon lights will flash from 1 p.m. to 1:45 p.m. Also, on Christmas Vacation

when school dismisses at 2 p.m., the afternoon lights will flash from 2 p.m. to 2:45 p.m. When there is no school, the lights will not flash: Sept. 2, Sept. 30, Oct. 1, Nov. 23-25, Dec. 23-Jan. 3, Feb. 17-20, March 16-17, April 7-10



## Rounds Introduces Legislation to Blacklist China from Buying American Farm Land and Agriculture Businesses

WASHINGTON – U.S. Senator Mike Rounds (R-S.D.) introduced legislation that would blacklist China, Russia, Iran and North Korea from investing in, purchasing or otherwise acquiring land or businesses involved in agriculture.

“Protecting American farmland is critical to maintaining our national security,” said Rounds. “As a member of the Senate Armed Services Committee, I was alarmed when a Chinese company recently purchased farmland near an Air Force base in North Dakota. This acquisition could threaten our national security by allowing the Chinese Communist Party to closely monitor the operations and communications at a very important military facility.

“In my travels around South Dakota, I’ve heard from many farmers and ranchers who are concerned about foreign adversaries owning American farmland. It’s time to put a stop to this and take action. This legislation makes certain American interests are protected by blacklisting foreign adversaries from purchasing land or businesses involved in agriculture.”

On July 1, 2022, Representative Elise Stefanik (R-N.Y.) introduced the House version of the PASS Act. Rounds’ legislation retains key provisions of the House version and adds additional language related to foreign investments, agricultural land acquisition and reporting by the Secretary of Agriculture. The new provisions are outlined below:

Blacklists China, Russia, Iran and North Korea from purchasing or investing in agriculture land and companies.

Requires reporting from the Secretary of Agriculture on the risk to the American agriculture sector of foreign takeovers and/or investments in agriculture companies or land used for agricultural purposes.

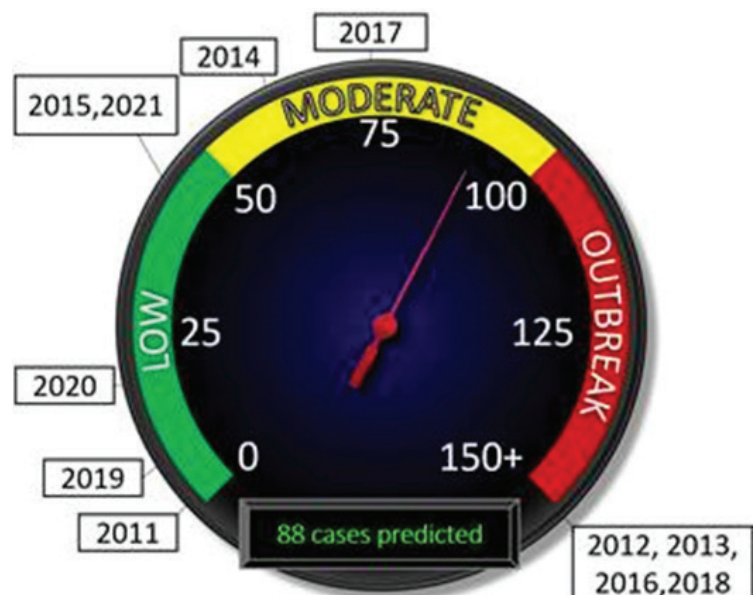
Allows the President, after reporting to Congress on why doing so is vital to the national security interests of the United States, to waive the requirement prohibiting a transaction on a case-by-case basis.

### SD WNV (as of August 17):

- 6 human cases reported (Brookings, Brown, Kingsbury, Sully, Union )
- 4 human viremic blood donors (Minnehaha, Potter, Spink)
- 7 counties with positive mosquito pools (Beadle, Brookings, Brown, Codington, Hughes, Lincoln, Minnehaha)

US WNV (as of August 11): 54 cases (AL, AZ, CA, CO, LA, MN, MS, MO, NE, ND, PA, SD, TX) and 4 deaths

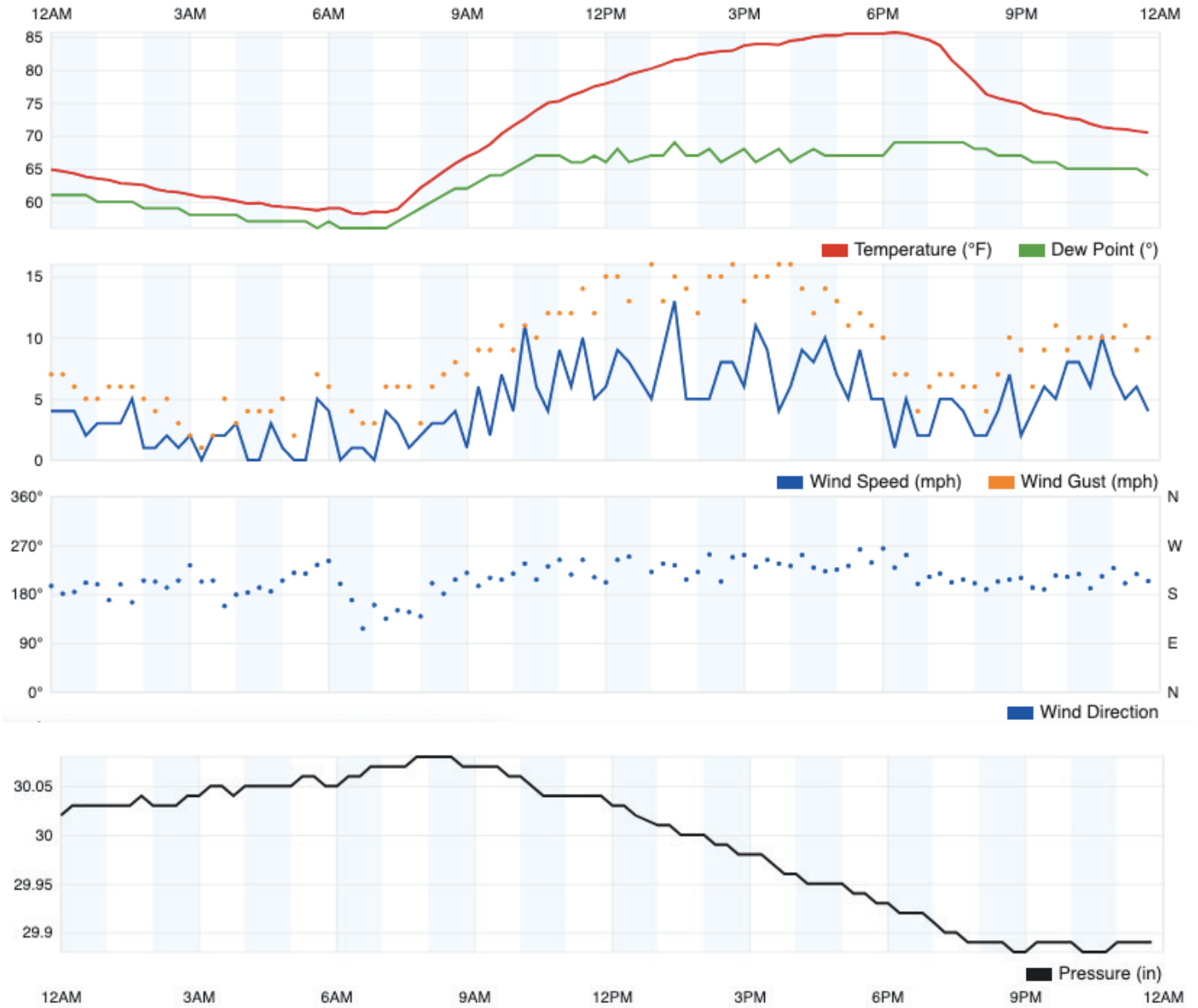
WNV Prediction Model – Total Number of Cases Projected for 2022, South Dakota (as of August 17)



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## Yesterday's Groton Weather Graphs



# Broton Daily Independent

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Today



Chance  
T-storms

High: 80 °F

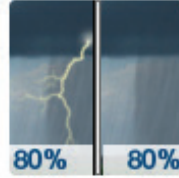
Tonight



Chance  
T-storms

Low: 59 °F

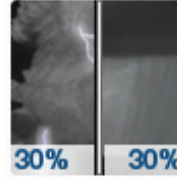
Friday



T-storms then  
Showers

High: 71 °F

Friday  
Night



Chance  
T-storms then  
Chance  
Showers

Low: 59 °F

Saturday



Mostly Sunny

High: 76 °F

## Today

Isolated to scattered showers & t-storms, best chances from the James River Valley and eastward. A few severe storms possible in east central SD (mainly south of Watertown).



Highs: 80s

## Friday

Occasional showers and a few rumbles of thunder are expected to the east of the Missouri River. The rain is expected to diminish during the evening hours.



Highs: 69 to 78 F

Cooler Prairie Coteau, warmest western SD



National Weather Service  
Aberdeen, SD

[weather.gov/abr](http://weather.gov/abr)

Graphic Created  
8/18/2022 3:20 AM

A cold front moving southeast across the region today will bring isolated to scattered showers and thunderstorms, mainly from the James River Valley and eastward. After a lull in the precipitation tonight, additional rain showers are expected to move through the area on Friday.

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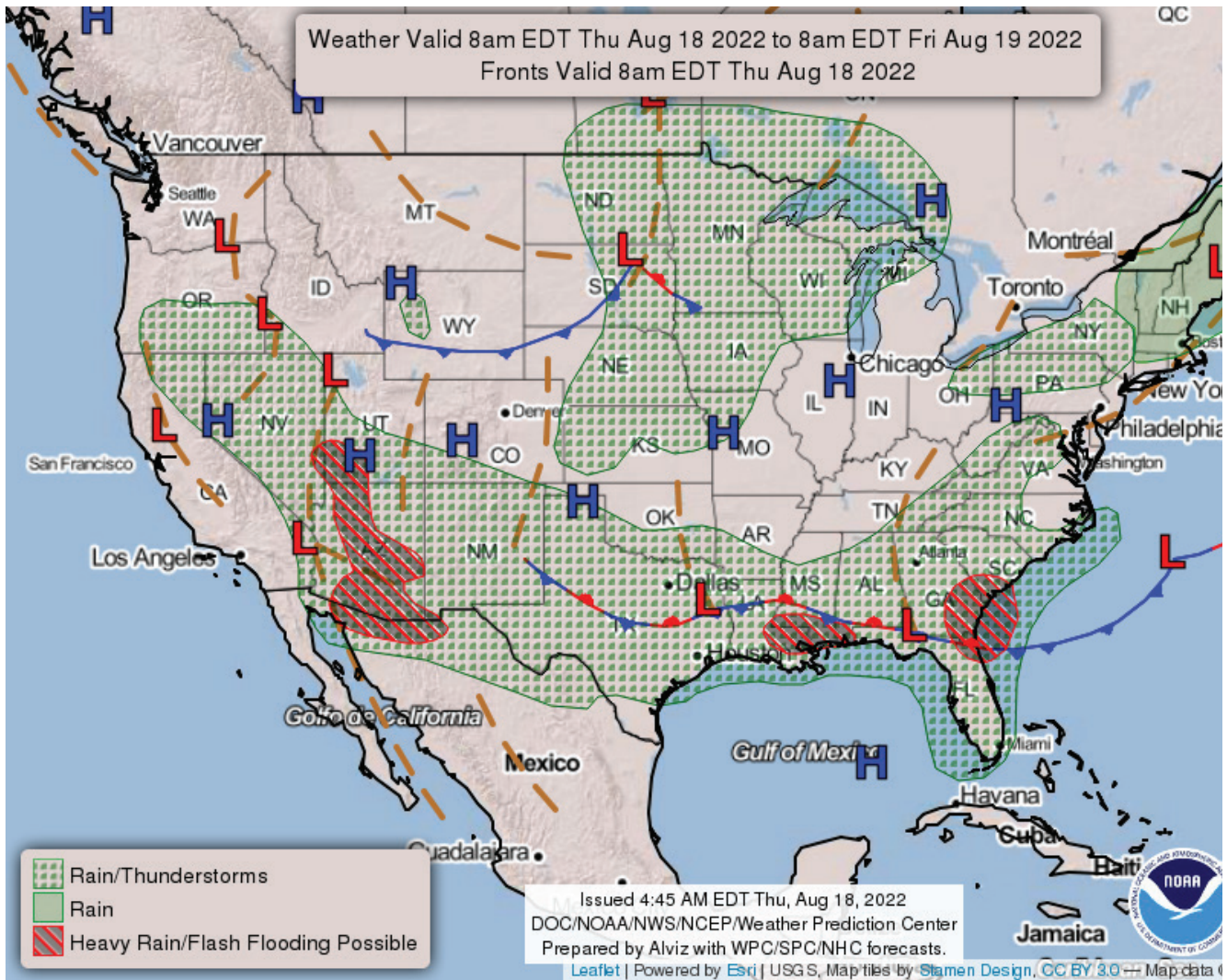
## Yesterday's Groton Weather

**High Temp: 86 °F at 5:37 PM**  
**Low Temp: 58 °F at 6:35 AM**  
**Wind: 16 mph at 12:37 PM**  
**Precip: : 0.00**

Day length: 14 hours, 1 minutes

## Today's Info

Record High: 109 in 1959  
Record Low: 38 in 2002  
Average High: 83°F  
Average Low: 56°F  
Average Precip in Aug.: 1.30  
Precip to date in Aug.: 0.65  
Average Precip to date: 15.40  
Precip Year to Date: 15.19  
Sunset Tonight: 8:36:41 PM  
Sunrise Tomorrow: 6:36:55 AM



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## Today in Weather History

August 18, 1936: A tornado moved east, ending southeast of Gettysburg. A farmhouse and four barns were destroyed near Gorman, in Potter County. Property damage was estimated at \$20,000.

August 18, 1938: A tornado destroyed a barn, unroofed a gym, and damaged other buildings near Stephen, in Hyde County. The funnel moved northeast then curved to the northwest. There were two other tornadoes on this day. One moved northeast from near Worley and Broadland in Beadle County producing estimated F3 damage. The other was an estimated F2 and also started off in Beadle County and moved northeast into Kingsbury County. This storm injured three people.

August 18, 1983: High winds up to 80 mph caused extensive damage to trees, structures, and cars, in Lyman, Hyde, Faulk, and Brown Counties. In Presho, several homes lost their roofs. Hay bales were scattered, metal siding was ripped from outbuildings, and a ballpark lost three large fence sections. Gusty winds up to 75 mph were recorded at Ordway, in Brown County, causing damage to a mobile home. Two hangers at the Aberdeen airport received extensive damage, with roofs and doors torn off.

August 18, 2009: Numerous thunderstorms developed along a stationary front and trained over the same locations producing very heavy rains along with large hail. Nickel size hail falling for several minutes piled up to 6 to 8 inches deep near Harrold in Hughes County. Massive rains of 2 to nearly 5 inches resulted in the flash flooding of numerous roads. Several of the streets were washed out. Some rainfall amounts included 3.05 inches at Warner, 3.15 inches southwest of Bristol, 4.40 inches in Webster, and 4.50 inches east of Warner.

1925: During the late morning hours a severe hailstorm struck southeastern Iowa destroying crops along a path six to ten miles wide and 75 miles long. The hail also injured and killed poultry and livestock, and caused a total of 2.5 million dollars damage. The hailstorm flattened fields of corn to such an extent that many had to leave their farms in search of other work.

1931: The Yangtze River in China peaks during a horrible flood that kills 3.7 million people directly and indirectly over the next several months. This flood was perhaps the worst natural disaster of the 20th century. 1989 - Morning thunderstorms produced three to six inch rains in Oklahoma, and the Arkalatex area of Arkansas, Texas and Louisiana. Tom OK was soaked with 5.98 inches of rain, and Foreman AR received 5.55 inches. Evening thunderstorms produced high winds in the Wasatch Front of northern Utah. Thunderstorm winds gusted to 66 mph at Salt Lake City, and flash flooding caused up to two million dollars damage to a marina on Lake Powell. (Storm Data) (The National Weather Summary)

1983 - Hurricane Alicia ravaged southeastern Texas. The hurricane caused more than three billion dollars property damage, making it one of the costliest hurricanes in the history of the U.S. Just thirteen persons were killed, but 1800 others were injured. The hurricane packed winds to 130 mph as it crossed Galveston Island, and spawned twenty-two tornadoes in less than 24 hours as it made landfall. (The Weather Channel) (Storm Data)

1987 - Thirteen cities in the eastern U.S. reported record high temperatures for the date, including Orlando FL with a reading of 98 degrees, and Portland ME with a high of 94 degrees. Newark NJ reached 90 degrees for the thirty-sixth time of the year, their second highest total of record. (The National Weather Summary)

1988 - Twenty-two cities, from the Carolinas to the Upper Ohio Valley, reported record high temperatures for the date, pushing the total number of daily record highs since the first of June above the 1100 mark. Afternoon highs of 102 degrees at Greensboro NC and 105 degrees at Raleigh NC equalled all-time records. Evening thunderstorms in Montana produced wind gusts to 75 mph at Scobey. (The National Weather Summary) (Storm Data)



## A Compassionate Father

### Scripture: Psalm 103:13-18 (NIV)

13 As a father has compassion on his children, so the Lord has compassion on those who fear him;  
14 for he knows how we are formed, he remembers that we are dust.

15 The life of mortals is like grass, they flourish like a flower of the field;

16 the wind blows over it and it is gone, and its place remembers it no more.

17 But from everlasting to everlasting the Lord's love is with those who fear him, and his righteousness with their children's children—

18 with those who keep his covenant and remember to obey his precepts..

### Insight By: Monica La Rose

Psalm 103 begins and ends with a call to worship God—beginning with the individual worshiper (vv. 1–2), building up to all creation (vv. 20–22), and returning to the individual at the end of verse 22. In between, the psalm reflects on why it's fitting for all creation to worship and lists the many ways God has revealed Himself to be a God of boundless goodness.

In many ways, this psalm (see vv. 8, 12, 18) is an extended reflection on the description of God given to Moses in Exodus 34:6–7: “the compassionate and gracious God, slow to anger, abounding in love and faithfulness, maintaining love to thousands, and forgiving wickedness, rebellion and sin.” Psalm 103 reminds worshipers of God's mercy (v. 8), reassuring them that His compassion, love, and faithfulness are greater than their weakness and sin (vv. 13–14). All are invited to experience the joy of worshiping Him..

### Comment

After eight-year-old Gabriel underwent surgery to remove a tumor from his brain, it left a noticeable scar on the side of his head. When the boy said he felt like a monster, his dad, Josh, had an idea: demonstrate how much he loved his son by getting a tattoo on the side of his head with the same shape as Gabriel's scar.

According to the psalmist, this is the kind of empathic and compassionate love God has for “his children” (Psalm 103:13). Using a metaphor drawn from human life, David illustrated God's love. He said it's as tender as a good father's care for his children (v. 17). Just as a human father shows compassion to his children, so God, our heavenly Father, shows love and care toward those who fear Him. He's a compassionate father, who empathizes with His people.

When we're weak and feel like we're unlovable because of the scars of life, may we receive, by faith, our heavenly Father's love toward us. He demonstrated His compassion by sending His Son to lay “down his life for us” (1 John 3:16)—for our salvation. With this one act, not only can we experience God's love for us, but we can look to the cross and see it. Aren't you glad that we have a High Priest who can “empathize with our weaknesses” (Hebrews 4:15)? He has the scars to prove it..

**Reflect and Prayer:** How do you mind the gap between knowing God loves you and experiencing His love? How does it make you feel that Jesus, our High Priest, can empathize with every scar you have?

Heavenly Father, thank You for your compassionate love for me. May You use my scars for Your glory.



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## 2022-23 Community Events

- 07/21/2022: Pro Am Golf Tourney at Olive Grove Golf Course  
07/22/2022: Ferney Open Golf Tourney at Olive Grove Golf Course 9am Start  
07/24/2022: Moonlight Swim at the Swimming Pool 9-11pm for 9th grade to age 20  
07/27/2022: Golf Fundraiser Lunch at Olive Grove Golf Course 11a-1pm  
08/05/2022: Wine on Nine at Olive Grove Golf Course 6pm  
08/12/2022: GHS Basketball Golf Tournament  
No Date Set: Groton Firemen Summer Splash Day 4-5pm GHS Parking Lot  
09/10/2022: Lions Club Fall Citywide Rummage Sale 8am-3pm (1st Saturday after Labor Day)  
09/11/2022: 6th Annual Doggie Day at the Swimming Pool 3-5pm  
09/11/2022: Couples Sunflower Tourney at Olive Grove Golf Course 10 a.m.  
09/02-04: Groton Airport Fly-In/Drive-In, Groton Municipal Airport  
10/01/2022: Pumpkin Fest at the City Park 10am-3pm  
10/07/2022: Lake Region Marching Band Festival 10am  
10/31/2022: Downtown Trick or Treat 4-6pm (working day on or closest to Halloween)  
10/31/2022: United Methodist Church Trunk or Treat 5:30-7pm  
11/12/2022: Legion Post #39 Turkey Party 6:30pm (Saturday closest to Veteran's Day)  
11/24/2022 Community Thanksgiving at the Community Center 11:30am-1pm (Thanksgiving)  
12/03/2022 Tour of Homes & Holiday Party at Olive Grove Golf Course  
12/10/2022: Santa Claus Day at Professional Management Services 9am-12pm  
01/29/2023 Groton Robotics Pancake Feed, 10am-1pm, Community Center  
01/29/2023 85th Carnival of Silver Skates 2pm & 6:30pm (Last Sunday of January)  
04/01/2023 Lion's Club Easter Egg Hunt 10am Sharp at the City Park (Saturday a week before Easter)  
04/22/2023 Firemen's Spring Social at the Fire Station 7pm-12:30am (Same Saturday as GHS Prom)  
04/23/2023 Princess Prom 4:30-8pm (Sunday after GHS Prom)  
05/06/2023 Lion's Club Spring Citywide Rummage Sale 8am-3pm (1st Saturday in May)  
05/29/2023 Legion Post #39 Memorial Day Services (Memorial Day)  
07/04/2023 Firecracker Couples Tourney at Olive Grove Golf Course 9am Registration, 10am Start (4th of July)  
07/09/2023 Lion's Club Summer Fest/Car Show at the City Park 9am-4pm (Sunday Mid-July)  
09/09/2023 Lion's Club Fall Citywide Rummage Sale 8am-3pm (1st Saturday after Labor Day)  
10/31/2023 Downtown Trick or Treat 4-6pm (working day on or closest to Halloween)  
10/31/2023 United Methodist Church Trunk or Treat 5:30-7pm  
11/23/2023 Community Thanksgiving at the Community Center 11:30am-1pm (Thanksgiving)

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## The Groton Independent Printed & Mailed Weekly Edition

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## News from the Associated Press

### **FEMA declares new strategy to engage Native American tribes**

By TERRY TANG Associated Press

The Federal Emergency Management Agency has developed a new strategy to better engage with hundreds of Native American tribes as they face climate change-related disasters, the agency announced Thursday.

