### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 1 of 81

1- Upcoming Events

2- NewsWeek Bulletin

3- Prairie Doc

4- Water Restrictions start tomorrow

5- Weekly Vikings Roundup

6- Board members have seniors

7- SD Searchlight: Physicians feel 'trapped' by SD's abortion trigger law. They're hoping to change it.

9- SD Searchlight: Landowner battles against pipelines vary by state

12-SD Searchlight: Congressional Roundup: Thune

aims to close crop insurance loophole

- 13- EarthTalk Lobsters
- 14- Weather Pages
- 19- Daily Devotional
- 20- 2023 Community Events
- 21- Subscription Form
- 22- Lottery Numbers
- 23- News from the Associated Press

#### **Groton Community Calendar** Tuesday, May 16

Senior Menu: Chicken alfredo, buttermilk biscuit, winter blend vegetables, cookie, apricots.

The Pantry, 4 p.m. to 8 p.m.

Common Cents Community Thrift Store, 3 p.m. to 6 p.m.

Baseball, Softball and T-Ball Uniform pickup at City Hall, 1 p.m. to 6 p.m.

High School Baseball hosts Hamlin, 6 p.m. (V/JV) United Methodist: Bible Study, 10 a.m.; Conde Ad Council

St. John's Lutheran: Quilting, 9 a.m.

#### Wednesday, May 17

City Council Meeting, 7 p.m.

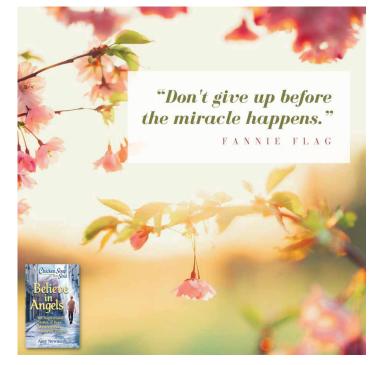
Senior Menu: Salisbury steak, mashed potatoes, carrots and peas, Mandarin oranges, Pineapple, whole wheat bread.

Groton CM&A: Kids' Club, Youth Group and Adult Bible Study begins at 7 pm

United Methodist: Community Coffee Hour, 9:30 a.m.; UMYF Bonfire; Groton Ad Council, 7 p.m.

St. John's Lutheran: Bible Study, 2:45 p.m. Emmanuel Lutheran: League, 6:30 p.m.

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



#### Thursday, May 18

Senior Menu: BBQ Chicken breast, rice pilaf, mixed vegetables, fruit, cookie, whole wheat bread.

Girls Golf Meet at Sisseton, 10 a.m.

Region 1A Track Meet in Groton

Emmanuel Lutheran: Ascension Worship, 7 p.m. Friday, May 19

Senior Menu: Chili, cornbread, coleslaw, vanilla pudding.

#### Saturday, May 20

Common Cents Community Thrift Store, 10 a.m. to 1 p.m.

Emmanuel Lutheran: Worship at Rosewood Court, 10 a.m.

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

The recycling trailer is located west of the city cans.

shop. It takes cardboard, papers and aluminum © 2023 Groton Daily Independent

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 2 of 81



JANUARY 24, 2023

### World in Brief

Rudy Giuliani has been accused of sexual abuse and wage theft in a lawsuit filed by a woman who said she worked for Giuliani while he was serving as an attorney for Donald Trump.

The Memphis Grizzlies have suspended point guard Ja Morant after he appeared to brandish a firearm in an Instagram Live video, just two months after he was suspended over a similar incident.

Democrats and Republicans in Washington State have agreed on a new statewide drug policy to replace a tem-

porary order which was due to expire in July and would have theoretically decriminalized the possession and use of all drugs.

At least six people have died and several others remain unaccounted following a fire at a hostel in Wellington, New Zealand. Prime Minister Chris Hipkins has warned that the death toll could likely rise.

Twitter CEO Elon Musk has been subpoenaed by the U.S. Virgin Islands as part of a lawsuit against JPMorgan Chase, which it claims enabled sex trafficking by the bank's longtime customer Jeffrey Epstein.

Wells Fargo has agreed to pay a \$1 billion settlement as part of a lawsuit accusing it of lying to shareholders about the speed and scale of its recovery following a series of scandals related to its treatment of customers.

Telecom giant Vodafone will cut 11,000 jobs over the next three years, after new chief executive Margherita Della Valle said the brand's "performance has not been good enough."

In the ongoing war in Ukraine, Ukraine's Air Force has claimed it intercepted at least 18 Russian missiles and drones overnight, as Moscow launched one of its largest bombing attacks in weeks.

#### WHAT TO WATCH IN THE DAY AHEAD

President Joe Biden is expected to meet Congressional leaders for another round of discussions about raising the debt ceiling to avoid a default.