FEMA will include the 574 federally recognized tribal nations in discussions about possible future dangers from climate change, and has earmarked \$50 million in grants for tribes pursuing ways to ease burdens related to extreme weather. Tribal governments will be offered more training on how to navigate applying for FEMA funds. The new plan calls for tribal liaisons to give a yearly report to FEMA leaders on how prepared tribes are.

"We are seeing communities across the country that are facing increased threats as a result of climate change," FEMA Administrator Deanne Criswell said in a conference call with media. "What we want to do in this strategy is make sure that we can reach out to tribal nations and help them understand what the potential future threats are going to be."

In recent years, tribal and Indigenous communities have faced upheaval dealing with changing sea levels as well as an increase in floods and wildfires. Tribal citizens have lost homes or live in homes that need to be relocated because of coastal erosion. Some cannot preserve cultural traditions like hunting and fishing because of climate-related drought.

Researchers say tribes have disproportionately been impacted by natural disasters and the federal government hasn't fully funded its obligations to them. It was only in 2013 under the Sandy Recovery Improvement Act that federally recognized tribes obtained the ability to directly request emergency and disaster declarations. Before, they had to apply for disaster funding through the states.

The new strategy emphasizes making sure tribes know of every FEMA grant program and how to apply for it. The hope is this will give them an equitable chance at getting funding. The agency hopes to find ways to get around barriers like FEMA cost share, or the portion of disaster or project funding that the federal government will cover. In some cases, tribes simply can't afford to pay their share.

"In those areas where we can't, what we want to do is to be able to work with the tribes to help them find other funding sources to help them stitch together the different funding streams that might be out there," Criswell said.

Another change under the new strategy is more FEMA staff meeting tribes on their land, a request the agency got from multiple tribes. This will include anything from in-person technical assistance in small, rural communities to appearing at large national or regional tribal events.

Bill Auberle, co-founder of the Institute for Tribal Environmental Professionals at Northern Arizona University, said this focus on regular interactions on tribal land is an immense development. More intimate discussions such as workshops, roundtables and webinars are "exceedingly important to tribes."

"It's one thing to send out a notice and say 'We would like your response,'" Auberle said. "Some of those tribes are small but have very serious needs. FEMA can certainly appreciate that."

In addition to making more funds available to tribes, FEMA could also help by providing things like technical support as tribes prepare for and adapt to climate change, Auberle said.

The push to ensure all tribes fully understand how to access FEMA assistance or other related grants will be done with webinars, tribal consultations or regular meetings with FEMA regional staff.

Agency workers will get trained as well, learning a historic and legal overview about tribal sovereignty and cultural sensitivities.

### **SD Lottery**

By The Associated Press undefined

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

Dakota Cash

05-12-21-26-33

(five, twelve, twenty-one, twenty-six, thirty-three)

Estimated jackpot: \$28,000

Lotto America

04-17-23-37-38, Star Ball: 2, ASB: 3

(four, seventeen, twenty-three, thirty-seven, thirty-eight; Star Ball: two; ASB: three)

Estimated jackpot: \$19,250,000

Mega Millions

Estimated jackpot: 99,000,000

Powerball

23-28-41-50-55, Powerball: 24, Power Play: 2

(twenty-three, twenty-eight, forty-one, fifty, fifty-five; Powerball: twenty-four; Power Play: two)

Estimated jackpot: \$80,000,000

## Man sentenced to life for killing his wife's grandmother

WESSINGTON SPRINGS, S.D. (AP) — A South Dakota man convicted of killing his wife's grandmother after assaulting his wife was sentenced Wednesday to life in prison.

Mitch Caffee, 39, of Wessington Springs, was originally charged with two dozen felony counts in the October 2021 incident. Authorities said it began when he broke into the Wessington Springs home of his wife's mother, 90-year-old Lorraine Redmann, in order to confront his wife over his arrest for violating a no-contact order between the two.

A gun-toting Caffee pushed his wife onto a couch and then shot and killed Redmann when she came to check on the commotion. Caffee held his wife hostage for several hours before surrendering to authorities, according to court documents.

Caffee pleaded guilty last month to first degree manslaughter and aggravated assault.

The shooting resulted "in the tragic death of a well-respected member of the community," Jerauld County State's Attorney Dedrich Koch said. "The hope is this sentence will bring some closure to the family in this very difficult case."

## US to hold trade talks with Taiwan, island drills military

By JOHNSON LAI and JOE McDONALD Associated Press

HUALIEN, Taiwan (AP) — The U.S. government will hold trade talks with Taiwan in a sign of support for the island democracy that China claims as its own territory, prompting Beijing to warn Thursday it will take action if necessary to "safeguard its sovereignty."

The announcement of trade talks comes after Beijing fired missiles into the sea to intimidate Taiwan after U.S. House Speaker Nancy Pelosi this month became the highest-ranking American official to visit the island in 25 years.

Chinese President Xi Jinping's government criticized the planned talks as a violation of its stance that Taiwan has no right to foreign relations. It warned Washington not to encourage the island to try to make its de facto independence permanent, a step Beijing says would lead to war.

"China firmly opposes this," Ministry of Commerce spokesperson Shu Jueting said. She called on Washington to "fully respect China's core interests."

Also Thursday, Taiwan's military held a drill with missiles and cannons simulating a response to a Chinese missile attack.

Taiwan and China split in 1949 after a civil war and have no official relations but are bound by billions of dollars of trade and investment. The island never has been part of the People's Republic of China, but the ruling Communist Party says it is obliged to unite with the mainland, by force if necessary.

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President Joe Biden's coordinator for the Indo-Pacific region, Kurt Campbell, said last week that trade talks would "deepen our ties with Taiwan" but stressed policy wasn't changing. The United States has no diplomatic relations with Taiwan, its ninth-largest trading partner, but maintains extensive informal ties.

The U.S. Trade Representative's announcement of the talks made no mention of tension with Beijing but said "formal negotiations" would develop trade and regulatory ties, a step that would entail closer official interaction.

Being allowed to export more to the United States might help Taiwan blunt China's efforts to use its status as the island's biggest trading partner as political leverage. The mainland blocked imports of Taiwanese citrus and other food in retaliation for Pelosi's Aug. 2 visit.

Taiwan's Foreign Ministry expressed "high welcome" for the trade talks, which it said will lead to a "new page" in relations with the United States.

"As the situation across the Taiwan Strait has recently escalated, the U.S. government will continue to take concrete actions to maintain security and stability across the Taiwan Strait," it said in a statement.

U.S.-Chinese relations are at their lowest level in decades amid disputes over trade, security, technology, and Beijing's treatment of Muslim minorities and Hong Kong.

The U.S. Trade Representative said negotiations would be conducted under the auspices of Washington's unofficial embassy, the American Institute in Taiwan.

"China always opposes any form of official exchanges between any country and the Taiwan region of China," said Shu, the Chinese spokesperson. "China will take all necessary measures to resolutely safeguard its sovereignty."

Washington says it takes no position on the status of China and Taiwan but wants their dispute settled peacefully. The U.S. government is obligated by federal law to see that the island has the means to defend itself.

"We will continue to take calm and resolute steps to uphold peace and stability in the face of Beijing's ongoing efforts to undermine it, and to support Taiwan," Campbell said during a conference call last Friday.

China takes more than twice as much of Taiwan's exports as the United States, its No. 2 foreign market. Taiwan's government says its companies have invested almost \$200 billion in the mainland. Beijing says a 2020 census found some 158,000 Taiwanese entrepreneurs, professionals and others live on the mainland.

China's ban on imports of citrus, fish and hundreds of other Taiwanese food products hurt rural areas seen as supporters of President Tsai Ing-wen, but those goods account for less than 0.5% of Taiwan's exports to the mainland.

Beijing did nothing that might affect the flow of processor chips from Taiwan that are needed by Chinese factories that assemble the world's smartphones and consumer electronics. The island is the world's biggest chip supplier.

A second group of U.S. lawmakers led by Sen. Ed Markey, a Democrat from Massachusetts, arrived on Taiwan on Sunday and met with Tsai. Beijing announced a second round of military drills after their arrival.

Taiwan, with 23.6 million people, has launched its own military drills in response.

On Thursday, drills at Hualien Air Base on the east coast simulated a response to a Chinese missile attack. Military personnel practiced with Taiwanese-made Sky Bow 3 anti-aircraft missiles and 35mm anti-aircraft cannon but didn't fire them.

"We didn't panic" when China launched military drills, said air force Maj. Chen Teh-huan.

"Our usual training is to be on call 24 hours a day to prepare for missile launches," Chen said. "We were ready."

The U.S.-Taiwanese talks also will cover agriculture, labor, the environment, digital technology, the status of state-owned enterprises and "non-market policies," the U.S. Trade Representative said.

Washington and Beijing are locked in a 3-year-old tariff war over many of the same issues.

They include China's support for government companies that dominate many of its industries and complaints that Beijing steals foreign technology and limits access to an array of fields in violation of its market-opening commitments.

Then-President Donald Trump raised tariffs on Chinese goods in 2019 in response to complaints that its technology development tactics violate its free-trade commitments and threaten U.S. industrial leadership. Biden has left most of those tariff hikes in place.

## Indian woman condemns release of her convicted rapists

By SHONAL GANGULY and ALTAF QADRI undefined

NEW DELHI (AP) — A Muslim woman who was gang raped while pregnant during India's devastating 2002 religious riots has appealed to the government to rescind its decision to free the 11 men who had been jailed for life for committing the crime, after they were released on suspended sentences.

The victim, who is now in her 40s, was pregnant when she was brutally gang raped in communal violence in 2002 in the western state of Gujarat, which saw over 1,000 people, mostly Muslims, killed in some of the worst religious riots India has experienced since its independence from Britain in 1947. Seven members of the woman's family, including her three-year-old daughter, were also killed in the violence.

The Associated Press generally doesn't identify victims of sexual assault.

The 11 men, released on Monday when India celebrated 75 years of independence, were convicted in 2008 of rape, murder and unlawful assembly.

The victim said the decision by the Gujarat state government has left her numb and shaken her faith in justice.

"How can justice for a woman end like this? I trusted the highest courts in our land," she said in a statement late Wednesday, adding that no authorities reached out to her before making the decision. "Please undo this harm. Give me back my right to live without fear and in peace."

On Thursday, dozens of women protested against the release of the men in the capital, New Delhi. Maimoona Mollah of the All India Democratic Women's Association said they are demanding the state to roll back its decision.

"(The victim) and other survivors should be allowed to live in peace and dignity," Mollah said.

Raj Kumar, additional chief secretary in Gujarat, where Prime Minister Narendra Modi's Bharatiya Janata Party holds power, told the Indian Express newspaper that the convicts' application for remission was granted because they had completed over 14 years in jail. A state government panel made the decision after considering other factors like their age and behavior in prison.

Kumar said the men were eligible under a 1992 remission policy that was in effect at the time of their conviction. A newer version adopted in 2014 by the federal government prohibits remission release for those convicted of certain crimes, including rape and murder.

The riots have long hounded Modi, who was Gujarat's top elected official at the time, amid allegations that authorities allowed and even encouraged the bloodshed. Modi has repeatedly denied having any role and the Supreme Court has said it found no evidence to prosecute him.

Videos on social media showing the men being welcomed with sweets and garlands after their release from prison went viral, triggering outrage and anger from women, rights activists and opposition politicians.

Vrinda Grover, a lawyer, called the decision a "travesty and grave miscarriage of justice," while speaking to India Today TV.

Opposition lawmaker Rahul Gandhi took aim at Modi on Twitter, questioning what kind of message it sent to women in India from a government that says it wants to empower women.

"The entire country is seeing the difference between your words and deeds," he wrote in Hindi.

## 16 dead, 18 missing in flash flood in western China

BEIJING (AP) — A sudden rainstorm in western China triggered a landslide that diverted a river and caused flash flooding in populated areas, killing at least 16 people and leaving 18 others missing, Chinese state media said Thursday.

Rescuers, who earlier reported 36 people missing, had found 18 of them by early afternoon, state broadcaster CCTV said in an online update. The Wednesday night disaster affected more than 6,000 people in

six villages in Qinghai province, CCTV said.

China is facing both heavy rains and flooding in some parts of the country this summer and extreme heat and drought in other regions. State media have described the prolonged heat and drought as the worst since record keeping started 60 years ago.

Emergency authorities described the flash flooding in Qinghai's Datong county as a "mountain torrent." Such torrents generally result from heavy squalls in mountainous areas. Water running down the mountain can turn gullies or streams into raging rivers, catching people by surprise.

Video posted by the Beijing News website showed muddy water rushing down a wide street at night and debris-strewn areas with uprooted trees, partially washed-away roads and overturned cars after the waters had receded.

Seven people died last weekend from a mountain torrent in southwestern China's Sichuan province.

Elsewhere in Sichuan and other provinces, crops are wilting and factories have been shut down as a drought cut hydropower supplies and high temperatures raised demand for electricity to run air conditioners.

Tesla Ltd. and SAIC, one of China's biggest state-owned automakers, suspended production at factories in Shanghai due to a lack of components from 16 suppliers in Sichuan that shut down, the Shanghai Economic and Information Industry Committee said in a letter released Thursday.

The Shanghai committee appealed to its counterpart in Sichuan to make sure auto components factories have adequate power during daytime working hours to avoid supply disruptions.

Authorities in three provinces shot rockets into the sky in recent days to "seed" clouds with agents to try to induce them to produce more rain, according to Chinese media and government reports.

## **Disqualified for disabilities, railroad workers fight back**

By JOSH FUNK AP Business Writer

OMAHA, Neb. (AP) — After Terrence Hersey had a stroke on the way home from his railroad job in 2015, he underwent months of therapy to learn how to put words together in sentences and learn to walk again. He had to relearn how to get in and out of a car and how to dress himself before his doctors eventually cleared him to return to work with no restrictions.

That recommendation wasn't good enough for Union Pacific. The railroad decided after reviewing Hersey's records — but without a doctor's examination — that he was unfit for his job overseeing inspections of stationary railcars in Chicago because of the risk he would become incapacitated.

"I had a doctor that cleared me, and then Union Pacific did not give me any kind of physical or anything. I felt tossed to the side," said Hersey.

Without his job, his car was repossessed. He lost his house. He had worked on the railroad for more than 20 years, and finding a job that paid as well as Union Pacific was hard for the 50-year-old Hersey, who now drives a school bus. For his current job, he's had no problem passing an annual medical test to retain his commercial driver's license.

"I was a 20-year man and had worked my way up to being a supervisor and had some management opportunities that I could have reached out for. Now I'm making half the money I could make. It's just like my whole world went upside down," he said.

Hersey is among hundreds of Union Pacific employees who are fighting back with federal lawsuits after losing their jobs because of health issues. Although they make up only a small percentage of the railroad's more than 30,000 employees, their cases could prove costly to Union Pacific and could hinder the companies' efforts to fill scores of open jobs at a time when all of the nation's railroads are dealing with worker shortages.

Former Union Pacific workers have filed at least 15 other federal lawsuits, and more than 200 other complaints are pending with the Equal Employment Opportunity Commission that are likely to turn into lawsuits. Seven other cases have been settled.

The lawsuits were originally going to be part of a class-action case filed by former employees, but a federal appeals court decided in 2020 that the complaints had to be pursued individually. The first few

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cases have now been tried and verdicts over \$1 million have been issued in all three.

A spokeswoman for the EEOC said it can't comment on whether it is investigating allegations against Union Pacific. However, one of the lawyers representing the plaintiffs, Jim Kaster, said the EEOC has ongoing investigations of the railroad's practices.

"What makes this case so egregious is the planning from the top down," said Kaster, who helped handle the class-action case. "It is one thing for a rogue manager in a company to discriminate on the basis of disability. This case is different because this company targeted people with disabilities and disqualified them from working without even examining them and many times without even talking to them."

By the railroad's own count, UP said in arguments in the original class-action lawsuit that some 7,700 employees had to undergo what is called a "fitness-for-duty" review between 2014 and 2018. It's not clear how many of those people were forced out by unworkable restrictions, but lawyers for the plaintiffs estimate nearly 2,000 people faced restrictions that kept them off the job for at least two years if not indefinitely.

Union Pacific policies say that anyone with more than a slight chance of "sudden incapacitation" shouldn't work for the railroad because it's dangerous. The railroad has vigorously defended its policy, arguing its strict rules are designed to protect its workers and the public from injury risks or environmental damage if someone suffers a health emergency that causes a derailment or other accident.

Union Pacific spokeswoman Robynn Tysver said the railroad strives to maintain an inclusive workplace, but "the Americans with Disabilities Act does not diminish Union Pacific's commitment and obligation to maintain a safe work environment."

"Union Pacific medical personnel who have a thorough understanding of a railroad's unique operational requirements assess employees' medical condition to determine if it prevents them from safely performing their essential job duties in accordance with our medical standards and obligations under the ADA," Tysver said. "In addition, Union Pacific often engages third-party medical consultants to assist with medical reviews."

Yet former workers claim Union Pacific is ignored their doctors' advice and making their own determinations, often when doctors have said an employee is cleared to work.

The cases leave Union Pacific potentially facing more than \$350 million in damages plus sizeable legal fees, and government regulators could impose additional penalties if they fault the railroad. That may not do much to dent the bottom line for a company that reported a \$1.84 billion profit in its most-recent quarter, but the lawsuits could add to unrest among its current workers. UP workers are already upset that they haven't had a raise since 2019 and that the railroad tightened its attendance policy, making it harder to take time off.

Federal law caps most damages in these disability cases besides lost wages at \$300,000, but lawyers for the plaintiffs say the giant judgments, including a \$44 million decision they won last year in Wisconsin, send a strong message that Union Pacific's policy is flawed even if the penalty is reduced. In the Wisconsin case, a conductor with impaired hearing was forced out despite years of successful employment because he couldn't pass a hearing test while wearing the company's newly required hearing protection. The railroad wouldn't consider alternative protective gear.

The cases all argue that Union Pacific discriminates against people with disabilities because of the way it disqualifies employees after they report certain health conditions, even if they have little bearing on whether an employee can safely do their job. Since 2014, the Omaha, Nebraska-based railroad has required workers to report anytime they develop a heart condition, have a seizure or develop diabetes that needs to be treated with insulin. Union Pacific also routinely imposes restrictions on employees who fail a color vision test it designed and refuses to employ someone with a prosthetic limb regardless of how capable they might be.

When an employee or their supervisor reports a health condition, Union Pacific puts them on leave and demands they submit medical records that railroad doctors review to determine their suitability for work. The plaintiffs say the railroad usually makes its decision without doctors examining employees, and Union Pacific ignores the recommendations of doctors who are treating individuals and have cleared them to return to work.



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An occupational medicine doctor who works with the plaintiffs, Kevin Trangle, said he doesn't think UP's policy is sound because it's "more restrictive than necessary, and would tend to cause workers to be unnecessarily prevented from working."

Rolando Vasquez said in one of the lawsuits he lost his job after he had a motorcycle accident because doctors put him on anti-seizure medication as a precaution. In response, the railroad imposed a series of restrictions that made it impossible for him to work as an electronic technician inspector in Del Rio, Texas, even though he'd never actually had a seizure.

In another case, a diesel electrician said he was treated as if he had a condition that causes seizures after he fainted once because he was dehydrated while battling an illness. The railroad ruled that Joseph Carrillo shouldn't be allowed to operate any company vehicles, work around moving trains or hold any job that involved "critical decision making," so his managers in El Paso agreed he could no longer repair locomotives.

J.J. Stover lost his job as a track inspector in Kearney, Nebraska, after having a dizzy spell at work because his doctors labeled the 2016 incident a mini stroke, or transient ischemic attack, even though he said all the tests they performed on him while he was hospitalized for more than three days came back negative and he hasn't experienced any more dizziness.

Stover's doctors said he could return to work just a couple weeks later. Shortly after that, the Army Reserves took his doctors' word and sent him to Poland for several weeks of training, but Union Pacific spent nine months reviewing his records before deciding he shouldn't be allowed to drive a railroad truck or work around the tracks.

"It's just hard to understand," Stover said.

Another one of the workers' attorneys, Nick Thompson, said Union Pacific doesn't seem to consider any mitigating details, and it applies the same restrictions to every worker that has a condition regardless of whether that person drives a train or digs a ditch to install a signal for the railroad.

"They treat every condition like it's the worst version of that. If you pass out — regardless of the cause — they treat it for determining risk of future events as though it is an unmedicated seizure condition. That just doesn't make any sense," Thompson said.

## Zelenskyy to host Lviv talks with UN chief, Turkish leader

By DEREK GATOPOULOS and SUZAN FRASER Associated Press

LVIV, Ukraine (AP) — As a potential power broker, Turkish President Recep Tayyip Erdogan will use his first visit to Ukraine since the war started nearly six months ago to seek ways to expand the export of grain from Europe's breadbasket to the world's needy while U.N. Secretary-General António Guterres will focus on containing the volatile situation at a Russian-occupied nuclear power plant.

Ukrainian President Volodymyr Zelenskyy is hosting both men far away from the front lines, in the western city of Lviv, where diplomatic efforts to help end the war will also be on the agenda.

Meanwhile, the screams of incoming shells still overpowered the whispers of diplomacy.

A total of 11 people were killed and 40 wounded in a series of massive Russian missile strikes on Ukraine's Kharkiv region on Wednesday night and Thursday morning.

The late Wednesday attack on Kharkiv killed at least seven people, wounded 20 others and damaged residential buildings and civilian infrastructure, authorities said.

At the same time, The Russian Defense Ministry on Thursday morning claimed it targeted "a temporary base of foreign mercenaries" in the city of Kharkiv, killing 90 of them.

U.N. spokesman Stephane Dujarric said the three leaders will also discuss the situation at the Russian-controlled Zaporizhzhia nuclear power plant in southern Ukraine, Europe's largest, which Moscow and Kyiv have accused each other of shelling.

In his nightly video address Wednesday, Zelensky reaffirmed his demand for the Russian military to leave the plant, emphasizing that "only absolute transparency and control of the situation" by, among others, the U.N.'s International Atomic Energy Agency, could guarantee a return to nuclear safety.

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Russia played up the threats the plant posed in wartime. Lt. Gen. Igor Kirillov, the commander of the Russian military's radiological, chemical and biological protection forces, charged that the Ukrainian troops were planning to strike the plant again on Friday while Guterres will still be visiting Ukraine in order to accuse Russia of nuclear terrorism. Ukraine has steadfastly denied that it's targeting the plant.

Kirillov said an emergency at the plant could see "a discharge of radioactive substances into the atmosphere and spreading them to hundreds of kilometers away ... An emergency of this kind will cause massive migration and will have more catastrophic consequences than the looming gas energy crisis in Europe."

With such stakes, the role of a go-between like Erdogan could become ever more important.

Erdogan, whose nation is a member of NATO which backs Ukraine in the war, also oversees a wobbly economy that has been increasingly reliant on Russia for trade. That backdrop turns Thursday's meetings in Lviv into a walk on a diplomatic tightrope. Earlier this month, the Turkish leader met on the same issues with Russian President Vladimir Putin.

Erdogan is set to have a one-hour meeting with Zelenskyy in the early afternoon before both are joined by Guterres.

Last month, Turkey and the U.N. helped broker an agreement clearing the way for Ukraine to export 22 million tons of corn and other grain stuck in its Black Sea ports since Russia invaded Feb. 24. A separate memorandum between Russia and the U.N. aimed to clear roadblocks to shipments of Russian food and fertilizer to world markets.

The war and the blocked exports significantly exacerbated the global food crisis because Ukraine and Russia are major suppliers. Turkey is in a position to help speed up exports, which have been reduced to a trickle so far.

Grain prices peaked after Russia's invasion, and while some have since returned to prewar levels, they remain significantly higher than before the COVID-19 pandemic.

Developing countries have been hit particularly hard by supply shortages and high prices. Even though ships are now leaving Russia and Ukraine, the food crisis hasn't ended.

Before his meetings, Guterres visited Ivan Franko National University of Lviv, Ukraine's oldest, and praised the role of academic institutions in building democratic institutions in a brief statement to reporters. He made no comment on the substance of the visit. If grain transports and nuclear security are issues where some progress could be made, talks about an overall end to the conflict weren't expected to yield anything substantive.

In March, Turkey hosted a round of talks between Russian and Ukrainian negotiators, who discussed a possible deal to end the hostilities. The talks fell apart after the meeting in Istanbul, with both sides blaming each other.

Erdogan has engaged in a delicate balancing act, maintaining good relations with both Russia and Ukraine. Turkey has provided Ukraine with drones, which played a significant role in deterring a Russian advance early in the conflict, but it has refrained from joining Western sanctions against Russia over the war.

Facing a major economic crisis with official inflation near 80%, Turkey increasingly relies on Russia for trade and tourism. Russian gas covers 45% of Turkish energy needs, and Russia's atomic agency is building Turkey's first nuclear power plant.

During their meeting in Sochi this month, Putin and Erdogan agreed to bolster energy, financial and other ties between their countries, raising concerns in the West that Ankara could help Moscow bypass the U.S. and European Union sanctions.

## Post-Roe differences surface in GOP over new abortion rules

By HANNAH FINGERHUT and SCOTT BAUER Associated Press

MADISON, Wis. (AP) — When the U.S. Supreme Court repealed in June a woman's constitutional right to an abortion, Wisconsin's 1849 law that bans the procedure except when a mother's life is at risk became newly relevant.

Republicans in the Legislature blocked an attempt by Democratic Gov. Tony Evers to overturn the law.

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Yet there's disagreement inside the GOP over how to move forward when they return to the state Capitol in January.

The state's powerful Republican Assembly speaker, Robin Vos, supports reinforcing the exception for a mother's life and adding protections for instances involving rape and incest. Others, including GOP state Rep. Barbara Ditttrich, say the law should stay as it is, without exceptions for rape and incest.

For decades, Republicans like Vos and Ditttrich appealed to conservative voters — and donors — with broad condemnation of abortion. But the Supreme Court's decision is forcing Republicans from state legislatures to Congress to the campaign trail to articulate more specifically what that opposition means, sometimes creating division over where the party should stand.

Ditttrich says consensus among her Republican colleagues on an alternative to the 1849 law would be a "tremendous challenge."

"We once heard that the Democrats were the big-tent party," she said in an interview. "Now I would say the Republican Party is more the big-tent party on some of these issues."

Of course, supporters of abortion rights are now a distinct minority in Republican politics. Just two GOP members of Congress — Sens. Lisa Murkowski of Alaska and Susan Collins of Maine — publicly support passing legislation to reinstate the protections of a woman's right to choose that the Supreme Court struck down in overruling *Roe v. Wade*. In Colorado, U.S. Senate candidate Joe O'Dea is the rare Republican running this year who backs codifying *Roe*.

But the debate over even a limited set of circumstances in which abortion could be legal spurred some division within the GOP in Wisconsin and elsewhere.

In Indiana, after a decade of stalled legislation on abortion, empowered Republicans passed the first near-total abortion ban since the Supreme Court ruling. But even that measure drew dissent within the GOP. Exemptions for rape and incest up to 10 weeks prevailed after 50 Republicans joined with all Democrats to include them.

Still, 18 Republicans voted against final passage of the bill, with roughly half saying the bill went too far and the rest saying it was too weak.

In South Carolina, meanwhile, Republicans have spent decades curtailing abortion access and there is ongoing discussion about a near-total ban. But some in the legislature voiced concern about pushing the current six-week ban further and urged deceleration, particularly after seeing voters in Kansas spike a ballot measure that would have allowed the legislature there to ban abortion.

"It's like you are playing with live ammunition right now," Republican Rep. Tom Davis told *The Associated Press*.

The Supreme Court ruling paved the way for severe abortion restrictions or bans in nearly half the states. Nine states currently have laws banning abortion from conception, with three more — Tennessee, Idaho and Texas — set to take effect on Aug. 25. Three states — Georgia, South Carolina and Ohio — have laws banning abortion when fetal cardiac activity is detected, at about six weeks. Florida's law bans abortion at 15 weeks, and Arizona's will as of Sep. 24.

Some experts say the inconsistency among Republicans about how to move forward underscores how new the debate is — and how unprepared the party was for it.

"Historically, GOP candidates and policy makers were in a politically convenient spot when it came to being 'pro-life,'" University of Denver political science professor Joshua Wilson told the AP in an email.

Until *Roe* was overturned, Republican-controlled states could introduce legislation to dismantle abortion access, knowing that federal courts bound by the law at the time would block the most aggressive regulations. That and the issue's lower salience among Democratic and moderate voters, Wilson noted, "were linked guardrails against political backlash."

The rejected ballot measure in Kansas surprised advocates on both sides, not only because it was defeated by a 20-percentage-point margin but also because turnout surged, driven by voters who weren't participating in the Republican primary. Prioritization of abortion and women's rights is growing among abortion rights supporters, and Democrats are seeking to capitalize on the shift by campaigning on the

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issue and pushing for ballot measures in other states.

Polling shows the most extreme anti-abortion laws are at odds with the American public and even most Republicans.

The July AP-NORC poll showed Republicans are largely opposed to abortion "for any reason" and at 15 weeks into a pregnancy. But only 16% of Republicans say abortion generally should be "illegal in all cases."

Most Republicans said their state should generally allow a pregnant person to obtain a legal abortion if the child would be born with a life-threatening illness (61%), the person became pregnant as the result of rape or incest (77%) or if the person's health is seriously endangered (85%).

A majority of Republicans, 56%, also said their state should generally allow abortion at six weeks into a pregnancy.

GOP politicians may begin to face pressure to satisfy their base's most conservative anti-abortion opponents — they want total abortion bans — and the moderate or independent voter, who is more accepting of abortion at early points in the pregnancy and in extenuating circumstances.

That's led some candidates to pivot from hard-line positions in their primaries to more diffuse rhetoric ahead of their general election in purple states. In Arizona, the Republican candidate for governor, Kari Lake, who said during the primary that "abortion is the ultimate sin" and abortion pills should be outlawed, punted to the Legislature when asked about the specifics of abortion policy after she won.

When he was running to be Georgia Republicans' nominee for the U.S. Senate, Herschel Walker was unequivocal in his support for an outright abortion ban with no exceptions. Now that he is the nominee running in a tight general election contest, he's more circumspect. When asked plainly whether he'd vote for an absolute prohibition in a Republican-controlled Senate, Walker demurred.

"That's an 'if,'" Walker said, telling reporters he won't entertain such a hypothetical scenario "right now."

Back in Wisconsin, Evers, who is up for reelection this year, has consistently vetoed anti-abortion legislation brought forth in recent years by the Republican legislature. The Republican candidate for governor, Tim Michels, who won the Republican primary last week, said during his campaign that the state's 1849 law is "an exact mirror" of his position; he doesn't support exceptions for rape or incest.

The July AP-NORC poll showed 55% of moderate and liberal Republicans said abortion in general should be legal in all or most cases and 39% said abortion should be illegal in most cases. Just 5% said abortion should be illegal in all cases.

But even among conservative Republicans, only 24% say abortion should be illegal in all cases; 60% of conservative Republicans said abortion should be illegal in most cases.

The subject is increasingly the focus of ads for Democratic candidates for the U.S. House and Senate this summer, while it's tapered off in ads for Republican candidates, according to analysis by the Wesleyan Media Project. Democrats are painting Republicans as extreme on abortion, hoping to see the issue win over voters in the midterm elections.

"If we want to be relevant to the debate, there's got to be some negotiation. If we draw a hard line, we may be on the outside looking in in legislative chambers and in Congress," said Republican strategist Jason Roe.

Susan B. Anthony Pro-Life America President Marjorie Dannenfelser said the overturning of Roe democratizes the process of regulating abortion and it's up to each state to come to a consensus "where it's very likely that the true believers on both sides will not get what they want," she said.

Still, to Dannenfelser, "every single law that's passed is a gain for the pro-life movement because for almost 50 years, we had nothing," she said. "It's more than we had, and so that's how I look at it."

## Armani, others flee wildfire on Sicilian island retreat

MILAN (AP) — Fashion designer Giorgio Armani and dozens of others were forced to flee from their vacation villas overnight as firefighters worked to extinguish the remnants of two wildfires on the Sicilian island of Pantelleria on Thursday.

A photo shows flames that appear to encroach on Armani's villa, but his press office said they stopped

short of the property. Armani and guests evacuated to a boat in the harbor overnight.

The head of the region's civil protection agency, Salvatore Cocina, said arson is suspected in two wild-fires that forced around 30 people to seek refuge in boats or on safer parts of the island. Firefighters used Canadair planes to douse the flames, along with ground teams to protect homes. Authorities said no structures appeared to have been lost.

The island's mayor, Vincenzo Campo, told the ANSA news agency two Canadairs were working on putting out the last flames on difficult terrain and that the wind had dropped off.

"After the great fear of last evening and the night spent at work, Pantelleria is returning to normal," Campo said. "It seems the worst is over."

Local officials appealed for any information that would help identify the cause of the blaze, which started in two points 400 meters (a quarter-mile) apart.

Pantelleria, located between Sicily and the Tunisia, is a popular beach and trekking destination that includes ancient archaeological sites and natural geographic formations.

## US congressional delegation in Kenya amid election crisis

By CARA ANNA Associated Press

NAIROBI, Kenya (AP) — A U.S. congressional delegation has arrived in Kenya to meet with the new president-elect and the opposition figure likely to file a court challenge to his election loss in the latest electoral crisis for East Africa's most stable democracy.

The new U.S. ambassador to Kenya, Meg Whitman, said the delegation led by Sen. Chris Coons also will meet with outgoing Kenyan President Uhuru Kenyatta, who has been publicly silent since the largely peaceful Aug. 9 election.

President-elect William Ruto is Kenyatta's deputy president, but the two fell out years ago, and Kenyatta in the election backed longtime opposition figure Raila Odinga instead.

Odinga has said he is exploring "all constitutional and legal options" to challenge his close election loss. His campaign has a week from Monday's declaration of Ruto's win to go to the Supreme Court, which then has 14 days to rule. Odinga has urged his supporters to remain calm in a country with a history of post-election violence.

Kenya's electoral commission publicly split in chaos just minutes before Monday's declaration, with commissioners accusing each other of misconduct. The four commissioners who objected to Monday's declaration were appointed by Kenyatta last year.

The split came as a shock to many Kenyans after an election widely seen as the country's most transparent ever, with results from the more than 46,000 polling stations posted online for the public to follow along. Public tallies, including one by a local election observer group, added up to a Ruto win with just over 50% of the votes.

The political transition in Kenya will have significant impact on the East Africa region, where Kenyatta had been working with the U.S. to try to mediate in Ethiopia's Tigray conflict and promoting peace efforts between Rwanda and Congo. Ruto in his public comments this week has focused on domestic matters, not regional ones.

Coons, a member of the Senate Committee on Foreign Relations, and his delegation have already visited Cape Verde and Mozambique and are expected to visit Rwanda, where the Congo tensions and human rights should be on the agenda following Secretary of State Antony Blinken's visit to Kigali last week.

The 55-year-old Ruto appealed to Kenyans by making the election about economic differences and not the ethnic ones that have long marked the country's politics with sometimes deadly results. He portrayed himself as an outsider from humble beginnings defying the political dynasties of Kenyatta and Odinga, whose fathers were Kenya's first president and vice president.

The 77-year-old Odinga has pursued the presidency for a quarter-century. He is renowned as a fighter and was detained for years in the 1980s over his push for multiparty democracy. He was also a supporter of Kenya's groundbreaking 2010 constitution.

## **Police: Death toll in Afghan capital mosque bombing now 21**

By RAHIM FAIEZ and EBRAHIM NOROOZI Associated Press

KABUL, Afghanistan (AP) — A bombing at a mosque in the Afghan capital of Kabul during evening prayers killed at least 21 people, including a prominent cleric, and wounded at least 33 others, eyewitnesses and police said Thursday.

There was no immediate claim of responsibility for the attack Wednesday night, the latest to strike the country in the year since the Taliban seized power. Several children were reported to be among the wounded.

The Islamic State group's local affiliate has stepped up attacks targeting the Taliban and civilians since the former insurgents' takeover last August as U.S. and NATO troops were in the final stages of their withdrawal from the country. Last week, the extremists claimed responsibility for killing a prominent Taliban cleric at his religious center in Kabul.

Khalid Zadran, the spokesman for Kabul's Taliban police chief, gave the figures to The Associated Press for the bombing at the Siddiquiya mosque in the city's Kher Khanna neighborhood. An eyewitness told the AP the explosion was carried out by a suicide bomber.

The slain cleric was Mullah Amir Mohammad Kabuli, the eyewitness said, speaking on condition of anonymity because he was not authorized to talk to the media.

Taliban spokesman Zabihullah Mujahid condemned the explosion and vowed that the "perpetrators of such crimes will soon be brought to justice and will be punished."

There were fears the casualty numbers could rise further. On Thursday morning, one witness to the blast who gave his name as Qyaamuddin told the AP he believed as many as 25 people may have been killed in the blast.

"It was evening prayer time, and I was attending the prayer with others, when the explosion happened," Qyaamuddin said. Some Afghans go by a single name.

AP journalists could see the blue-roofed, Sunni mosque from a nearby hillside. The Taliban parked police trucks and other vehicles at the mosque, while several men carried out one casket for a victim of the attack.

A U.S.-led invasion toppled the previous Taliban government, which had hosted al-Qaida leader Osama bin Laden in Afghanistan, following the Sept. 11, 2001 terrorist attacks in the United States.

Since regaining power, the former insurgents have faced a crippling economic crisis as the international community, which does not recognize the Taliban government, froze funding to the country. On Thursday, the Taliban hosted a gathering of 3,000 tribal elders, religious scholars and others in Kandahar, their state-run Bakhtar News Agency reported. It wasn't immediately clear what topics they planned to discuss.

Separately, the Taliban confirmed on Wednesday that they had captured and killed Mehdi Mujahid in western Herat province as he was trying to cross the border into Iran.

Mujahid was a former Taliban commander in the district of Balkhab in northern Sar-e-Pul province, and the only member of the minority Shiite Hazara community among the Taliban ranks.

Mujahid had turned against the Taliban over the past year, after opposing decisions made by Taliban leaders in Kabul.

## **A look at the world's skinniest skyscraper: Steinway Tower**

By KIANA DOYLE Associated Press

NEW YORK (AP) — One skyscraper stands out from the rest in the Manhattan skyline. It's not the tallest, but it is the skinniest — the world's skinniest, in fact.

The 84-story residential Steinway Tower, designed by New York architecture firm SHoP Architects, has the title of "most slender skyscraper in the world" thanks to its logic-defying ratio of width to height: 23 1/2-to-1.

"Any time it's 1-to-10 or more that's considered a slender building; 1-to-15 or more is considered exotic

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and really difficult to do," SHoP Architects founding principal Gregg Pasquarelli said. "The most slender buildings in the world are mostly in Hong Kong, and they're around 17- or 18-to-1."

The 60 apartments in the tower range in cost from \$18 million to \$66 million per unit, and offer 360-degree views of the city. It's located just south of Central Park, along a stretch of Manhattan's 57th Street known as "Billionaires Row."

At 1,428 feet (435 meters), the building is the second-tallest residential tower in the Western Hemisphere, second to the nearby Central Park Tower at 1,550 feet (470 meters). For comparison, the world's tallest tower is Dubai's Burj Khalifa, which stands at 2,717 feet (828 meters).

Steinway Tower is so skinny at the top that whenever the wind ramps up, the luxury homes on the upper floors sway around by a few feet.

"Every skyscraper has to move," Pasquarelli said. "If it's too stiff, it's actually more dangerous — it has to have flexibility in it."

To prevent the tower from swaying too far, the architects created a counterbalance with tuned steel plates. And while the exterior has the de rigueur reflective glass, it also includes a textured terracotta and bronze facade that creates wind turbulence to slow the acceleration of the building, Pasquarelli said. About 200 rock anchors descend at most 100 feet (30 meters) into the underlying bedrock to provide a deep foundation.

Steinway Tower has a long history as the former location of Steinway Hall, constructed in 1924. JDS Development Group and Property Markets Group bought the building in 2013, and now they're looking to the future.

"What I'm hoping is that 50 years from now, you've only known New York with 111 West 57th St.," Pasquarelli said. "I hope it holds a special place in all future New Yorkers' hearts." \_\_\_\_

AP contributor Aron Ranen contributed to this report.

## Media to ask judge to release Trump search warrant affidavit

By TERRY SPENCER Associated Press

WEST PALM BEACH, Fla. (AP) — Attorneys for many of the nation's largest media companies will try to persuade a federal magistrate judge on Thursday afternoon to make public the affidavit supporting the warrant that allowed FBI agents to search former President Donald Trump's Florida estate last week.

The Associated Press, The New York Times, The Washington Post, The Wall Street Journal, the broadcast TV networks, CNN and others want U.S. Magistrate Judge Bruce E. Reinhart to release the affidavit over the objection of the U.S. Justice Department, which says its investigation of Trump's handling of "highly classified material" would be compromised.

The media companies argue the affidavit's release would help the public determine if the Justice Department had legitimate reasons for the search or if it was part of a Biden administration vendetta against Trump, as the former president and his backers contend. Trump, in a Truth Social post last week, called for the release of the unredacted affidavit in the interest of transparency.

"The matter is one of utmost public interest, involving the actions of current and former government officials," wrote attorney Carol Jean LoCiero, who is representing the Times and others. "President Trump decried the search as an 'assault that could only take place in Third World Countries,' asserted agents 'even broke into my safe,' and otherwise challenged the validity of the search."

Justice Department attorneys argued in a court filing that its investigation into Trump's handling of "highly classified material" is ongoing and that the document contains sensitive information about witnesses.

The filing by Juan Antonio Gonzalez, the U.S. attorney in Miami, and Jay Bratt, a top Justice Department national security official, says making the affidavit public would "cause significant and irreparable damage to this ongoing criminal investigation."

"If disclosed, the affidavit would serve as a roadmap to the government's ongoing investigation, providing specific details about its direction and likely course, in a manner that is highly likely to compromise future investigative steps," they wrote.

As of Wednesday afternoon, Trump's attorneys had not indicated on the court's docket that they plan to take part in the hearing.

FBI agents searched Trump's Mar-a-Lago estate on Aug. 8, removing 11 sets of classified documents, with some not only marked top secret but also "sensitive compartmented information," according to a receipt of what was taken that was released Friday. That is a special category meant to protect the nation's most important secrets that if revealed publicly could cause "exceptionally grave" damage to U.S. interests. The court records did not provide specific details about information the documents might contain.

## Climate Migration: Flooding forces Bangladesh family to flee

AL-EMRUN GARJON and JULHAS ALAM Associated Press

BHOLA, Bangladesh (AP) — When the Mehgna River swallowed Mohammad Jewel and Arzu Begum's tin-roofed family home overnight in southern Bangladesh just over a year ago they had no choice but to leave their ancestral village.

The couple fled the next morning with their four young boys to the capital, Dhaka, over a hundred kilometers (62 miles) away from their home in Ramdaspur village in the Bhola district, one of the hardest-hit coastal areas where many villagers regularly lose their houses and land to rivers flowing into the Bay of Bengal.

"We have grown up seeing the river, we live on the river by catching fish. But now it has taken everything from us," Jewel said.

"My heart aches when I think of my village, my ancestors, my old days. I had no choice but to leave my birthplace."

**EDITOR'S NOTE:** This story is part of an ongoing series exploring the lives of people around the world who have been forced to move because of rising seas, drought, searing temperatures and other things caused or exacerbated by climate change.

The mighty rivers that run through Bangladesh, such as the Mehgna, originate in the Himalayas or in Tibet, and run through northern and northeastern regions of the country before flowing down to the sea in the south. More than 130 rivers criss-cross through the low-lying nation, some of them prone to severe flooding.

Experts say climate change is causing erratic weather conditions in the country, resulting in a rapid collapse of riverbanks and the destruction of village after village. During the monsoon season, which runs from June to October, many rivers change course, devouring markets, schools, mosques and homes near their banks.

Millions are at risk of being displaced and becoming "climate refugees" because of sea level rise, river erosion, cyclonic storms and salty water creeping inland, scientists say. Bangladesh is expected to have about a third of South Asia's internal climate refugees by 2050, according to a World Bank report published last year.

When Jewel and Begum visited their family's old home in Ramdaspur a year later, even more homes were washed away, the river surging through new lands. Jewel said the river never felt that close by as a child, but it inched nearer every year.

"By the time we grew up, all the land and houses were destroyed by the river. The place we are standing now will also be eroded in the river in a few days," he added, just feet away from their old family home.

He said the village was once brimming with small shops and tea stalls, markets and green spaces. The land was fertile. But over the years, people were forced to abandon their homes. He estimates that no more than 500 people now live in the once 2,000-strong village.

Walking through the remnants of their former community, his wife Arzu Begum also feels pain, even though the abundant water in recent years made life difficult for the family.

"I raised my youngest child by tying his legs with a rope attached to the door of my house because of



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the fear of drowning. During the tide the house got filled with water and my youngest child always moved toward water," remembers Begum.

"All these got destroyed in the river erosion and people got scattered," she said, pointing to the homes of friends and neighbors.

"Some are living on raised platforms, some in rented homes, some in makeshift shelters at the side of dams and so on. I moved to Dhaka. We lived in a large community. Now all you can see is the river and nobody living there.

"We have become homeless," she said.

It's estimated that more than 2,000 migrants arrive in the capital Dhaka every day, with many fleeing coastal towns.

In the northern part of Bangladesh's capital, officials are building shelters for climate migrants and improving the water supply, but Jewel and Begum's family are one of many unable to benefit from these projects. Officials also are working with smaller cities to be designated "climate havens" that welcome migrants.

Experts say that limiting planet-warming greenhouse gas emissions, especially in the high-emitting nations like the U.S., China and India, will help limit more drastic weather events around the world.

Now in Dhaka's poor Mirpur area, living in a one-room hut raised over a swamp, Begum and Jewel may be away from the swelling Meghna, but say they can't adjust to the difficult city life.

"We had a place of our own and didn't have to pay any rent. Our monthly income was sufficient to run our family," recalled Begum, referring to their life back in Ramdaspur.

"Now we are forced to pay home rent and spend such an amount of money for food that what we earn isn't enough for the family," she said.

Her husband earns 12,000 takas (\$136) a month by doing a "dirty job" going door-to-door and sorting household waste while Begum earns another 4,000 takas (\$45) as a cleaner for two different houses. Her income pays the family's rent and Jewel's barely covers the rest of the family's outgoings.

Jewel, who used to catch fish in his village, says they lived there joyfully and thought of giving a better life to their children.

"I had a plan to raise my children properly, to send them to school. But now, everything is so uncertain that I don't know how we would survive. My children are growing up but I cannot take care of them," he said.

"My job is very dirty, I don't feel good sorting out all the nasty stuff I collect from households in my wealthy neighborhood," he added.

"I hate my job. But when I think how can I survive without a job, I stay calm. Life is not easy."

## Trump CFO's plea deal could make him a prosecution witness

By MICHAEL R. SISAK Associated Press

NEW YORK (AP) — Donald Trump's chief financial officer is expected to plead guilty to tax violations Thursday in a deal that would require him to testify about illicit business practices at the former president's company, two people familiar with the matter told The Associated Press.

Allen Weisselberg is charged with taking more than \$1.7 million in off-the-books compensation from the Trump Organization over several years, including untaxed perks like rent, car payments and school tuition.

The plea deal would require Weisselberg to speak in court Thursday about the company's role in the alleged compensation arrangement and possibly serve as a witness when the Trump Organization goes on trial in October on related charges, the people said.

The two people were not authorized to speak publicly about the case and did so on condition of anonymity.

Weisselberg, 75, is likely to receive a sentence of five months in jail, to be served at New York City's notorious Rikers Island complex, and he could be required to pay about \$2 million in restitution, including taxes, penalties and interest, the people said. If that punishment holds, Weisselberg would be eligible for release after about 100 days.

Messages seeking comment were left with the Manhattan district attorney's office and lawyers for Weis-

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selberg and the Trump Organization.

Weisselberg is the only person to face criminal charges so far in the Manhattan district attorney's long-running investigation of the company's business practices.

Seen as one of Trump's most loyal business associates, Weisselberg was arrested in July 2021. His lawyers have argued the Democrat-led district attorney's office was punishing him because he wouldn't offer information that would damage Trump.

The district attorney has also been investigating whether Trump or his company lied to banks or the government about the value of its properties to obtain loans or reduce tax bills.

Former District Attorney Cyrus Vance Jr., who started the investigation, last year directed his deputies to present evidence to a grand jury and seek an indictment of Trump, according to former prosecutor Mark Pomerantz, who previously led the probe.

But after Vance left office, his successor, Alvin Bragg, allowed the grand jury to disband without charges. Both prosecutors are Democrats. Bragg has said the investigation is continuing.

The Trump Organization is not involved in Weisselberg's expected guilty plea Thursday and is scheduled to be tried in the alleged compensation scheme in October.

Prosecutors alleged that the company gave untaxed fringe benefits to senior executives, including Weisselberg, for 15 years. Weisselberg alone was accused of defrauding the federal government, state and city out of more than \$900,000 in unpaid taxes and undeserved tax refunds.

Under state law, punishment for the most serious charge against Weisselberg, grand larceny, could carry a penalty as high as 15 years in prison. But the charge carries no mandatory minimum, and most first-time offenders in tax-related cases never end up behind bars.

The tax fraud charges against the Trump Organization are punishable by a fine of double the amount of unpaid taxes, or \$250,000, whichever is larger.

Trump has not been charged in the criminal probe. The Republican has decried the New York investigations as a "political witch hunt," has said his company's actions were standard practice in the real estate business and in no way a crime.

Last week, Trump sat for a deposition in New York Attorney General Letitia James' parallel civil investigation into allegations Trump's company misled lenders and tax authorities about asset values. Trump invoked his Fifth Amendment protection against self-incrimination more than 400 times.

## Trump CFO's plea deal could make him a prosecution witness

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## **Bombing at Kabul mosque kills 10, including prominent cleric**

By RAHIM FAIEZ and EBRAHIM NOROOZI Associated Press

KABUL, Afghanistan (AP) — A bombing at a mosque in the Afghan capital of Kabul during evening prayers on Wednesday killed at least 10 people, including a prominent cleric, and wounded at least 27, an eyewitness and police said.

There was no immediate claim of responsibility for the attack, the latest to strike the country in the year since the Taliban seized power. Several children were reported to be among the wounded.

The Islamic State group's local affiliate has stepped up attacks targeting the Taliban and civilians since the former insurgents' takeover last August as U.S. and NATO troops were in the final stages of their withdrawal from the country. Last week, the IS claimed responsibility for killing a prominent Taliban cleric at his religious center in Kabul.

According to the eyewitness, a resident of the city's Kher Khanna neighborhood where the Siddiquiya Mosque was targeted, the explosion was carried out by a suicide bomber. The slain cleric was Mullah Amir Mohammad Kabuli, the eyewitness said, speaking on condition of anonymity because he was not authorized to talk to the media.

He added that more than 30 other people were wounded. The Italian Emergency hospital in Kabul said that at least 27 wounded civilians, including five children, were brought there from the site of the bomb blast.

Khalid Zadran, the Taliban-appointed spokesman for the Kabul police chief, confirmed an explosion inside a mosque in northern Kabul but would not provide a casualty toll or a breakdown of the dead and wounded.

Taliban spokesman Zabihullah Mujahid also condemned the explosion and vowed that the "perpetrators of such crimes will soon be brought to justice and will be punished."

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There were fears the casualty numbers could rise further. On Thursday morning, one witness to the blast who gave his name as Qyaamuddin told The Associated Press he believed as many as 25 people may have been killed in the blast.

"It was evening prayer time, and I was attending the prayer with others, when the explosion happened," Qyaamuddin said. Some Afghans go by a single name.

AP journalists could see the blue-roofed, Sunni mosque from a nearby hillside. The Taliban parked police trucks and other vehicles at the mosque, while several men carried out one casket for a victim of the attack.

A U.S.-led invasion toppled the previous Taliban government, which had hosted al-Qaida leader Osama bin Laden in Afghanistan, following the Sept. 11, 2001 terrorist attacks in the United States.

Since regaining power, the former insurgents have faced a crippling economic crisis as the international community, which does not recognize the Taliban government, froze funding to the country.

Separately, the Taliban confirmed on Wednesday that they had captured and killed Mehdi Mujahid in western Herat province as he was trying to cross the border into Iran.

Mujahid was a former Taliban commander in the district of Balkhab in northern Sar-e-Pul province, and the only member of the minority Shiite Hazara community among the Taliban ranks.

Mujahid had turned against the Taliban over the past year, after opposing decisions made by Taliban leaders in Kabul.

## Giuliani says he 'satisfied' obligation with Ga. grand jury

By KATE BRUMBACK and LARRY NEUMEISTER Associated Press

ATLANTA (AP) — Rudy Giuliani said Wednesday that he had "satisfied his obligation" after facing hours of questioning Wednesday before a special grand jury in Atlanta as a target of an investigation into attempts by former President Donald Trump and others to overturn his 2020 election defeat in Georgia.

In an interview with The Associated Press, Giuliani said Fulton County District Attorney Fani Willis ended his appearance by saying he had "satisfied his obligation under the subpoena."

"So I was very happy that I satisfied my obligation," he said.

Speaking upon his return to New York's John F. Kennedy International Airport, Giuliani didn't provide any additional details about his appearance or testimony, including the type of questions he was asked. He was pushed through the terminal in a wheelchair alongside his lawyer, Bob Costello.

Giuliani's attorneys tried to delay his appearance before the special grand jury, saying he was unable to fly due to heart stent surgery in early July. On Wednesday, Giuliani said "my plane ride was OK," noting that it was his first since the procedure.

Costello said the session, which lasted from 9 a.m. to 3 p.m. with a half-hour lunch, "went very well. No disputes." Costello did not immediately address whether Giuliani answered questions or declined.

"Everyone was a lady or gentleman. Professional," he wrote in a text message, adding that Willis came out to greet Giuliani and his lawyers at the end.

The investigation by the Democratic prosecutor has brought heightened scrutiny to the desperate and ultimately failed efforts to overturn Joe Biden's 2020 election win. It's one of several investigations into Trump's actions in office as he lays the groundwork for another run at the White House in 2024.

Willis opened her investigation after the disclosure of a remarkable Jan. 2, 2021, phone call between Trump and Georgia's secretary of state, Brad Raffensperger. On the call, Trump suggested that Raffensperger could "find" the exact number of votes that would be needed to flip the election results in Georgia.

Trump has denied any wrongdoing. He has described the call as "perfect."

Willis last month filed petitions to compel testimony from seven Trump associates and advisers. She has also said she's considering calling Trump himself to testify, and the former president has hired a legal team in Atlanta that includes a prominent criminal defense attorney.

Other Trump allies swept up in the inquiry include U.S. Sen. Lindsey Graham, R-S.C. His attorneys filed a legal motion Wednesday asking a federal judge to put Graham's special grand jury appearance set for Aug. 23 on hold while he appeals an order compelling him to testify.

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Prosecutors want to ask Graham about phone calls they say he made to Raffensperger and his staff in the weeks following the vote.

Graham's lawyers, including former Trump White House counsel Don McGahn, are fighting the subpoena in federal court. They argue Graham's position in Congress protects him from having to appear before the grand jury. A federal judge rejected that notion and ordered the senator to testify. Graham has said he plans to appeal.

Also Wednesday, lawyers for Republican Gov. Brian Kemp asked the judge overseeing the special grand jury to quash a subpoena for him to testify Thursday. Kemp had been scheduled to sit for a video recorded voluntary interview with the district attorney's office on July 25, but Willis' team canceled that and issued a subpoena after Kemp's attorneys asked about the scope of the interview, Kemp's motion says.

Kemp's lawyers accused Willis' team of using "delay and artificial deadlines" to cause the governor's "interaction with the investigation to reach a crescendo in the middle of an election cycle." They say it was issued "for political, rather than investigative, reasons."

Kemp faces a rematch with Democrat Stacey Abrams in the November general election.

Kemp's lawyers argue that "sovereign immunity" shields a governor from having to testify about his official duties and they also cited executive privilege and attorney-client privilege. If the judge doesn't quash the subpoena, they said the judge should establish guidelines regarding what can be asked.

Willis' office declined comment, but Willis was direct in a July letter to Kemp attorney Brian McEvoy that he filed with the court: "You repeatedly referring to it as a politically motivated investigation, does not make it so. In fact, you repeating it so many times only proves you have become very comfortable being dishonest."

In seeking Giuliani's testimony, Willis noted that he was both a personal lawyer for Trump and a lead attorney for his 2020 campaign.

She recalled in a petition how Giuliani and others appeared at a state Senate committee meeting in late 2020 and presented a video that Giuliani said showed election workers producing "suitcases" of unlawful ballots from unknown sources, outside the view of election poll watchers. The claims of fraud were debunked by Georgia election officials within 24 hours. Yet Giuliani continued to make statements to the public and in subsequent legislative hearings claiming widespread election fraud using the debunked video, Willis noted in her filing.

Two of the election workers seen in the video, Ruby Freeman and Wandrea "Shaye" Moss, said they faced relentless harassment online and in person after it was shown at the Dec. 3 legislative hearing in which Giuliani appeared. At another hearing a week later, Giuliani said the footage showed the women "surreptitiously passing around USB ports as if they are vials of heroin or cocaine." They actually were passing a piece of candy.

Willis wrote in the court filing that Giuliani's hearing appearance and testimony were "part of a multi-state, coordinated plan by the Trump Campaign to influence the results of the November 2020 election in Georgia and elsewhere."

Willis also wrote in a petition seeking the testimony of attorney Kenneth Chesebro that he worked with Giuliani to coordinate and carry out a plan to have Georgia Republicans serve as fake electors. Those 16 people signed a certificate declaring falsely that Trump had won the 2020 presidential election and declaring themselves the state's "duly elected and qualified" electors even though Biden had won the state and a slate of Democratic electors was certified.

## Cheney's defeat end of an era for GOP; Trump's party now

By LISA MASCARO AP Congressional Correspondent

WASHINGTON (AP) — Liz Cheney's resounding primary defeat marks the end of an era for the Republican Party as well as her own family legacy, the most high-profile political casualty yet as the party of Lincoln transforms into the party of Trump.

The fall of the three-term congresswoman, who has declared it her mission to ensure Donald Trump

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never returns to the Oval Office, was vividly foreshadowed earlier this year, on the first anniversary of the Jan. 6 attack on the Capitol.

As the House convened for a moment of silence, Cheney, who is leading the investigation into the insurrection as vice chair of the 1/6 committee, and her father, former Vice President Dick Cheney, stood almost alone on the Republican side of the House floor.

Democratic lawmakers streamed by to shake their hands. Republicans declined to join them.

"Liz Cheney represents the Republican Party as it used to be. ... All of that is gone now," said Geoff Kabaservice, vice president of political studies at the center-right Niskanen Center.

What comes next for Liz Cheney is still to be determined.

"Now the real work begins," she said in an election night concession speech in Wyoming, summoning the legacy of both Abraham Lincoln and his Civil War-era military and presidential successor Ulysses Grant in her campaign against Trump.

Cheney could very well announce her own run for the White House — unlikely to win a hostile Republican Party's nomination but to at least give those opposed to Trump an alternative.

Overnight, she transferred leftover campaign funds into a new entity: "The Great Task." That's a phrase from The Gettysburg Address.

"I will be doing whatever it takes to keep Donald Trump out of the Oval Office," Cheney told NBC's "Today" show early Wednesday. Pressed, she said that running for president "is something I'm thinking about and I'll make a decision in the coming months."

Whether she runs or not, her belief that Trump poses a danger to democracy is a conviction that runs deep in her family.

But it's a view that has no home in today's GOP.

Trump is purging the Republican Party, ridding it of dissenters like Cheney and others who dare to defy him, shifting the coast-to-coast GOP landscape and the makeup of Congress.

Of the 10 House Republicans including Cheney who voted to impeach Trump for inciting the Jan. 6, 2021 insurrection, at the Capitol, only two remain candidates for re-election. The others have bowed out or, like Cheney, have been defeated by Trump-backed challengers.

If Republicans gain control of the House and Senate in the November elections, the new Congress is destined to be remade in Trump's image. However, his influence may in fact cut two ways, winning back the House for Republicans but costing the party the Senate if his candidates fail to generate the broader appeal needed for statewide elections.

"It's just a party of Donald Trump's fever dreams," said Mark Salter, a former longtime Republican aide to the late Sen. John McCain.

"It's just Donald Trump's club."

For 50 years, the Cheneys have had important influence in Washington, from the time Dick Cheney first ran for Congress — later being elected vice president — to the arrival of his daughter, elected in 2016 alongside Trump's White House victory.

Identified with the hawkish defense wing of the Republican Party, the Cheneys with the Presidents Bush represented a cornerstone of the GOP in the post-World War II era, when it thrived as a party of small government, low taxation and muscular foreign policy.

Liz Cheney never wavered, chosen by House GOP colleagues to the same position her father held, the No. 3 Republican in the House, its highest-ranking woman.

But the Jan. 6, 2021, attack on the Capitol changed all that.

Cheney was unequivocal, laying blame for the attack on the defeated president and his false claims of voter fraud and a rigged election.

Trump "summoned this mob, assembled the mob and lit the flame of this attack," she said at the time, announcing her vote to impeach.

"There has never been a greater betrayal by a president of the United States of his office and his oath to the Constitution."

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House Republican leader Kevin McCarthy initially defended Cheney but quickly reversed as Republicans booted her from party leadership. When Democratic Speaker Nancy Pelosi named Cheney to the 1/6 panel, her exile was all but complete.

Trump gloated at Cheney's GOP primary defeat Tuesday night, deriding her as "sanctimonious" and a "fool" for suggesting his claims of a rigged election were false.

Trump had swooped into the Cowboy State to rally for Harriet Hageman, who was once highly critical of him but beat Cheney by embracing the former president, backed by McCarthy and other party leaders.

Cheney's defeat follows that of the last Bush in public office, Jeb's son George P. Bush, who was defeated in the Republican primary for Texas attorney general by Trump-backed Ken Paxton in May.

On Fox News, conservative author Charlie Kirk called Tuesday's election a "mass repudiation" of the Bush-Cheney-McCain era.

Rep. Elise Stefanik of New York, who replaced Cheney in House GOP leadership and endorsed Hageman, said in a statement she was glad to see Pelosi's "puppet" defeated.

Former Sen. Alan Simpson of Wyoming who served in Congress alongside Dick Cheney and has known Liz Cheney since she was a child, says he can no longer recognize the party that he joined, casting his first presidential vote for Dwight Eisenhower.

"What's happened to our party is a fear of Donald J. Trump," Simpson said.

Founded in the mid-19th century, the Republican Party's core conservative values have shifted in the Trump era into a strain of politics that is more inward focused on grievances at home and isolationism abroad.

Those running for Congress include many Republican incumbents who voted against certifying Joe Biden's election, amplifying Trump's relentless false claims of a rigged election and fueling the Jan. 6 insurrection at the Capitol.

And many of the new GOP candidates for Congress are also election deniers, according to a tally by Democrats.

"The House is — should be — the people's House," said former Republican Rep. Carlos Curbelo of Florida. Instead, he said, "It's controlled by Mr. Trump,"

Cheney walks alone many days at the Capitol, flanked by plain-clothes Capitol police who guard her amid an onslaught of violent threats.

Her mission of denying Trump a return to the presidency can be seen in her daily schedule, much of her time devoted to the 1/6 committee deepening and completing its work.

Fellow Wyoming Republican Simpson said he has no doubt what's next for Cheney: "She'll mount a new set of horses and ride to the finish line."

## Bank of America's overdraft fees down 90% under new policy

By KEN SWEET AP Business Writer

NEW YORK (AP) — Bank of America says the revenue it gets from overdrafts has dropped 90% from a year ago, after the bank reduced overdraft fees to \$10 from \$35 and eliminated fees for bounced checks.

The nation's largest banks are moving away from the practice of charging exorbitant fees on what are mostly small-dollar purchases after years of public pressure. Bank of America CEO Brian Moynihan told The Associated Press that he expects whatever residual income the bank earns from overdraft fees will come from small businesses using overdraft fees as a convenience.

BofA's new overdraft fee policy was implemented starting in June. Moynihan said in the policy's first two months, overdraft fee revenue declined 90% and the bank was seeing fewer instances of the fees being collected. He did not share specifics on the number of instances.

"The remaining (people that get charged overdraft fees) are business owners who are moving money around," Moynihan said. "It's not individuals anymore, frankly."

Starting the middle of 2021, regional banks such as PNC and Capital One, as well as the online bank Ally, announced plans to eliminate overdraft fees or find ways to curtail them dramatically. Most of the banks said the fees largely impacted the poor and racial minorities, or that the pandemic had shown the

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banks they could earn big profits without charging fees on their customers, in explaining their decision. While notable, consumer advocates considered these announcements symbolic wins, not substantial reform for the industry.

However, Bank of America's decision in January to eliminate non-sufficient fund fees — sometimes referred to as a bounced check fee — as well as cut overdraft fees to \$10 is credited with shaking up the industry. BofA for years was cited as one of the top collectors of overdraft fees and still brought in slightly more than \$1 billion from such fees last year. Other banking giants such as Wells Fargo, JPMorgan Chase and Truist all changed their overdraft fee practices shortly after BofA's announcement.

Overdraft fee revenues at BofA have been declining for some time as the bank took several incremental steps to cut back its reliance on fees. Roughly half of all accounts opened at BofA are now accounts that do not allow the customer to overdraft. The bank took in \$1.63 billion in overdraft fee income in 2015, the first year banks were required to publicly report overdraft fee revenues to regulators.

"(BofA) is miles ahead of what Wells and Chase have done. Both of them did some reforms, we certainly applaud those changes, but they are still charging the \$35 fee," said Mike Calhoun, head of the Center for Responsible Lending and a long-time critic of overdraft fee practices. Calhoun sits on an advisory board that includes several other consumer advocacy groups that advised BofA on the changes.

But regulators and researchers have taken note of the overall industrywide decline in overdraft fee revenues since the pandemic. In a July report, the Consumer Financial Protection Bureau researchers found that "industry changes in overdraft program settings and in other checking account policies are making meaningful difference in the amount consumers incur in various fees."

## How new Colorado River cuts will impact states, residents

By SUMAN NAISHADHAM Associated Press

WASHINGTON (AP) — Arizona and Nevada residents won't face bans on watering their lawns or washing their cars despite more Colorado River water shortages.

But U.S. officials announced Tuesday there will be less water available next year for them from the river that serves 40 million people in the West and Mexico and a farm industry worth billions of dollars. Observers warn that a reckoning is still coming for the growing region because the water crisis is expected to generate future cuts.

A look at the crucial source of water for the Western U.S. and the water cuts.

WHY IS THE COLORADO RIVER THREATENED?

There are two Colorado Rivers in the U.S. — the 1,450-mile (2,334 kilometer) powerhouse of the West and the over 800-mile (1,287-kilometer) river that starts and ends in Texas.

The river that faces cuts is the longer one. It supplies seven states plus Mexico but its flow has dropped drastically over time because of water overuse by farming and growing populations, hotter temperatures, evaporation and less melting snow in the spring to replenish the river.

And for years, the seven states that receive the river's water have diverted more water from it than what was replenished by nature.

WHO DO LAKE MEAD AND LAKE POWELL SERVE?

Lake Mead supplies water to millions of people in Arizona, California, Nevada and Mexico.

Cuts for 2023 are triggered when predicted water levels fall below a certain threshold — 1,050 feet (320 meters) above sea level.

Additional cuts will be triggered when projected levels sink to 1,045 and 1,025 feet (319 and 312 meters). At a certain point, levels could drop so low that water can no longer be pumped from the reservoir.

Eventually, some city and industrial water users will be affected.

Lake Powell's levels are also falling and extraordinary steps have been taken to keep water in the reservoir on the Arizona-Utah border.

Colorado, New Mexico, Utah and Wyoming get water from tributaries and other reservoirs that feed into Lake Powell. Water from three reservoirs in those states has been drained in recent years to maintain



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water levels at Lake Powell and protect the electric grid powered by the Glen Canyon Dam.

## WHAT IS BEING CUT AND WHY?

The federal government started cutting some states' supplies this year to maintain water levels in the river and its key reservoirs. New water cuts will build on those reductions — which all but eliminated some central Arizona farmers' supply of Colorado River water and to a much lesser extent, reduced Nevada and Mexico's share.

Lake Mead and Lake Powell — the two largest Colorado River reservoirs — are about a quarter full, threatening water supplies and the generation of hydroelectric power that provides electricity to millions of people.

Along the reservoirs' edges, "bathtub rings" of minerals outline where the high water line once stood, highlighting the challenges the West faces as a 'megadrought' tightens its grip on the region.

## HOW IS THE RIVER SHARED?

Colorado, Wyoming, Utah and New Mexico share the Colorado River in what's called the river's upper basin. Arizona, Nevada and California form the lower basin.

From its headwaters in Colorado, the river and its tributaries eventually flow south of the border into Mexico, which also uses its water. The river's water traditionally flowed through Mexico and reached the Gulf of California, but rarely does so anymore because so much is used by farms and cities. Among those who depend on the water are nearly 30 federally recognized Native American tribes.

In the Southwest, water stored in Lake Mead and Lake Powell — the two largest manmade reservoirs in the U.S. — is divided up through legal agreements among the seven Colorado River basin states, the federal government, Mexico and tribes. The agreements determine how much water each entity gets, when cuts are triggered and the order in which the parties must sacrifice some of their supply.

Under a 2019 drought contingency plan, Arizona, Nevada, California and Mexico agreed to give up shares of their water to maintain water levels at Lake Mead. This year's cuts are part of that plan — and as a result, state officials knew they were coming.

## WHICH PARTIES WILL BE AFFECTED BY THE CUTS?

Arizona, Nevada and Mexico.

Arizona was hardest hit, again, and will receive 79% of its total share next year. But that's only 3% less than what it got this year, after federal officials slashed its supply.

Nevada will receive about 92% of its total supply next year. Most residents will not feel the cuts thanks to water conservation, reuse and the state not using its full allocation.

California has been spared because it has more senior water rights than Arizona and Nevada. That means it doesn't have to give up its water first, according to the hierarchy that guides water law in the American West.

Mexico will get about 93% of its total supply. The water is used in cities and farming communities in northwestern Mexico, which is also enduring a severe drought.

## WHO WILL LOSE WATER?

Farmers in central Arizona, among the state's largest producers of livestock, dairy, alfalfa, wheat and barley, lost most of their Colorado River allocation this year when the government implemented its first shortage. Some farmers were compensated with water through deals with cities like Phoenix and Tucson.

More farmers will likely need to leave their land fallow — which some farmers in the region have been paid to do by state agencies and others — and rely even more on groundwater. Others will be forced to grow more water-efficient crops such as durum wheat and guayule and find other ways to use less water.

Western water suppliers have planned for such shortages by diversifying and conserving their water sources. But intensifying drought depleting reservoirs faster than scientists predicted — and the resulting cuts — will make it harder for farms and cities to plan for the future.

"Most people are also not prepared for the kind of difficult choices that we need to make," said Mark Squillace, a professor of environmental law at the University of Colorado. "And that's sort of the situation we're facing in the Colorado River."

Phoenix will lose some water it would otherwise store in underground basins as a water reserve, said Cynthia Campbell, the city's water resource management advisor. That happened this year, too. The city will rely more water from Arizona's Salt and Verde rivers.

Campbell said Phoenix residents and businesses won't be affected. The city that was a sleepy desert community in the 1950s is now the nation's 5th largest.

Nevada will also face cuts, but residents won't face big impacts. The state does not use its full supply of Colorado River water and most water used indoors by businesses and homes in the populous southern part of the state is recovered, treated and delivered recycled back to Lake Mead.

## **Attorney: Don't accept portrayal of R. Kelly as 'monster'**

By MICHAEL TARM and DON BABWIN Associated Press

CHICAGO (AP) — R. Kelly kept an ugly side of his life hidden as he escaped poverty in Chicago and rose to pop music stardom, a prosecutor told jurors Wednesday at the singer's trial on charges accusing him of enticing girls for sex and rigging a 2008 child pornography case.

Kelly's lead attorney implored jurors during her opening statement at the federal trial in Chicago not to accept what she said was the prosecution's portrayal of her client as "a monster."

Going back to the 1990s, much of the world knew Kelly solely by his hit songs, including the chart-topping inspirational anthem "I Believe I Can Fly," U.S. Assistant Attorney Jason Julien said. But "Kelly had another side ... a hidden side, a dark side," he added. "This trial is about Kelly's hidden side."

Kelly, 55, faces multiple charges, including enticing of minors for sex, producing child pornography and rigging his 2008 child pornography trial at which he was acquitted.

Kelly, who has denied any wrongdoing, has been trailed for decades by complaints and allegations about his sexual behavior. The scrutiny intensified after the #MeToo era and the 2019 six-part documentary "Surviving R. Kelly" that detailed sex abuse allegations involving women and teenage girls.

Defense attorney Jennifer Bonjean told jurors that Kelly, in part because of intellectual challenges that included illiteracy, was forced to rely on others as his career took off and that he was sometimes led astray by those in his circle of associates.

"Mr. Kelly can also be a victim," she said.

A conviction in Chicago could add decades to a 30-year prison sentence he already received from a New York federal judge for charges that he used his fame to sexually abuse other young fans.

Sitting at a defense table as the prosecutor spoke, Kelly occasionally shook his head as Julien described Kelly manipulating and controlling girls — even beating them if they didn't comply with strict rules that included calling him "daddy."

Julien sought to give jurors a sense of the scale of Kelly's alleged exploitation, saying he "repeatedly" had sex with girls who were just 14, 15 and 16 years old — "multiple girls, hundreds of times."

He told jurors that the evidence includes at least three videos showing Kelly having sex with underage girls.

"We're not going to play hours of child pornography and make you watch it," the prosecutor said, explaining they would see excerpts. He added: "The videos are difficult to watch. But it is important to watch ... to understand what happened."

Later Wednesday, prosecutors entered into evidence video that was at the center of Kelly's 2008 trial, but did not play any of it for jurors before court ended for the day. Prosecutors contend the video Kelly having sex with a girl no older than 14 when he was around 30.

Kelly nodded his head in agreement when his lawyer told jurors Kelly isn't looking for special treatment — just a fair trial.

"When the government wants to paint him as a monster ... you remember we are talking about a human being," Bonjean said.

She said jurors should not succumb to what she called "a mob justice climate" surrounding Kelly, alluding to "Surviving R. Kelly" and years of harsh social media accounts of him.

"It is true that Mr. Kelly is imperfect," she said. "On his journey from poverty to stardom, he stumbled

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along the way." But, she said, she was confident jurors would ultimately find him not guilty.

After jurors acquitted Kelly at his state trial in 2008, some later explained that they felt they had no choice because the girl did not testify. The woman, now 37 and referred to in court filings as "Minor 1," will be the government's star witness. During the trial, she will be referred to by a single pseudonym, "Jane," in court.

The first people to testify were a psychologist, a music executive and a former Chicago police detective who first obtained the video of Minor 1 in the early 2000s. The detective was expected to resume his testimony Thursday morning. At one point during Wednesday's testimony, prosecutors played about a minute of "I Believe I Can Fly" as they sought to establish how popular Kelly was in the the '90s heading into the 2000s.

A central focus of the trial will be whether Kelly threatened and paid off Minor 1. That's the allegation underpinning one of the charges against Kelly, conspiracy to obstruct justice.

Kelly also faces four counts of enticement of minors for sex — one each for four other accusers. They, too, are expected to testify.

Two Kelly associates, Derrel McDavid and Milton Brown, are co-defendants. McDavid is accused of helping Kelly fix the 2008 trial, while Brown is charged with receiving child pornography. Like Kelly, they also have denied wrongdoing.

The jury was impaneled Tuesday night with prosecutors and defense attorneys arguing toward the end of the process about whether the government was improperly attempting to keep some Black people off the jury. Kelly is Black.

About half the 12 jurors impaneled were identified as Black by the judge, prosecutor and defense attorneys. There are also five alternates.

## Wisconsin school board votes in favor of pride flag ban

WALES, Wis. (AP) — A Wisconsin school board voted in favor of a policy that prohibits teachers and staff from displaying gay pride flags and other items that district officials consider political in nature.

The Kettle Moraine School Board voted Tuesday to keep a code of conduct in place that the superintendent recently interpreted as forbidding district employees from displaying political or religious messages, including pride flags, and Black Lives Matter and We Back the Badge signs. Staff also may not say in emails what their preferred pronouns are.

Superintendent Stephen Plum recently told the board that the district's interpretation of a policy that prohibits staffers from using their positions to promote partisan politics, religious views and propaganda for personal, monetary or nonmonetary gain changed following a legal analysis.

Jim Romanowski was the only board member to vote against the ban, saying he changed his mind about the policy after hearing from students and staff.

Most of those who spoke at Tuesday's packed board meeting opposed the policy. The public comment period was capped at an hour, despite a call from the crowd to extend it.

"If you have a policy that says 'nothing political,' does that mean you can't have a sign up that says, 'Support our Troops,' or 'Believe Women' or 'Save the Planet?' By some people's definitions, all of those things are political," said Christine Donahoe, an attorney with the American Civil Liberties Union of Wisconsin.

Donahoe said she's looking closely at the policy and a similar one approved last fall by the school district in nearby Waukesha.

"It really looks like targeted attacks at specific viewpoints, like LGBT communities, or welcome and safe spaces to students of color," said Donahoe.

More than 13,000 people have signed an online petition opposing the Kettle Moraine policy that was launched by two local high school students, Bethany Provan and Brit Farrar.

"Having a rainbow flag in your room isn't pushing your beliefs on someone," Provan told WITI-TV. "It's just saying, 'Hey, you're welcome here, and we support you.'"

## Trump supporters' threats to judge spur democracy concerns

By GARY FIELDS and NICHOLAS RICCARDI Associated Press

WASHINGTON (AP) — Hundreds of federal judges face the same task every day: review an affidavit submitted by federal agents and approve requests for a search warrant. But for U.S. Magistrate Judge Bruce Reinhart, the fallout from his decision to approve a search warrant has been far from routine.

He has faced a storm of death threats since his signature earlier this month cleared the way for the FBI to search former President Donald Trump's Mar-a-Lago estate as part of a probe into whether he inappropriately removed sensitive materials from the White House. Reinhart's home address was posted on right-wing sites, along with antisemitic slurs. The South Florida synagogue he attends canceled its Friday night Shabbat services in the wake of the uproar.

Trump has done little to lower the temperature among his supporters, decrying the search as political persecution and calling on Reinhart to recuse himself in the case because he has previously made political donations to Democrats. Reinhart has also, however, contributed to Republicans.

The threats against Reinhart are part of a broader attack on law enforcement, particularly the FBI, by Trump and his allies in the aftermath of the search. But experts warn that the focus on a judge, coming amid an uptick in threats to the judiciary in general, is dangerous for the rule of law in the U.S. and the country's viability as a democracy.

"Threats against judges fulfilling their constitutional responsibilities strike at the very core of our democracy," U.S. Second Circuit Judge Richard J. Sullivan, chair of the Judicial Conference Committee on Judicial Security, said in a statement issued recently in the aftermath of the search. "Judges should not have to fear retaliation for doing their jobs."

A phone message left in Reinhart's chambers was not immediately returned. He will preside over a hearing Thursday on a request by media organizations, including The Associated Press, seeking to unseal the underlying affidavit the Justice Department submitted when it asked for the Mar-a-Lago search warrant.

Asked to comment about measures it has taken to protect Reinhart and his family the U.S. Marshals Service said in a statement "while we do not discuss our specific security measures, we continuously review the measures in place and take appropriate steps to provide protection as necessary to ensure the integrity of the federal judicial process."

The vitriol directed at the magistrate, while striking, is becoming increasingly common. In 2014, the U.S. Marshals Service handled 768 incidents that it classified as "inappropriate communications" aimed at judges and court employees. Last year, it reported more than 4,500.

At one point "virtually everyone recognized how inappropriate it was to threaten the life or security of a judge because of a disagreement with the judge's decision," said Barbara Lynn, chief judge for the northern district of Texas. "Now I think there are a lot of people that don't think there's anything wrong with that."

Lynn is one of many judicial officials pushing Congress to approve the Daniel Anderl bill, named for the 20-year-old son of District Judge Esther Salas. He was killed in 2020 when a gunman came to their New Jersey home. His father was wounded. The bill, which has the support of groups ranging from the American Bar Association to the National Association of Attorneys General, would keep more of judges' personal information private.

In June, a retired Wisconsin county circuit judge, John Roemer was killed in his home in what authorities said was a targeted killing by a gunman, who fatally wounded himself as well. Later that month, protesters converged on the homes of conservative U.S. Supreme Court justices after they overturned a 49-year-old ruling that women have a constitutional right to obtain an abortion. Police arrested a man with knives, zip ties and a gun near the home of Justice Brett Kavanaugh and he said he planned to kill the conservative justice. Congress rapidly approved money to bolster security at the justices' homes and provide 24-hour protection to their families.

The increased targeting of judges comes as trust in public institutions plummets and partisan rhetoric escalates. It's part of a pattern that Steven Levitsky has seen before.

"This is a classic precursor of a democratic breakdown," said Levitsky, a Harvard political scientist and

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co-author of How Democracies Die. "To call this a warning sign is an understatement."

Trump's initial presidential campaign — during which he personally condemned a judge who ruled against him in a lawsuit over his now-defunct Trump University — changed the ground rules governing threats and explosive rhetoric, said Matthew Weil, executive director of the Democracy Initiative at the Bipartisan Policy Center in Washington, DC.

"There are threats everywhere now, it's become more normalized because he changed what was allowed in public discourse," Weil said, who said both the right and the left have turned to threatening the judicial branch.

Nathan Hall, a principal consultant with the National Center for State Courts, noted that the combination of lagging public trust, coupled with access to judges' addresses and personal information impacts everyone from nationally-known Supreme Court justices to otherwise anonymous state judges.

"This gets to the core issue of having equal access to justice, a core foundational principle of our ability to function as a third and independent branch of government. It's really shaken to the core," Hall said. "Judges are just people at the end of the day. They put on a robe, but they still go home to their families."

The most recent warning sign came after last week's search of Mar-A-Lago, Trump's Florida resort and political and personal headquarters. FBI agents seized 11 sets of classified information as part of an investigation of three different federal laws, including one that governs gathering, transmitting or losing defense information under the Espionage Act, according to court records.

Trump accused the government of abuse of power in targeting him, and his supporters railed against the search online, targeting the FBI and Department of Justice. An armed man who posted threats against the FBI on Trump's Truth Social network was killed by authorities after trying to storm the agency's Cincinnati office.

Still, Trump and his supporters have waged rhetorical war against the FBI for years since the investigation into whether his initial campaign was aided by Russia in 2016. The intense focus on an individual judge like Reinhart is relatively new.

Gretchen Helmke, a political scientist at the University of Rochester, said Trump's action mirrors what demagogues have done in other countries where democracy has collapsed. "A popularly elected leader targeting a judiciary is often one early indicator of democratic erosion," Helmke said in an email.

Helmke cited Venezuela, Bolivia and Peru as places where an incoming administration vowed to clean up the judiciary, then stocked it with its followers. "The public never develops any real trust or confidence in the judiciary, and it is essentially costless for each incoming administration to use the previous government's manipulation of the judiciary as a pretext to create the court it wants, Helmke said. "The end result is no judicial independence and no rule of law."

Hall said people can look at other countries and see what happens when public servants fear reprisals, places where "the rule of law has suffered. I guess you probably get a lot of differences of opinions on how far down that road we're already hitting, but it raises the important question."

## Judge: Pharmacies owe 2 Ohio counties \$650M in opioids suit

By MARK GILLISPIE Associated Press

CLEVELAND (AP) — A federal judge in Cleveland awarded \$650 million in damages Wednesday to two Ohio counties that sued CVS, Walgreens and Walmart over the way the national pharmacy chains distributed opioids to their communities.

U.S. District Judge Dan Polster said in his ruling that the money will be used to the fight the opioid crisis in Lake and Trumbull counties outside Cleveland. Attorneys for the counties put the total price tag at \$3.3 billion for the damage done.

The judge admonished the three companies, saying they "squandered the opportunity to present a meaningful plan to abate the nuisance" after proceedings last spring to determine what the counties were owed.

Lake County is to receive \$306 million over 15 years. Trumbull County is to receive \$344 million over the same period. Polster ordered the companies to immediately fork over nearly \$87 million to cover the

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first two years of payments, but it was unclear whether they had to pay that money during their appeals. "Today marks the start of a new day in our fight to end the opioid epidemic," Lake County Commissioner John Hamercheck said in a statement.

A jury in November returned a verdict in favor of the counties after a six-week trial. It was then left to the judge to decide how much the counties should receive. He heard testimony in May to determine damages.

The counties convinced the jury that the pharmacies played an outsized role in creating a public nuisance in the way they dispensed pain medication.

It was the first time pharmacy companies completed a trial to defend themselves in a drug crisis that has killed a half-million Americans since 1999.

The decision on damages came on the same day that attorneys general from numerous states announced they had reached an agreement with opioid maker Endo International to pay as much as \$450 million over 10 years. The payments settle allegations the company used deceptive marketing practices "that downplayed the risk of addiction and overstated the benefits" of opioids.

Attorneys for the pharmacy chains insisted they had policies to stem the flow of pills when pharmacists voiced concerns and would notify authorities about suspicious orders from doctors. They also said it was doctors who controlled how many pills were prescribed for legitimate medical needs, not pharmacies.

Walmart issued a statement Wednesday saying the counties "sued Walmart in search of deep pockets, and this judgment follows a trial that was engineered to favor the plaintiffs' attorneys and was riddled with remarkable legal and factual mistakes."

Walgreens spokesperson Fraser Engerman said: "The facts and the law did not support the jury verdict last fall, and they do not support the court's decision now."

He said the court "committed significant legal errors in allowing the case to go before a jury on a flawed legal theory that is inconsistent with Ohio law and compounded those errors in reaching its ruling regarding damages."

CVS spokesperson Michael DeAngelis said the company strongly disagreed with the court's decision on damages as well as the underlying verdict.

CVS is based in Rhode Island, Walgreens in Illinois and Walmart in Arkansas.

Two chains — Rite Aid and Giant Eagle — settled lawsuits with the counties before trial. The amounts they paid have not been disclosed publicly.

Mark Lanier, an attorney for the counties, said during the trial that the pharmacies were attempting to blame everyone but themselves.

The opioid crisis has overwhelmed courts, social-service agencies and law enforcement in Ohio's blue-collar corner east of Cleveland, leaving behind heartbroken families and babies born to addicted mothers, Lanier told jurors.

Roughly 80 million prescription painkillers were dispensed in Trumbull County alone between 2012 and 2016 — equivalent to 400 for every resident. In Lake County, some 61 million pills were distributed during that period.

Prescriptions for pain medications such as oxycodone and hydrocodone rose as medical groups began recognizing that patients have the right to be treated for pain, Kaspar Stoffelmayr, an attorney for Walgreens, said at the opening of the trial.

The problem, he said, was that "pharmaceutical manufacturers tricked doctors into writing way too many pills."

The counties said pharmacies should be the last line of defense to prevent pills from getting into the wrong hands.

The trial was part of a broader constellation of about 3,000 federal opioid lawsuits consolidated under Polster's supervision. Other cases are moving ahead in state courts.

Kevin Roy, chief public policy officer at Shatterproof, an organization that advocates for solutions to addiction, said in November that the verdict could lead pharmacies to follow the path of major distribution companies and some drugmakers that have reached nationwide settlements of opioid cases worth billions

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of dollars. So far, no pharmacy has reached a nationwide settlement.

The agreement with Ireland-based Endo calls for the \$450 million to be divided between participating states and communities. It also calls for Endo to put opioid-related documents online for public viewing and pay \$2.75 million in expenses to publicly archive those documents.

Endo can never again market opioids, according to the agreement. It filed Tuesday for Chapter 11 bankruptcy protection.

The company, which has its U.S. headquarters in Malvern, Pennsylvania, did not respond Wednesday to telephone and email requests for comment about the agreement.

Endo produces generic opioids and name brands such as Percocet and Endocet. The company's Opana ER opioid was withdrawn from the market in 2017.

The attorneys general say Endo "falsely promoted the benefits" of Opana ER's "so-called abuse deterrent formulation." The attorneys general said the formulation did not deter abuse of the drug and led to deadly outbreaks of hepatitis and HIV resulting from people injecting it.

## Judge reinstates North Carolina's 20-week abortion ban

By HANNAH SCHOENBAUM Associated Press/Report for America

RALEIGH, N.C. (AP) — Abortions in North Carolina are no longer legal after 20 weeks of pregnancy, a federal judge ruled Wednesday, eroding protections in one of the South's few remaining safe havens for reproductive freedom.

U.S. District Judge William Osteen reinstated an unenforced 20-week abortion ban, with exceptions for urgent medical emergencies, after he said the June U.S. Supreme Court decision overturning *Roe v. Wade* erased the legal foundation for his 2019 ruling that placed an injunction on the 1973 state law.

His decision defies the recommendations of all named parties in the 2019 case, including doctors, district attorneys and the attorney general's office, who earlier this month filed briefs requesting he let the injunction stand.

"Neither this court, nor the public, nor counsel, nor providers have the right to ignore the rule of law as determined by the Supreme Court," wrote Osteen, who was appointed to the court by Republican President George W. Bush.

Unable to pass abortion restrictions that would survive Democratic Gov. Roy Cooper's veto, the Republican General Assembly leaders urged Osteen to restore the ban in a July 27 friend-of-the-court brief after the state's Democratic attorney general, an outspoken abortion rights supporter, rejected their demand that he bring the ban before a judge himself.

"I am encouraged that, although our attorney general has failed to do his duty, today we have a ruling that upholds the law," House Speaker Tim Moore said, referring to North Carolina Attorney General Josh Stein.

Osteen's ruling adds fuel to an already contentious midterm election year after the Supreme Court ruling propelled state-level politics into the spotlight. North Carolina Republicans in November will aim to clinch the five additional seats they need for a veto-proof supermajority in the state legislature as Democrats stave off their challenges to preserve Cooper's power.

Republican lawmakers say a successful election season could open the door to further abortion restrictions when the General Assembly reconvenes early next year. Moore told reporters on July 26 that he would like to see the legislature consider banning abortions once an ultrasound first detects fetal cardiac activity — typically around six weeks after fertilization and before some patients know they're pregnant.

Cooper and other Democrats have already elevated abortion access as a key campaign issue. The governor signed an executive order on July 6 shielding out-of-state abortion patients from extradition and prohibiting state agencies under his control from aiding other states' prosecutions of those who travel for the procedure.

"Denying women necessary medical care in extreme and threatening situations, even if rare, is fundamentally wrong, and we cannot let politicians mislead people about the real-world implications of this

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harmful law," Cooper said Wednesday.

North Carolina has become a refuge for residents of its more restrictive neighboring states, like South Carolina, Georgia and Tennessee, where abortions are now illegal after six weeks.

Before Osteen's ruling, abortions were legal in North Carolina until fetal viability, which generally falls between 24 and 28 weeks of pregnancy, or in certain medical emergencies.

As other Southeastern states continue to chip away at abortion access, Alison Kiser, executive director of Planned Parenthood Votes! South Atlantic, said limiting treatment in "a critical access point state" like North Carolina will have ripple effects across the region.

The number of out-of-state patients at North Carolina's Planned Parenthood health centers has tripled since the Supreme Court ruling, Kiser said. So far in August, 36% of abortion patients traveled from other states, up from 14% in June.

But Republicans argue little will change with the 20-week ban back in place. In 2019, fewer than 1% of abortions nationwide were performed after 20 weeks of gestation, consistent with data from previous years when abortion access was protected at the federal level, according to the Centers for Disease Control and Prevention.

"Abortions after 20 weeks are rare, but it's still incredibly important that people have access to this care," Kiser said. "The two primary reasons people need abortion care later in pregnancy is because they've received new medical information or, and ever more so now, they're facing barriers that have delayed their care."

The main delay, she said, is North Carolina's 72-hour mandatory waiting period to receive an abortion after an initial doctor's visit. The General Assembly extended the waiting period in 2015, making North Carolina the fifth state to require counseling three days before an abortion — one of the longest waiting periods in the country.

The 2015 bill also amended the state law that Osteen reinstated Wednesday, narrowing the criteria for medical emergencies that could warrant an abortion after 20 weeks.

## **Pence tells GOP to stop lashing out at FBI over Trump search**

By HOLLY RAMER Associated Press

MANCHESTER, N.H. (AP) — Former Vice President Mike Pence on Wednesday implored fellow Republicans to stop lashing out at the FBI over the search of Donald Trump's Florida home and denounced calls by some of the former president's allies to defund the FBI, saying that was "just as wrong" as a push by Democratic activists to shift money from police.

Pence also said he would give "due consideration" if asked to testify before the House committee investigating the riot at the U.S. Capitol on Jan. 6, 2021.

His pleas for restraint come as law enforcement officials warn of an escalating number of violent threats targeting federal agents and government facilities since agents last week searched Mar-a-Lago as part of the Justice Department's investigation into the discovery of classified White House records recovered from Trump's estate earlier this year.

Speaking in New Hampshire, Pence said he has been troubled by what he called the politicization of the FBI. He also said the Justice Department and Attorney General Merrick Garland should be more forthcoming about what led authorities to conduct the search.

But Pence, who is trying to stake out his own political path as he and Trump both consider 2024 presidential campaigns, also had a message for the GOP.

"I also want to remind my fellow Republicans, we can hold the attorney general accountable for the decision he made without attacking the rank-and-file law enforcement personnel at the FBI," he said at the Politics & Eggs event, a breakfast gathering at St. Anselm College for business leaders that has become a customary stop for White House hopefuls in the early-voting state.

"The Republican Party is the party of law and order," Pence continued. "Our party stands with the men and women who stand on the thin blue line at the federal and state and local level, and these attacks on



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the FBI must stop. Calls to defund the FBI are just as wrong as calls to defund the police.”

Trump and some other Republican lawmakers have tried to capitalize on the search by portraying it as an act of political persecution and an attack on the rule of law.

For the onetime political allies, their paths diverged on Jan. 6, 2021, when a mob of angry Trump supporters stormed the Capitol in an effort to stop Congress’ formal certification of Joe Biden’s presidential victory. Trump denounced his vice president, who was presiding over the Senate, for refusing to object or delay the certification — something Pence had no power to do. A fake gallows was constructed on the National Mall, and people who broke into the Capitol chanted, “Hang Mike Pence! Hang Mike Pence!”

Before Wednesday, Pence had refused to say whether he would engage with the House committee investigating the insurrection if the panel requested his testimony.

“If there was an invitation to participate, I would consider it,” Pence said, adding he would first reflect “on the unique role” he was serving as vice president.

“It would be unprecedented in history for a vice president to be summoned to testify on Capitol Hill, but as I said, I don’t want to prejudge,” he said. “If ever any formal invitation was rendered to us, we’d give it due consideration.”

A committee spokesperson declined comment on Pence’s remarks.

The committee and Pence’s team have had an open line of communication since Pence’s former chief of staff, Marc Short, agreed to testify in private in December 2021 after receiving a subpoena. Short was at the Capitol on Jan. 6 and accompanied Pence as the then-vice president fled the Senate chamber and hid from rioters who were calling for his hanging.

In Short’s recorded testimony, aired at the committee’s public hearings this summer, he described attending White House meetings before the insurrection during which Trump allies discussed ways to overturn the results of the 2020 election.

At one point, Trump had banned Short from the White House grounds because Short objected to the pressure on Pence to reject the legitimate election results.

Committee members so far have not decided to seek Pence’s testimony, saying that Short and former Pence lawyer Greg Jacobs have provided investigators with plenty of evidence.

## Blasts in Crimea underscore Russian forces’ vulnerability

By PAUL BYRNE Associated Press

KYIV, Ukraine (AP) — A spate of explosions and fires has turned Russian-occupied Crimea from a secure rear base into a new battleground in the war, demonstrating both the Russians’ vulnerability and the Ukrainians’ capacity to strike deep behind enemy lines.

Nine Russian warplanes were reported destroyed at an air base in Crimea last week, and an ammunition depot on the peninsula blew up on Tuesday.

Ukrainian authorities have stopped short of publicly claiming responsibility, preferring to keep the world guessing, but President Volodymyr Zelenskyy alluded to Ukrainian attacks behind enemy lines after the latest blasts, which Russia blamed on “sabotage.”

Russia seized the Crimean Peninsula from Ukraine in 2014 and has used it as a staging ground for attacks on the country in the war that began Feb. 24. Ukrainian authorities have vowed to recapture Crimea and other occupied territories.

“The invaders will die like dew in the sun,” Zelenskyy, in his nightly video address Wednesday, said of the effort to retake Crimea and other areas.

The explosions represent the latest setback for Moscow, which began its invasion with hopes of taking Kyiv in a lightning offensive but soon became bogged down in the face of fierce resistance. As the war nears the six-month mark, the two sides are engaged in a grinding war of attrition, fighting village to village, largely in the country’s east.

The attacks in Crimea may mark the opening of a new front that would represent a significant escalation in the war and could further stretch Russia’s resources.

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"Russian commanders will highly likely be increasingly concerned with the apparent deterioration in security across Crimea, which functions as rear base area for the occupation," Britain's Defense Ministry wrote on Twitter.

As a result of the airfield attacks, Russia is moving dozens of warplanes and helicopters to deeper positions in Crimea and to Russian bases elsewhere, Ukrainian military intelligence reported.

Tuesday's explosions ripped through an ammunition site near the town of Dzhankoi, forcing the evacuation of about 3,000 people. Munitions continued to explode Wednesday and authorities fought the fires with a helicopter, said Crimea's regional leader, Sergei Aksyonov. He said a search for the perpetrators was underway.

The Kommersant business paper also reported explosions Tuesday at a Crimean base in Gvardeyskoye. There was no confirmation from the Russians.

The British intelligence report said Gvardeyskoye and Dzhankoi are home to two of the most important Russian military airfields in Crimea.

Just over a week ago, explosions rocked the Russians' Saki air base on Crimea and destroyed planes on the ground. Moscow suggested that the blasts were accidental, caused perhaps by a careless smoker, but Ukrainian authorities mocked that explanation and hinted at their involvement.

Last month, a small explosive device carried by a makeshift drone blew up in a courtyard at the headquarters of Russia's Black Sea Fleet in the Crimean port of Sevastopol, wounding six people and prompting the cancellation of ceremonies there honoring Russia's navy.

In other developments Wednesday, two civilians were reported killed and seven wounded by Russian shelling of several towns and villages in the Donetsk region in the east that is the current focus of the Kremlin offensive.

In the south, Russian warplanes fired cruise missiles at the Odesa region overnight, wounding four people, according to regional administration spokesman Oleh Bratchuk. In Mykolaiv, also in the south, two Russian missiles damaged a university building but injured no one.

Russian forces also shelled Kharkiv and the surrounding region in the northeast, killing at least six people, wounding at least 16 and damaging residential buildings and civilian infrastructure, authorities said.

Meanwhile, U.N. Secretary-General Antonio Guterres arrived in the western Ukrainian city of Lviv for a meeting Thursday with Zelenskyy and Turkish President Recep Tayyip Erdogan.

U.N. spokesman Farhan Haq said Guterres will raise the topic of food and grain shipments, nuclear power plant safety and the recent prison explosion that killed scores of captured Ukrainian fighters, and will "do what he can to essentially lower the temperature as much as possible."

The last time the U.N. chief came to Ukraine, in April, Russia launched a missile strike on Kyiv.

## Wind energy boom and golden eagles collide in the US West

By MATTHEW BROWN Associated Press

CODY, Wyo. (AP) — The rush to build wind farms to combat climate change is colliding with preservation of one of the U.S. West's most spectacular predators — the golden eagle — as the species teeters on the edge of decline.

Ground zero in the conflict is Wyoming, a stronghold for golden eagles that soar on 7-foot (2-meter) wings and a favored location for wind farms. As wind turbines proliferate, scientists say deaths from collisions could drive down golden eagle numbers considered stable at best.

Yet climate change looms as a potentially greater threat: Rising temperatures are projected to reduce golden eagle breeding ranges by more than 40% later this century, according to a National Audubon Society analysis.

That leaves golden eagles doubly vulnerable — to the shifting climate and to the wind energy promoted as a solution to that warming world.

"We have some of the best golden eagle populations in Wyoming, but it doesn't mean the population is not at risk," said Bryan Bedrosian, conservation director at the Teton Raptor Center in Wilson, Wyoming.

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"As we increase wind development across the U.S., that risk is increasing."

Turbine blades hundreds of feet long are among myriad threats to golden eagles, which are routinely shot, poisoned by lead, hit by vehicles and electrocuted on power lines.

The tenuous position of golden eagles contrasts with the conservation success of their avian cousins, bald eagles, whose numbers have quadrupled since 2009. There are an estimated 346,000 bald eagles in the U.S., versus about 40,000 golden eagles, which need much larger areas to survive and are more inclined to have trouble with humans.

Federal officials have tried to curb turbine deaths, while avoiding any slowdown in the growth of wind power as an alternative to carbon-emitting fossil fuels — a key piece of President Joe Biden's climate agenda.

In April, a Florida-based power company pleaded guilty in federal court in Wyoming to criminal violations of wildlife protection laws after its wind turbines killed more than 100 golden eagles in eight states. It was the third conviction of a major wind company for killing eagles in a decade.

Despite the deaths, scientists like Bedrosian say more turbines are needed to fight climate change. He and colleague Charles Preston are finding ways wind companies can reduce or offset eagle deaths, such as building in areas less frequented by the birds, improving habitat elsewhere or retrofitting power poles to make them less perilous when eagles land.

"It's robbing Peter to pay Paul, but it's a start and I think it's the way to go," Preston said. "It's a societal question: Is there room for them and us? It's not just golden eagles. They are kind of a window into the bigger picture."

Dangling from a rope 30 feet (9 meters) above the ground with a canvas bag slung around his neck, Bedrosian shouldered his way into a golden eagle nest lodged in a cliff ledge in northwestern Wyoming. As an adult eagle circled in the distance, the scientist made an awkward grab for the young eagle in the nest, slid a leather hood over its head then wrestled the bird into the bag.

The 6-week-old bird was lowered and carefully extracted by Preston, a zip tie around its feet as a precaution against talons more than an inch long.

"The key is not to forget later to cut the zip tie," Bedrosian said.

The eaglet went on a scale — about 7 pounds (3.2 kilograms). Bedrosian drew some blood from a wing to test for lead exposure, and Preston clamped onto each leg a metal band with numbers for identification if the eagle's recaptured or found dead.

Golden eagles don't mate until about 5 years old and produce about one chick every two years, so adult eagle deaths have outsized impacts on the population, Bedrosian said.

Illegal shootings are the biggest cause of death, killing about 700 golden eagles annually, according to federal estimates. More than 600 die annually in collisions with cars, wind turbines and power lines; about 500 annually are electrocuted and more than 400 are poisoned.

"Wind mortality wasn't a thing for golden eagles 10 years ago," Bedrosian said. "I don't want to pick on wind as the only thing. ... But it's the additive nature of all these things and several are increasing. Vehicle strikes are increasing. Climate change is increasing. Wind is increasing."

Federal officials won't divulge how many eagles are reported killed by wind farms, saying it's sensitive law enforcement information. The recent criminal prosecution of a subsidiary of NextEra Energy, one of the largest U.S. renewable energy providers, offered a glimpse into the problem's scope.

The company pleaded guilty to three counts of violating the Migratory Bird Treaty Act and was ordered to pay more than \$8 million in fines and restitution after killing at least 150 eagles — including more than 100 goldens at wind farms in Wyoming, California, New Mexico, North Dakota, Colorado, Michigan, Arizona and Illinois.

Government officials said the mortality was likely higher because some turbines killed multiple eagles and carcasses are not always found.

Prosecutors said the company's failure to take steps to protect eagles or to obtain permits to kill the birds

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gave it an advantage over competitors that did take such steps — even as NextEra and affiliates received hundreds of millions of dollars in federal tax credits for wind power.

The company remained defiant after the plea deal: NextEra President Rebecca Kujawa said bird collisions with turbines were unavoidable accidents that should not be criminalized.

Utilities Duke Energy and PacifiCorp previously pleaded guilty to similar charges in Wyoming. North Carolina-based Duke Energy was sentenced in 2013 to \$1 million in fines and restitution and five years probation following deaths of 14 golden eagles and 149 other birds at two of the company's wind projects.

A year later, Oregon-based PacifiCorp received \$2.5 million in fines and five years probation after 38 golden eagle carcasses and 336 other protected birds were discovered at two of its sites.

The number of wind turbines nationwide more than doubled over the past decade to almost 72,000, according to U.S. Geological Survey data, with development overlapping prime golden eagle territory in states including Wyoming, Montana, California, Washington and Oregon.

USGS scientists concluded in a recent study that if anticipated growth in wind energy by 2040 occurs, increased turbine-caused deaths could cut golden eagle populations by almost half over 10 years.

However, the fact that no population-wide declines have been seen in recent years suggests some uncertainty in the projections, said lead author Jay Diffendorfer.

Federal wildlife officials are pushing wind companies to enroll in a permitting program that allows them to kill eagles if the deaths are offset.

Companies with permits can pay utilities to retrofit power poles, so lines are spaced far enough that eagles can't be easily electrocuted. Every 11 poles retrofitted typically means one eagle death avoided annually.

Nationwide, 34 permits in place last year authorized companies to "take" 170 golden eagles — meaning that many birds could be killed by turbines or lost through impacts on nests or habitat.

For each loss, companies are responsible for ensuring at least one eagle death is avoided somewhere else. Using conservative estimates that overcount potential deaths could even mean a gain of eagles in the long run, said Brian Millsap, who heads the U.S. Fish and Wildlife Service's eagle program.

"This sounds crass but it's realistic. Eagles are going to be incidentally killed at wind farms," he said. "We've got to reduce other things that will allow wind energy development."

Agency officials would not disclose which companies hold permits. An Associated Press public records review shows most are wind farms.

Federal officials collect golden eagle death data through an online reporting system used by government agencies, companies, scientists, tribes and private groups.

Fish and Wildlife Service officials declined to release the data because they said it could be used in future law enforcement cases.

The nests where Bedrosian and Preston are doing population studies are about 60 miles (96 kilometers) from the nearest wind farm — 114 turbines that PacifiCorp began operating about two years ago near the Wyoming-Montana border.

Personnel on site scan the skies with binoculars for eagles and can shut down turbines when the birds approach.

"We tend to see more golden eagles in prairie areas where you're going to have the best wind regimes," said Travis Brown, a biologist with PacifiCorp. "It's almost like competition for the wind resource because the birds are using it for movement."

Ten PacifiCorp wind farms have permits authorizing the incidental killing of eagles and an application is pending for two more, the company said.

Company representatives declined to say how many eagles have died under its federal permits. They said PacifiCorp's been building a "bank" of retrofitted power poles to offset eagle deaths and also wants to try new approaches such as painting turbine blades to be more visible and easier to avoid.

"We're working as hard as we can to avoid and minimize (deaths) up front, and then anything we can't we're mitigating on the back end," Brown said.

## Giant sharks once roamed the seas, feasting on huge meals

By MADDIE BURAKOFF AP Science Writer

NEW YORK (AP) — Today's sharks have nothing on their ancient cousins. A giant shark that roamed the oceans millions of years ago could have devoured a creature the size of a killer whale in just five bites, new research suggests.

For their study published Wednesday, researchers used fossil evidence to create a 3D model of the megalodon — one of the biggest predatory fish of all time — and find clues about its life.

At around 50 feet (16 meters) from nose to tail, the megalodon was bigger than a school bus, according to the study in the journal *Science Advances*. That's about two to three times the size of today's great white shark. The megalodon's gaping jaw allowed it to feed on other big creatures. Once it filled its massive stomach, it could roam the oceans for months at a time, the researchers suggest.

The megalodon was a strong swimmer, too: Its average cruising speed was faster than sharks today and it could have migrated across multiple oceans with ease, they calculated.

"It would be a superpredator just dominating its ecosystem," said co-author John Hutchinson, who studies the evolution of animal movement at England's Royal Veterinary College. "There is nothing really matching it."

It's been tough for scientists to get a clear picture of the megalodon, said study author Catalina Pimiento, a paleobiologist with the University of Zurich and Swansea University in Wales.

The skeleton is made of soft cartilage that doesn't fossilize well, Pimiento said. So the scientists used what few fossils are available, including a rare collection of vertebrae that's been at a Belgium museum since the 1860s.

Researchers also brought in a jaw's worth of megalodon teeth, each as big as a human fist, Hutchinson said. Scans of modern great white sharks helped flesh out the rest.

Based on their digital creation, researchers calculated that the megalodon would have weighed around 70 tons, or as much as 10 elephants.

Even other high-level predators may have been lunch meat for the megalodon, which could open its jaw to almost 6 feet (2 meters) wide, Pimiento said.

Megalodons lived an estimated 23 million to 2.6 million years ago.

Since megalodon fossils are rare, these kinds of models require a "leap of imagination," said Michael Gottfried, a paleontologist at Michigan State University who was not involved in the study. But he said the study's findings are reasonable based on what is known about the giant shark.

## Kemp's ridley sea turtle nests 1st in 75 years in Louisiana

By JANET McCONNAUGHEY Associated Press

NEW ORLEANS (AP) — The world's smallest and most endangered sea turtles have hatched in Louisiana's wilds for the first known time in more than 75 years, officials said Wednesday.

"Louisiana was largely written off as a nesting spot for sea turtles decades ago, but this determination demonstrates why barrier island restoration is so important," Chip Kline, chairman of the Louisiana Coastal Restoration and Protection Authority, said in a news release.

Crews monitoring the Chandeleur Islands — a chain 50 miles (80 kilometers) east of New Orleans — to help design a restoration project found tracks of females going to and from nests and of hatchlings leaving a nest.

The first tracks were found by a crew surveying birds "before the sea turtle nesting season really kicked off," said Matthew Weigel, coastal resources scientist manager for the Louisiana Department of Wildlife and Fisheries.

After that crew brought back a photo of a sea turtle "crawl," the two agencies began weekly flights over the island to look for more. Weigel said he and Todd Baker of the restoration agency were walking between two that they'd sighted from the plane on July 29 when they stumbled on hatchling tracks on the beach.

"There was some high-fiving going on," he said. They followed those tracks back to a nest they hadn't

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known about. There, they found two tiny, newly emerged turtles, which they followed back to the beach.

Weigel said aerial surveys found 52 sets of tracks that experts identified as Kemp's ridley, though some were "false crawls" where no nest was made.

"The endangered Kemp's ridley sea turtle has returned to nest on the Chandeleur Islands, highlighting the need to protect this sensitive habitat so it can continue to be home to ocean and coastal wildlife in the future," said Beth Lowell, vice president for the United States of the environmental nonprofit Oceana.

The Louisiana agencies said threatened loggerhead sea turtles also are nesting on the Chandeleurs, which are part of the nation's second-oldest national wildlife refuge, called Breton National Wildlife Refuge.

Loggerhead nests found in 2015 on Grand Isle — roughly 70 miles (112 kilometers) southwest of the Chandeleurs — were the first confirmed sea turtle nests in Louisiana in more than 30 years, according to the statement.

All six sea turtle species found in U.S. waters are protected under the Endangered Species Act. Tens of thousands of Kemp's ridleys, which grow to about 2 feet (0.6 meter) long, once nested in Mexico, but in the 1980s a low of only about 250 did so, according to the National Oceanic and Atmospheric Administration.

Wednesday's announcement came less than two weeks after officials reported the first sea turtle nest since 2018 on Mississippi's mainland.

That location in Pass Christian Harbor is roughly 40 miles (64 kilometers) northwest of the Chandeleurs, the easternmost part of Louisiana. The chain has been eaten away by erosion, tropical storms including Hurricane Katrina in 2005 and the BP oil spill in 2010.

The two agencies have been closely monitoring the islands since May as part of work to restore the islands using oil spill money.

The discovery of nesting sea turtles will help ensure sea turtle nesting habitat is preserved and improved, officials said.

Most Kemp's ridley nests are along the western Gulf of Mexico, 95% of them in the state of Tamaulipas, Mexico, according to NOAA. "Occasional nesting has been documented in North Carolina, South Carolina, Georgia, Florida, and Alabama," according to its website about the species.

Juvenile Kemp's ridleys feed in Louisiana's estuaries. Many species of sea turtles gather around the Chandeleur Islands, feeding in and around the state's only marine seagrass meadows, the news release said.

"It is well known that the Chandeleur Islands provide key habitats for a host of important species; however, with the recent discovery of a successful Kemp's ridley sea turtle hatching, the islands' value to the region has been elevated," Wildlife and Fisheries Secretary Jack Montoucet said.

Additional nests may be discovered on the Chandeleur Islands as monitoring continues and hatchlings emerge, the news release said. The nesting season peaks in June and July, and eggs take 50 to 60 days to hatch, it said.

## WHO chief: Lack of help for Tigray crisis due to skin color

By MARIA CHENG and CARA ANNA Associated Press

NAIROBI, Kenya (AP) — The head of the World Health Organization described the ongoing crisis in Ethiopia's Tigray region as "the worst disaster on Earth" and wondered aloud Wednesday if the reason global leaders have not responded was due to "the color of the skin of the people in Tigray."

In an emotional statement at a press briefing, WHO Director-General Tedros Adhanom Ghebreyesus — himself an ethnic Tigrayan — said the situation caused by the conflict in his home country is worse than any other humanitarian crisis in the world.

Tedros asserted that the 6 million people in Tigray essentially cut off from the world have been "under siege" for the last 21 months. He described the Ukraine conflict as a crisis that has the global community potentially "sleepwalking into a nuclear war" that could be "the mother of all problems," but argued the disaster in Tigray was far worse.

"I haven't heard in the last few months any head of state talking about the Tigray situation anywhere in the developed world. Anywhere. Why?" Tedros asked.

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"Maybe the reason is the color of the skin of the people in Tigray," he said.

In April, Tedros questioned if the world's overwhelming focus on Russia's war in Ukraine was due to racism, although he acknowledged the conflict there had global consequences.

The conflict in Ethiopia began in November 2020, and little humanitarian aid arrived after Tigray forces retook much of the region in June 2021. Aid has started flowing more substantially in the past few months but is widely described as inadequate to meet the needs of the millions of people essentially trapped there.

The resumption of basic services and banking remains a key demand of the Tigray regional leaders. Journalists have not been allowed in.

Tedros said the people of Tigray had no access to medicine and telecommunications and were prevented from leaving the region. However, the International Committee of the Red Cross in recent months has reported shipments of some medications.

"Nowhere in the world you would see this level of cruelty, where it's a government (that) punishes 6 million of its people for more than 21 months," the WHO chief said. "The only thing we ask is, 'Can the world come back to its senses and uphold humanity?'"

Tedros called on both the Ethiopian and Russian governments to end the crises in Tigray and Ukraine.

"If they want peace, they can make it happen and I urge them both to resolve (these issues)," he said.

Also Wednesday, Ethiopia's foreign ministry said a government peace committee had adopted a peace proposal "that would lead to the conclusion of ceasefire" and that it would be shared with the African Union envoy working on mediation. Basic services would follow a ceasefire, the statement said.

Tigray forces spokesman Getachew Reda dismissed the government statement, asserting in a tweet that "if anything, the Abiy Ahmed regime has made it abundantly clear that it has no appetite for peaceful negotiations except as delaying tactics."

In a sign of just how cut off Tigray has been, a COVID-19 vaccination campaign was finally launched at the region's flagship hospital only in July, an improvement from a months-long period of deprivation in which hospital workers described running out of essential medicines and trying to treat wounds with warm salt water. It was the first COVID-19 vaccination campaign in Tigray.

This was not the first time the WHO chief has spoken out about Tigray.

Earlier this year, the government of Ethiopia sent a letter to the World Health Organization, accusing Tedros of "misconduct" after his sharp criticism of the war and humanitarian crisis in the country.

The Ethiopian government said Tedros was using his office "to advance his political interest at the expense of Ethiopia" and said he continues to be an active member of the Tigray People's Liberation Front; Tedros was Ethiopia's foreign minister and health minister when the TPLF dominated the country's ruling coalition.

When Tedros was confirmed for a second term as head of WHO, it was the first time a candidate's home country had failed to nominate their own candidate.

## Attack on Rushdie shows divisions among Lebanese Shiites

By BASSEM MROUE Associated Press

BEIRUT (AP) — The stabbing of author Salman Rushdie has laid bare divisions in Lebanon's Shiite Muslim community, pitting a few denouncing the violence against fervent followers of the Iran-backed Shiite militant Hezbollah group who have praised the attack. One Rushdie defender received death threats.

The attack struck close to home among Lebanon's Shiites. The assailant, 24-year-old Hadi Matar, is a dual Lebanese-U.S. citizen, and his father lives in a village in Hezbollah-dominated southern Lebanon. Matar's mother has said she believes her son's visit to the village of Yaroun in 2018 turned him into a religious zealot.

The religious edict, or fatwa, urging Muslims to kill Rushdie was issued in 1989 by Iran's then-spiritual leader, Ayatollah Ruhollah Khomeini, who accused the author of blasphemy for his portrayal of the Prophet Muhammad in the novel "The Satanic Verses."

Iran, a close Hezbollah ally, has praised Friday's attack but denied direct involvement. Hezbollah officials have been tight-lipped since the attack on the 75-year-old Rushdie as he was about to give a lecture in western New York. A Hezbollah official declined comment when contacted by The Associated Press.

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Rushdie suffered a damaged liver and severed nerves in an arm and in an eye, but was removed from a ventilator on Saturday and able to talk.

Most Lebanese Shiites support Hezbollah and the more secular allied Amal movement of Parliament Speaker Nabih, which won all 27 seats allocated to the sect during this year's parliamentary elections. Parliament and Cabinet seats are divided in Lebanon in accordance with religious affiliations.

Still, there is a vocal minority of Hezbollah critics among Shiites. Several were attacked and one was shot dead last year.

As the controversy swirled, an old video of Hezbollah leader Hassan Nasrallah resurfaced on social media. In it, Nasrallah said that "no one would have dared to attack Islam's Prophet Muhammad again" if Rushdie had been killed immediately after the fatwa.

Some Hezbollah critics have accused the group and its supporters of teaching their children to kill in the name of religion,

Matar's mother, Silvana Fardos, told the local Al-Jadeed TV late Tuesday that her son had lived all his life in the United States until he visited Lebanon for the first and last time in 2018. That trip changed him forever, she said.

"After he returned from Lebanon he was a different human being ... I knew that he had a long depression and I was expecting one day to wake up and find out that he had committed suicide," Fardos said, alleging that her son was mistreated by his father.

Asked if she asked herself whether she had raised a terrorist or an extremist, the mother said: "No. I raised an angel."

Journalists have been prevented from entering Yaroun, and Matar's father has not spoken to the media. Despite Hezbollah's official silence, the group's supporters on social media are praising the attack.

Some released threats against prominent journalist Dima Sadek after she posted on her Twitter account a photo of Khomeini and Gen. Qassim Soleimani, a top Iranian general killed in a U.S. strike in 2020, describing the two as "satanic verses."

Since then, death threats on social media and through messages on her cell phone haven't stopped, with one man warning her, "I will rape you in public," and another saying that "her blood should be shed." She received a text message in which the sender told her where she lives.

Sadek said despite the public threats, she has not been contacted by the authorities with offers for protection.

"This is the first time I feel I am in danger," Sadek, a harsh Hezbollah critic for years, told the AP. She alleged that the social media campaign against her is orchestrated by Nasrallah's son, Jawad.

She said she is restricting her movements for the first time.

The Committee to Protect Journalists urged the Lebanese authorities to launch an investigation and protect Sadek.

Shiite journalist Mohamad Barakat, managing editor of the Asas Media news website, also came under attack after he wrote that by stabbing Rushdie, Matar "stabbed Shiites who live in Europe and America."

In the other camp, Lebanese journalist Radwan Akil of the renowned local daily An-Nahar said in seemingly contradictory remarks that he condoned the fatwa against Rushdie, but not the killing of anyone, including writers.

"I am of course with political freedoms and freedom of expression ... but I'm not for criticizing the greatest man in history the Prophet Muhammad, and I also reject the criticism of Jesus Christ," Akil said in a televised interview with Lebanese media.

An-Nahar issued a statement, headlined "adopting a call to murder contradicts our policies." It said that Akil's views were his own. Two journalists who had worked for the paper and were outspoken critics of Hezbollah and the government of Syrian President Bashar Assad, another Iran ally, were killed in car bombings in 2005.

The debate may eventually fizzle out because most Lebanese are preoccupied with the country's economic meltdown and lack of services. "They have lots of other concerns," said Hilal Khashan, political science



professor at the American University of Beirut.

Lebanese political leaders have not commented on the Rushdie attack.

However, caretaker Culture Minister Mohammad Mortada denounced Rushdie's depiction of the prophet .

"Freedom of speech should be polite," tweeted Mortada, a Shiite minister close to Hezbollah's allies. "Insults or holding dark grudges has nothing to do with morals."

## **CDC director announces shake-up, citing COVID mistakes**

By MIKE STOBBE AP Medical Writer

NEW YORK (AP) — The head of the nation's top public health agency on Wednesday announced a shake-up of the organization, saying it fell short responding to COVID-19 and needs to become more nimble.

The planned changes at the Centers for Disease Control and Prevention — CDC leaders call it a "reset" — come amid criticism of the agency's response to COVID-19, monkeypox and other public health threats. The changes include internal staffing moves and steps to speed up data releases.

The CDC's director, Dr. Rochelle Walensky, told the agency's staff about the changes on Wednesday. It's a CDC initiative, and was not directed by the White House or other administration officials, she said.

"I feel like it's my my responsibility to lead this agency to a better place after a really challenging three years," Walensky told The Associated Press.

The Atlanta-based agency, with a \$12 billion budget and more than 11,000 employees, is charged with protecting Americans from disease outbreaks and other public health threats. It's customary for each CDC director to do some reorganizing, but Walensky's action comes amid a wider demand for change.

The agency has long been criticized as too ponderous, focusing on collection and analysis of data but not acting quickly against new health threats. Public unhappiness with the agency grew dramatically during the COVID-19 pandemic. Experts said the CDC was slow to recognize how much virus was entering the U.S. from Europe, to recommend people wear masks, to say the virus can spread through the air, and to ramp up systematic testing for new variants.

"We saw during COVID that CDC's structures, frankly, weren't designed to take in information, digest it and disseminate it to the public at the speed necessary," said Jason Schwartz, a health policy researcher at the Yale School of Public Health.

Walensky, who became director in January 2021, has long said the agency has to move faster and communicate better, but stumbles have continued during her tenure. In April, she called for an in-depth review of the agency, which resulted in the announced changes.

"It's not lost on me that we fell short in many ways" responding to the coronavirus, Walensky said. "We had some pretty public mistakes, and so much of this effort was to hold up the mirror ... to understand where and how we could do better."

Her reorganization proposal must be approved by the Department of Health and Human Services secretary. CDC officials say they hope to have a full package of changes finalized, approved and underway by early next year.

Some changes still are being formulated, but steps announced Wednesday include:

—Increasing use of preprint scientific reports to get out actionable data, instead of waiting for research to go through peer review and publication by the CDC journal *Morbidity and Mortality Weekly Report*.

—Restructuring the agency's communications office and further revamping CDC websites to make the agency's guidance for the public more clear and easier to find.

—Altering the length of time agency leaders are devoted to outbreak responses to a minimum of six months — an effort to address a turnover problem that at times caused knowledge gaps and affected the agency's communications.

—Creation of a new executive council to help Walensky set strategy and priorities.

—Appointing Mary Wakefield as senior counselor to implement the changes. Wakefield headed the Health Resources and Services Administration during the Obama administration and also served as the No. 2 administrator at HHS. Wakefield, 68, started Monday.

—Altering the agency's organization chart to undo some changes made during the Trump administration.  
—Establishing an office of intergovernmental affairs to smooth partnerships with other agencies, as well as a higher-level office on health equity.

Walensky also said she intends to "get rid of some of the reporting layers that exist, and I'd like to work to break down some of the silos." She did not say exactly what that may entail, but emphasized that the overall changes are less about redrawing the organization chart than rethinking how the CDC does business and motivates staff.

"This will not be simply moving boxes" on the organization chart, she said.

Schwartz said flaws in the federal response go beyond the CDC, because the White House and other agencies were heavily involved.

A CDC reorganization is a positive step but "I hope it's not the end of the story," Schwartz said. He would like to see "a broader accounting" of how the federal government handles health crises.

## Kids-for-cash judges ordered to pay more than \$200M

By MICHAEL RUBINKAM Associated Press

Two former Pennsylvania judges who orchestrated a scheme to send children to for-profit jails in exchange for kickbacks were ordered to pay more than \$200 million to hundreds of people they victimized in one of the worst judicial scandals in U.S. history.

U.S. District Judge Christopher Conner awarded \$106 million in compensatory damages and \$100 million in punitive damages to nearly 300 people in a long-running civil suit against the judges, writing the plaintiffs are "the tragic human casualties of a scandal of epic proportions."

In what came to be known as the kids-for-cash scandal, Mark Ciavarella and another judge, Michael Conahan, shut down a county-run juvenile detention center and accepted \$2.8 million in illegal payments from the builder and co-owner of two for-profit lockups. Ciavarella, who presided over juvenile court, pushed a zero-tolerance policy that guaranteed large numbers of kids would be sent to PA Child Care and its sister facility, Western PA Child Care.

Ciavarella ordered children as young as 8 to detention, many of them first-time offenders deemed delinquent for petty theft, jaywalking, truancy, smoking on school grounds and other minor infractions. The judge often ordered youths he had found delinquent to be immediately shackled, handcuffed and taken away without giving them a chance to put up a defense or even say goodbye to their families.

"Ciavarella and Conahan abandoned their oath and breached the public trust," Conner wrote Tuesday in his explanation of the judgment. "Their cruel and despicable actions victimized a vulnerable population of young people, many of whom were suffering from emotional issues and mental health concerns."

The Pennsylvania Supreme Court threw out some 4,000 juvenile convictions involving more than 2,300 kids after the scheme was uncovered.

It's unlikely the now-adult victims will see even a fraction of the eye-popping damages award, but a lawyer for the plaintiffs said it's a recognition of the enormity of the disgraced judges' crimes.

"It's a huge victory," Marsha Levick, co-founder and chief counsel of the Philadelphia-based Juvenile Law Center and a lawyer for the plaintiffs, said Wednesday. "To have an order from a federal court that recognizes the gravity of what the judges did to these children in the midst of some of the most critical years of their childhood and development matters enormously, whether or not the money gets paid."

Another plaintiffs' attorney, Sol Weiss, said he would begin a probe of the judges' assets, but did not think they had any money to pay a judgment.

Ciavarella, 72, is serving a 28-year prison sentence in Kentucky. His projected release date is 2035.

Conahan, 70, was sentenced to more than 17 years in prison but was released to home confinement in 2020 — with six years left on his sentence — because of the coronavirus pandemic.

Conner ruled after hearing often-emotional testimony last year from 282 people who appeared in Luzerne County juvenile court between 2003 and 2008 — 79 of whom were under 13 when Ciavarella sent them to juvenile detention — and 32 parents.

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"They recounted his harsh and arbitrary nature, his disdain for due process, his extraordinary abruptness, and his cavalier and boorish behavior in the courtroom," Conner wrote.

One unnamed child victim testified that Ciavarella had "ruined my life" and "just didn't let me get to my future," according to Conner's ruling.

Said another plaintiff: "I feel I was just sold out for no reason. Like everybody just stood in line to be sold."

Another victim described how he shook uncontrollably during a routine traffic stop — a consequence of the traumatizing impact of his childhood detention — and had to show his mental health records in court to "explain why my behavior was so erratic."

Several of the childhood victims who were part of the lawsuit when it began in 2009 have since died from overdoses or suicide, Conner said.

To calculate compensatory damages, the judge decided each plaintiff was entitled to a base rate of \$1,000 for each day of wrongful detention, and adjusted that amount based on the circumstances of each case. Substantial punitive damages were warranted because the disgraced judges inflicted "unspeakable physical and emotional trauma" on children and adolescents, Conner wrote.

The damages award only covers plaintiffs who chose to participate in process.

Other major figures in the case settled years ago, including the builder and the owner of the private lockups and their companies, in payouts totaling about \$25 million.

## Yellen tells IRS to develop modernization plan in 6 months

By FATIMA HUSSEIN Associated Press

WASHINGTON (AP) — Now that President Joe Biden signed Democrats' expansive climate, tax and health care bill into law, Treasury Secretary Janet Yellen has directed the IRS to develop a plan within six months outlining how the tax agency will overhaul its technology, customer service and hiring processes.

In part, the improvements are meant to "end the two-tiered tax system, where most Americans pay what they owe, but those at the top of the distribution often do not," Yellen said in a Tuesday memo to IRS Commissioner Chuck Rettig, whose term ends in three months.

Yellen's memo, obtained by The Associated Press, outlines the importance of modernizing IRS computer systems and ensuring the agency has an adequately-staffed workforce now that the tax collector is set to receive nearly \$80 billion over the next 10 years.

That funding is needed for more than technology. At least 50,000 IRS employees are expected to retire over the next five years.

Yellen has called for the IRS to "fully resolve the inventory backlog and make significant improvements in taxpayer services," "to overhaul an information technology system that is decades out of date" and invest and train employees "so they can identify the most complex evasion schemes by those at the top."

This year's tax season resulted in the worst backlog in history for the beleaguered IRS, which has also been tasked with administering pandemic related programs, including sending out stimulus checks, emergency rental assistance and advance child tax credit checks.

In its June report to Congress, the National Taxpayer Advocate, an independent watchdog within the IRS, also said taxpayers have experienced longer wait times on the telephone, and delays in processing paper returns have been running six months to one year.

Additional funding for the agency has been politically controversial since 2013, when the IRS under the Obama administration was found to scrutinize political groups that applied for tax-exempt status.

A Treasury Department Inspector General report found that both conservative and liberal groups were chosen for scrutiny.

Most recently, Republican politicians and candidates have distorted how the climate, tax and healthcare bill would reform the IRS and affect taxes for the middle class.

House Minority Leader Kevin McCarthy (R-Calif.) last week tweeted that "Democrats' new army of 87,000 IRS agents will be coming for you -- with 710,000 new audits for Americans who earn less than \$75k."

Yellen last week sent instructions to IRS leadership not to increase audit rates on Americans making

under \$400,000 a year annually.

"Instead, enforcement resources will focus on high-end noncompliance," she said in her Aug. 11 guidance. "There, sustained, multi-year funding is so critical to the agency's ability to make the investments needed to pursue a robust attack on the tax gap."

## DeSantis sued by Florida prosecutor he removed over abortion

By BRENDAN FARRINGTON and ANTHONY IZAGUIRRE Associated Press

TALLAHASSEE, Fla. (AP) — An elected Florida prosecutor who was removed from office by Gov. Ron DeSantis because of his positions on abortion and transgender rights filed suit Wednesday to get his job back, saying the Republican leader violated his First Amendment rights.

DeSantis said he suspended Hillsborough County State Attorney Andrew Warren this month for signing a national pledge to not prosecute women and doctors for violating state abortion laws or families seeking treatments for transgender minors.

"If the governor's allowed to do this, what's left of democracy? If the governor's allowed to retaliate against me for speaking out, what's left of the First Amendment," Warren asked at a news conference in Tallahassee.

The lawsuit alleges that DeSantis did not identify any actual conduct involving criminal activity that would warrant a suspension and says the governor is punishing Warren for voicing positions that DeSantis opposes.

DeSantis, criticized by Democrats for signing abortion restrictions and bills seen as anti-LGBTQ into law, held a campaign-like event to announce Warren's suspension where supporters cheered the decision. The governor's office did not immediately respond to an email seeking comment Wednesday morning.

Now seeking re-election in November and positioning himself as a potential 2024 presidential candidate, the governor cited Warren's "neglect of duty" and other alleged violations.

In his executive order, DeSantis cited Warren's policy of not pursuing some lesser categories of crime, including "trespassing at a business location, disorderly conduct, disorderly intoxication, and prostitution."

The suspension was backed by several law enforcement officers including Hillsborough County Sheriff Chad Chronister, who said Warren had been acting as a kind of "supreme authority" to decide "what crimes will be legal or illegal in our county."

Similar uses of prosecutorial discretion by progressives elected around the country in recent years have prompted some pushback.

In San Francisco, voters in June recalled Chesa Boudin, a former public defender who was elected district attorney in 2019 on a criminal justice reform platform. Boudin faced criticism over rising crime after declining to prosecute most drug offenses. A similar effort to recall the Los Angeles D.A. failed to garner enough signatures this week.

Warren, who was elected in 2016 by Tampa-area voters and re-elected in 2020, said the governor is overturning the will of the people who put him in office.

"The governor has attacked our democracy and it should worry everyone," Warren told reporters. "If the governor's attempt to unilaterally overturn an election is allowed to stand, it threatens to undermine the integrity and outcome of elections across our state for years to come."

Warren described the pledge circulated by prosecutors around the country as "a value statement," not a definitive decision on how he might handle any particular case. He also noted that Florida's new ban on abortions after 15 weeks of gestation has been ruled unconstitutional, and that the state doesn't even have a law against hormone treatments for transgender minors.

Warren's lawsuit says the suspension was retaliatory after he opposed the governor on a number of issues, including DeSantis' efforts to deny the restoration of voting rights for felons and create new crimes for public protests in response to the Black Lives Matter movement as well as the new abortion restrictions.

"Of course, DeSantis is free to express his views and his disagreements with Warren as often as he likes. Indeed, the Federal Constitution ensures that he is," the suit says. "DeSantis went too far."

The suit says Warren has an obligation to voters to say where he stands on such issues, and that as

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a prosecutor, he has the right to decide how the limited resources he has should be used to prosecute crimes. That priority should be on public safety, it said.

"The First Amendment protects the right of elected officials to speak out on matters of public controversy, and in fact it does so because it's so important that the voters who choose these elected officials know where they stand on these issues," Jean-Jacques Cabou, a lawyer for Warren, said in a phone interview.

Warren's suspension is now an issue in the governor's race as Agriculture Commissioner Nikki Fried, the state's only statewide-elected Democrat, and Democratic U.S. Rep. Charlie Crist enter the final week of the primary to see who will challenge DeSantis.

"For this governor to weaponize his office and remove a state attorney — a prosecutor — who has prosecutorial discretion over which cases he brings forward and which he doesn't, this is the overreaching and overstepping of this governor," Fried said at a campaign event Tuesday night. "It is the most dangerous thing to our democracy that we have seen."

## Missing India soldier's body found on glacier after 38 years

LEH, India (AP) — The remains of an Indian army soldier have been found more than 38 years after he went missing on a glacier at the highest point along the heavily militarized contested border between India and Pakistan in Kashmir, officials said Wednesday.

The soldier and 17 other colleagues were occupying a ridge on Siachen Glacier, high in the Karakoram range in disputed Kashmir's Ladakh region, in May 1984 when they were hit by an avalanche, officials said.

The bodies of 13 soldiers were recovered, but five remained missing.

A team of soldiers on Monday found human remains at the glacier with an identity disc saying they belonged to Chandra Shekhar, one of the missing men, the Indian army said.

Shekhar was part of India's first army unit to occupy the 76-kilometer (47-mile)-long glacier in 1984 amid pitched battles with soldiers from Pakistan, which also controls part of divided Kashmir. Both nuclear-armed neighbors claim all of the region. The glacier, considered the world's highest battlefield, was uninhabited before Indian troops moved there.

Since then, the two countries have deployed troops at elevations of up to 6,700 meters (21,982 feet). They have fought intermittent skirmishes on the glacier, but more Indian and Pakistani troops have died from the grueling conditions than from hostile fire.

In 2017, at least 20 Indian soldiers were killed in three avalanches. In 2012, an avalanche in Pakistan-controlled Kashmir killed 140 people, including 129 Pakistani soldiers.

Discussions between India and Pakistan on demilitarizing the glacier have been unsuccessful.

Shekhar's remains were being flown on Wednesday to his native village in northern Uttarakhand state following a funeral with full military honors, the army said.

## US retail sales were flat in July as inflation takes a toll

By PAUL WISEMAN and ANNE D'INNOCENZIO AP Business Writers

WASHINGTON (AP) — The pace of sales at U.S. retailers was unchanged last month as persistently high inflation and rising interest rates forced many Americans to spend more cautiously.

Retail purchases were flat after having risen 0.8% in June, the Commerce Department reported Wednesday. Economists had expected a slight increase.

Still, Wednesday's report contained some positive signs: Excluding autos and auto parts, retail sales rose 0.4% in July.

Lower gas prices likely freed up money for people to spend elsewhere. Gasoline sales slid 1.8%, reflecting the drop in pump prices.

"As gas prices fell, consumers had more money in their pockets for other items such as furniture and electronics," said Jeffrey Roach, chief economist at LPL Financial.

Sales of building supplies and garden equipment held up, as did sales at electronics and appliance stores.

At the same time, consumers remained wary of spending much on non-essentials: Sales were down

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0.5% at department stores and 0.6% at clothing stores.

Compared with 12 months ago, overall retail sales rose 10.3% in July.

America's consumers, whose spending accounts for nearly 70% of U.S. economic activity, have remained mostly resilient even with year-over-year inflation near a four-decade high, rising economic uncertainties and the surging costs of mortgages and borrowing money. Still, overall spending has weakened, and it has shifted increasingly toward things like groceries, and away less necessary things like electronics, furniture and new clothes.

The government's monthly report on retail sales covers about a third of all consumer purchases and doesn't include spending on most services, ranging from plane fares and apartment rents to movie tickets and doctor visits. In recent months, Americans have been shifting their purchases away from physical goods and more toward travel, hotel stays and plane trips.

Inflation continues to pose a severe hardship for many families. Though gasoline prices have fallen from their heights, food, rent, used cars and other necessities have become far more expensive, beyond whatever wage increases most workers have notched.

Despite a still-robust job market, the U.S. economy shrank in the first half of 2022, raising fears of a potential recession. Growth has been weakening largely as a consequence of the Federal Reserve's aggressive interest rate hikes, which are intended to cool the economy and tame high inflation.

The impact of the Fed's hikes has been felt especially in the housing market. Sales of previously occupied homes have slowed for five straight months as higher loan rates and high sales prices have kept many would-be buyers on the sidelines.

But the most important pillar of the economy — the job market — has proved durable. America's employers added a hefty 528,000 jobs in July, and the unemployment rate reached 3.5%, matching a near-half-century low reached just before the pandemic erupted in the spring of 2020.

Americans are still spending, but that money is going to different places as the pandemic eases. Walmart, the nation's largest retailer, posted better than expected quarterly sales and profits, but noted that customers are favoring lower-priced grocery items.

And it's gaining more customers who might more typically shop at Whole Foods. The company, long associated with price-conscious and lower-income consumers, disclosed that roughly 75% of its grocery sales last quarter were to households with incomes of at least \$100,000.

It also noted that lower income customers were trading down within the store, for example swapping out sliced deli meats for hot dogs to save money.

On Wednesday, Target reported that its profit plunged nearly 90% despite solid sales, largely because it was forced to slash prices to clear huge inventories of things in heavy demand during the pandemic like furniture, appliances and electronics.

Signet Jewelers, which operates stores under such names as Zales and Jared, lowered its full-year sales forecast last week as Americans cool spending on luxuries and more on groceries.

"They're being intentional," said Jamie Singleton, president of Signet. She said customers may be taking home fewer items, but they're spending more on the things they buy.

## Cheney ponders 2024 bid after losing Wyoming GOP primary

By STEVE PEOPLES and MEAD GRUVER Associated Press

CHEYENNE, Wyo. (AP) — Wyoming Rep. Liz Cheney was increasingly open on Wednesday about considering a 2024 presidential campaign after soundly losing a Republican primary to a challenger backed by former President Donald Trump.

Speaking to NBC in the wake of her loss, the third-term congresswoman called Trump "a very grave threat and risk to our republic," and said defeating him will require "a broad and united front of Republicans, Democrats and independents — and that's what I intend to be part of."

She declined to say if she would run for president but conceded it's "something that I'm thinking about."

The primary results — and the more than 35-point margin of her defeat — were a powerful reminder of

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the GOP's rapid shift to the right. A party once dominated by national security-oriented, business-friendly conservatives like her father, former Vice President Dick Cheney, now belongs to Trump, animated by his populist appeal and, above all, his denial of defeat in the 2020 election.

Such lies, which have been roundly rejected by federal and state election officials along with Trump's own attorney general and judges he appointed, transformed Cheney from an occasional critic of the former president to the clearest voice inside the GOP warning that he represents a threat to democratic norms. She's the top Republican on the House panel investigating the Jan. 6, 2021, insurrection at the U.S. Capitol by a mob of Trump supporters, an attack she referenced in nodding to her political future.

"I have said since Jan. 6 that I will do whatever it takes to ensure Donald Trump is never again anywhere near the Oval Office — and I mean it," she said during her concession speech on Tuesday.

Cheney described her primary loss on Tuesday night as the beginning of a new chapter in her political career as she addressed a small collection of supporters, including her father, on the edge of a vast field flanked by mountains and bales of hay.

"Our work is far from over," she said, evoking Abraham Lincoln, who also lost congressional elections before ascending to the presidency and preserving the union.

Four hundred miles (645 kilometers) to the east of Cheney's concession speech, festive Hageman supporters gathered at a sprawling outdoor rodeo and Western culture festival in Cheyenne, many wearing cowboy boots, hats and blue jeans.

"Obviously we're all very grateful to President Trump, who recognizes that Wyoming has only one congressional representative and we have to make it count," said Hageman, a ranching industry attorney who had finished third in a previous bid for governor.

Echoing Trump's conspiracy theories, she falsely claimed the 2020 election was "rigged" as she courted his loyalists in the runup to the election.

Trump and his team celebrated Cheney's loss, which may represent his biggest political victory in a primary season full of them. The former president called the results "a complete rebuke" of the Jan. 6 committee.

"Liz Cheney should be ashamed of herself, the way she acted, and her spiteful, sanctimonious words and actions towards others," he wrote on his social media platform. "Now she can finally disappear into the depths of political oblivion where, I am sure, she will be much happier than she is right now. Thank you WYOMING!"

The news offered a welcome break from Trump's focus on his growing legal entanglements. Just eight days earlier, federal agents executing a search warrant recovered 11 sets of classified records from the former president's Florida estate.

Meanwhile in Alaska, which also held elections on Tuesday, Sen. Lisa Murkowski, another prominent GOP critic of Trump, advanced from her primary. Sarah Palin, the GOP's 2008 vice presidential nominee and a staunch ally of Trump, was also bound for the November general election in the race for Alaska's sole U.S. House seat.

But most of the attention was on Cheney, whose defeat would have been unthinkable just two years ago. The daughter of a former vice president, she hails from one of the most prominent political families in Wyoming. And in Washington, she was the No. 3 House Republican, an influential voice in GOP politics and policy with a sterling conservative voting record.

Cheney will now be forced from Congress at the end of her third and final term in January. She is not expected to leave Capitol Hill quietly.

She will continue in her leadership role on the congressional panel investigating the Jan. 6 attack until it dissolves at the end of the year. And she is actively considering a 2024 White House bid -- as a Republican or independent -- having vowed to do everything in her power to fight Trump's influence in her party.

With Cheney's loss, Republicans who voted to impeach Trump are going extinct.

In all, seven Republican senators and 10 Republican House members backed Trump's impeachment in the days after his supporters stormed the U.S. Capitol as Congress tried to certify President Joe Biden's victory. Just two of those 10 House members have won their primaries this year. After two Senate retirements, Murkowski is the only such Senate Republican on this year's ballot.

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Cheney was forced to seek assistance from the state's tiny Democratic minority in her bid to pull off a victory. But Democrats across America, major donors among them, took notice. She raised at least \$15 million for her election, a stunning figure for a Wyoming political contest.

Voters responded to the interest in the race. With a little more than half of the vote counted, turnout ran about 50% higher than in the 2018 Republican primary for governor.

If Cheney does ultimately run for president — either as a Republican or an independent — don't expect her to win Wyoming's three electoral votes.

"We like Trump. She tried to impeach Trump," Cheyenne voter Chester Barkell said of Cheney on Tuesday. "I don't trust Liz Cheney."

And in Jackson, Republican voter Dan Winder said he felt betrayed by his congresswoman.

"Over 70% of the state of Wyoming voted Republican in the last presidential election and she turned right around and voted against us," said Winder, a hotel manager. "She was our representative, not her own."

## U.S. midterms bring few changes from social media companies

By BARBARA ORTUTAY and AMANDA SEITZ The Associated Press

SAN FRANCISCO (AP) — Social media companies are offering few specifics as they share their plans for safeguarding the U.S. midterm elections.

Platforms like Facebook and Twitter are generally staying the course from the 2020 voting season, which was marred by conspiracies and culminated in the Jan. 6 insurrection at the U.S. Capitol.

Video app TikTok, which has soared in popularity since the last election cycle while also cementing its place as a problem spot for misinformation, announced Wednesday it is launching an election center that will help people find voting locations and candidate information.

The center will show up on videos about U.S. elections and in the feeds of users who search election-related hashtags. TikTok is also partnering with voting advocacy groups to provide specialized voting information for college students, people who are deaf, military members living overseas and those with past criminal convictions.

TikTok, like other platforms, would not provide details on the number of full-time employees or how much money it is dedicating to U.S. midterm efforts, which aim to push accurate voting information and counter misinformation.

The company said it is working with over a dozen fact-checking organizations, including U.S.-based PolitiFact and Lead Stories, on debunking misinformation. TikTok declined to say how many videos have been fact-checked on its site. The company will use a combination of humans and artificial intelligence to detect and remove threats against election workers as well as voting misinformation.

TikTok said it's also watching for influencers who break its rules by accepting money off platform to promote political issues or candidates, a problem that came to light during the 2020 election, said TikTok's head of safety Eric Han. The company is trying to educate creators and agencies about its rules, which include bans on political advertising.

"With the work we do, there is no finish line," Han said.

Meta Platforms Inc., which owns Facebook, Instagram and WhatsApp, announced Tuesday that its approach to this election cycle is "largely consistent with the policies and safeguards" from 2020.

"As we did in 2020, we have a dedicated team in place to combat election and voter interference while also helping people get reliable information about when and how to vote," Nick Clegg, Meta's president of global affairs, wrote in a blog post Tuesday.

Meta declined to say how many people it has dedicated to its election team responsible for monitoring the midterms, only that it has "hundreds of people across more than 40 teams."

As in 2020, Clegg wrote, the company will remove misinformation about election dates, voting locations, voter registration and election outcomes. For the first time, Meta said it will also show U.S. election-related notifications in languages other than English.

Meta also said it will reduce how often it uses labels on election-related posts directing people toward



reliable information. The company said its users found the labels over-used. Some critics have also said the labels were often too generic and repetitive.

Compared with previous years, though, Meta's public communication about its response to election misinformation has gone decidedly quiet, The Associated Press reported earlier this month.

Between 2018 and 2020, the company released more than 30 statements that laid out specifics about how it would stifle U.S. election misinformation, prevent foreign adversaries from running ads or posts around the vote and subdue divisive hate speech. Until Tuesday's blog post, Meta had only released a one-page document outlining plans for the fall elections, even as potential threats to the vote persist.

Twitter, meanwhile, is sticking with its own misinformation labels, though it has redesigned them since 2020 based in part on user feedback. The company activated its "civic integrity policy" last week, which means tweets containing harmful misinformation about the election are labeled with links to credible information. The tweets themselves won't be promoted or amplified by the platform.

The company, which like TikTok does not allow political advertisements, is focusing on putting verified, reliable information before its users. That can include links to state-specific hubs for local election information as well as nonpartisan public service announcements for voters.

## China and US spar over climate on Twitter

By KEN MORITSUGU Associated Press

BEIJING (AP) — The world's two biggest emitters of greenhouse gases are sparring on Twitter over climate policy, with China questioning whether the U.S. can deliver on the landmark climate legislation signed into law by President Joe Biden this week.

"You can bet America will meet our commitments," U.S. Ambassador to China Nicholas Burns tweeted in response on Wednesday, using a national flag emoticon for "America." He called on China to resume suspended climate talks, writing, "We're ready."

The punchy exchange, part of a longer back and forth on Twitter, is emblematic of a broader worry: U.S.-China cooperation is widely considered vital to the success of global efforts to curb rising temperatures. With the breakdown in relations over Taiwan and other issues, some question whether the two sides can cooperate.

After Congress passed the climate bill last Friday, Burns took to Twitter over the weekend to say the U.S. was acting on climate change with its largest investment ever — and that China should follow.

On Tuesday night, China's Foreign Ministry responded with its own tweet: "Good to hear. But what matters is: Can the U.S. deliver?"

The verbal skirmish grew out of China's suspension of talks with the U.S. on climate and several other issues earlier this month as part of its protest over a visit to Taiwan by a senior American lawmaker, House Speaker Nancy Pelosi.

Climate has been one of the few areas of cooperation between the feuding countries. U.S. officials criticized China's move, with Secretary of State Antony Blinken saying it "doesn't punish the United States — it punishes the world."

Asked to respond, Chinese Foreign Ministry spokesperson Zhao Lijian called on the U.S. last week to "deliver on its historical responsibilities and due obligations on climate change and stop looking around for excuses for its inaction."

The ministry later tweeted some of his answer, and Burns responded four days later with his tweet on the U.S. climate bill. Using the acronym for the People's Republic of China, he ended with, "The PRC should follow+reconsider its suspension of climate cooperation with the U.S."

China elaborated on its "Can the U.S. deliver?" message with a second tweet suggesting that the U.S. meet rich country pledges to help poorer countries cope financially with climate change and lift sanctions imposed last year on solar industry exports from China's Xinjiang region because of allegations of forced labor.

The Twitter battle highlights a perception divide between the longstanding superpower that wants to lead and the rising power that no longer wants to feel bound to follow anyone else's direction.

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The decision by former President Donald Trump to pull the U.S. out of the Paris climate accord — reversed by Biden after he took office last year — dealt a blow to American credibility on the issue.

A Chinese expert praised parts of the U.S. legislation but said it is overdue and not enough.

“Although there are some breakthrough achievements in the bill, I am afraid it can’t reestablish U.S. leadership on climate change,” said Teng Fei, a professor at Tsinghua University’s Institute of Energy Environment and Economy.

U.S. climate envoy John Kerry has been pressing China to set more ambitious climate goals. China has responded that its goals are realistic, given its development needs as a middle-income country, while the U.S. sets ambitious goals that it fails to achieve.

China’s ruling Communist Party generally sets conservative targets at a national level because it doesn’t want its performance to fall short. Those targets are sometimes exceeded, though, in the eager pursuit of those goals by local officials.

“China should be able to do better than its national targets indicate,” said Cory Combs, a senior analyst with the Trivium China consultancy. “But of course, those local plans are all subject to failure and delays, so it’s impossible to tell quite what they’ll add up to.”

## Today in History: August 18, 19th Amendment is ratified

By The Associated Press undefined

Today in History

Today is Thursday, Aug. 18, the 230th day of 2022. There are 135 days left in the year.

Today’s Highlight in History:

On Aug. 18, 1587, Virginia Dare became the first child of English parents to be born in present-day America, on what is now Roanoke Island in North Carolina. (However, the Roanoke colony ended up mysteriously disappearing.)

On this date:

In 1894, Congress established the Bureau of Immigration.

In 1914, President Woodrow Wilson issued his Proclamation of Neutrality, aimed at keeping the United States out of World War I.

In 1920, the 19th Amendment to the Constitution, guaranteeing American women’s right to vote, was ratified as Tennessee became the 36th state to approve it.

In 1963, James Meredith became the first Black student to graduate from the University of Mississippi.

In 1969, the Woodstock Music and Art Fair in Bethel, New York, wound to a close after three nights with a mid-morning set by Jimi Hendrix.

In 1983, Hurricane Alicia slammed into the Texas coast, leaving 21 dead and causing more than a billion dollars’ worth of damage.

In 1993, a judge in Sarasota, Florida, ruled that Kimberly Mays, the 14-year-old girl who had been switched at birth with another baby, need never again see her biological parents, Ernest and Regina Twigg, in accordance with her stated wishes. (However, Kimberly later moved in with the Twiggs.)

In 2004, in Athens, Paul Hamm (hahm) won the men’s gymnastics all-around Olympic gold medal by the closest margin ever in the event; controversy followed after it was discovered a scoring error cost Yang Tae-young of South Korea the title.

In 2005, a judge in Wichita, Kansas, sentenced BTK serial killer Dennis Rader to 10 consecutive life terms, the maximum the law would allow.

In 2011, Vice President Joe Biden met with Chinese Vice President Xi Jinping in Beijing.

In 2014, Missouri Gov. Jay Nixon ordered the National Guard to Ferguson, a suburb of St. Louis convulsed by protests over the fatal shooting of a Black 18-year-old, Michael Brown.

In 2020, Democrats formally made Joe Biden their 2020 presidential nominee at their all-virtual national convention. The Republican-led Senate intelligence committee concluded that the Kremlin had launched an aggressive effort to interfere in the 2016 presidential contest on behalf of Donald Trump, and that the

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Trump campaign's interactions with Russian intelligence services had posed a "grave" counterintelligence threat.

Ten years ago: Tropical Storm Helene quickly weakened into a tropical depression after moving ashore on Mexico's Gulf Coast. Diana Nyad launched her latest attempt to become the first person to swim from Cuba to Florida without a wetsuit or a shark cage (she ended her bid three days later). Singer Scott McKenzie, 73, who performed "San Francisco (Be Sure to Wear Flowers in Your Hair)," died in Los Angeles.

Five years ago: Steve Bannon, President Donald Trump's top White House strategist, was forced out of his post by Trump. (Bannon would be pardoned by Trump in the final hours of Trump's term after being charged with diverting money from donors who believed the money would be used to build a wall along the southern border; he was later convicted of contempt for defying a congressional subpoena from the House panel investigating the Jan. 6 insurrection at the U.S. Capitol.)

One year ago: Taliban militants in Afghanistan attacked protesters who dared to take down the Taliban banner and replace it with the country's flag, killing at least one person; the attack came as many Afghans hid at home or tried to flee the country. The United Arab Emirates confirmed that it had taken in Afghan President Ashraf Ghani and his family on humanitarian grounds; the family had fled Afghanistan as the Taliban closed in on the capital. A federal appeals court in New Orleans upheld a Texas law outlawing a commonly used second-trimester abortion procedure. U.S. health officials announced plans to dispense COVID-19 booster shots to all Americans to shore up their protection amid the surging delta variant and signs that the vaccines' effectiveness was slipping.

Today's Birthdays: Former first lady Rosalynn (ROH'-zuh-lihn) Carter is 95. Actor-director Robert Redford is 86. Actor Henry G. Sanders is 80. Actor-comedian Martin Mull is 79. Rock musician Dennis Elliott is 72. Comedian Elayne Boosler is 70. Actor Denis Leary is 65. Actor Madeleine Stowe is 64. Former Treasury Secretary Timothy Geithner (GYT'-nur) is 61. ABC News reporter Bob Woodruff is 61. The former president of Mexico, Felipe Calderon, is 60. Actor Adam Storke is 60. Actor Craig Bierko (BEER'-koh) is 58. Rock singer-musician Zac Maloy (The Nixons) is 54. Rock singer and hip-hop artist Everlast is 53. Rapper Masta Killa (Wu-Tang Clan) is 53. Actor Christian Slater is 53. Actor Edward Norton is 53. Actor Malcolm-Jamal Warner is 52. Actor Kaitlin Olson is 47. Rock musician Dirk Lance is 46. Actor-comedian Andy Samberg (TV: "Saturday Night Live") is 44. Country musician Brad Tursi (Old Dominion) is 43. Actor Mika Boorem is 35. Actor Maia Mitchell is 29. Actor Madelaine Petsch is 28. Actor Parker McKenna Posey is 27.