Top executives of the Silicon Valley Bank and Signature Bank — Gregory Becker, Scott Shay and Eric Howell — are scheduled to testify before the Senate Banking Committee, in what will be their first public comments about the bank failures that sent shockwaves across the financial markets.

Retail sales figures for April, which will likely show a rebound in spending, are expected to be released today. Economists expect retail sales to rise by 0.8% after declining 1% in March.

Home Depot is set to report its first-quarter earnings report. Analysts expect the home improvement retailer to report disappointing profits and sales growth. Tesla and JP Morgan Chase are among the companies scheduled to hold their annual general meeting.

Federal Reserve officials will participate in a conference hosted by the Atlanta Fed, called "Old Challenges in New Clothes: Outfitting Finance, Technology, and Regulation for the Mid 2020s," from 10:30 a.m. ET

The 76th Cannes Film Festival begins today and continues through May 27. It is expected to attract many of the film industry's biggest names for the premieres of new and upcoming feature films.

Andy Warhol's 1977 portrait of O.J. Simpson, part of the Athlete Series, is up for auction. Phillips auction house estimates the artwork will sell for \$300,000 to \$500,000.



Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 3 of 81



St. John's Lutheran Pre-School Graduation Wednesday, May 17, 2023 8:30 a.m. and 10:30 a.m.

**FREE Viewing sponsored by** 



605-846-0580 Becah@lovetotravel.com

Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 4 of 81



Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 5 of 81



Groton Area Girls Golf Team Shaylee Peterson, Carly Guthmiller, Carly Gilbert, Mia Crank, Carlee Johnson (Courtesy Photo)

#### **Guthmiller places fourth at NEC Girls Golf Meet**

The Northeast Conference girls golf meet was held Monday at Sisseton with Carly Guthmiller placing fourth with a score of 104. Others golfing were Carly Gilbert in eighth place with a score of 114, Mia Crank was 12th with a score of 122, Carlee Johnson was 13th with a score of 123 and Shaylee Peterson was 14th with a score of 123.

Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 6 of 81



### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 7 of 81

#### Tessa Erdmann Announced as the 2023-2024 South Dakota State University CAFES Advocate

Brookings, S.D. - The South Dakota State University College of Agriculture, Food, and Environmental Sciences (CAFES) student body has voted in Tessa Erdmann, an agricultural communications student from Groton, South Dakota, to serve as the 2023-2024 CAFES Advocate on the college's Prexy Council Executive team. The position is the only position voted on by the entire CAFES student body and serves as the voice for all students within Prexy Council. The Advocate is tasked with representing students and bringing new ideas to the table that will highlight and benefit CAFES students.

Prexy Council is the governing body of all SDSU CAFES clubs and organizations. The group hosts numerous socials and events throughout the year such as Ag Day. Each year, a committee composed of a CAFES student senator, Prexy Council executive officer, and Prexy Council advisor interview students nominated for the advocate role on behalf of their clubs, and narrow down the finalist pool to three individuals.

In addition to Erdmann, this year's finalists included Kristen Smith, an agricultural communication student from College Springs, Iowa, and Brynn Lozinski, an animal science and agricultural communications student from Clara City, Minnesota.

Once selected, finalists had the opportunity to share their platforms with clubs and students, and campaign via social media. Voting for CAFES advocates took place on March 22 and 23, 2023 in conjunction with the Students' Association Elections.

Erdmann hopes to connect with CAFES students and be a voice for what students need from Prexy Council. She also plans to keep an open line of communication with students by writing a CAFES report that will include information about CAFES news, scholarships, job/internship opportunities, club happenings, and more. Throughout her year of service, Erdmann has numerous goals she would like to accomplish including working closely with Students' Association to learn more about funding opportunities, connecting with industry professionals to create more opportunities for CAFES students. She intends to work closely with CAFES administrative leaders throughout her term as advocate.



"I am truly honored to have been selected by the CAFES students for the position of CAFES Advocate. I am excited for lots of things through this position," said Erdmann "I am most excited to be a voice for CAFES students as well as have the opportunity to be a part of all the amazing things Prexy Council does for CAFES students."

Tessa Erdmann, agricultural communications student from Groton, South Dakota, has been selected to serve as the 2023-2024 CAFES Advocate.

(Courtesy Photo)

Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 8 of 81

### SOUTH DAKOTA SEARCHLIGHT

https://southdakotasearchlight.com

#### South Dakota has a women's health care shortage. The abortion ban may worsen it, physicians say. BY: MAKENZIE HUBER - MAY 15, 2023 3:30 PM

EDITOR'S NOTE: This is the third story in a three-part series about the impacts of South Dakota's abortion ban. The first story examined the number of South Dakotans leaving the state for abortions, and the second story analyzed the state's "life of the mother" exception.

Avery Olson has a choice to make.

SDS

She could practice women's health care as an OB-GYN in her home state of South Dakota, where it is illegal to perform abortions and where the exception to perform one to protect the life of the mother is unclear to some physicians.

Or she could practice in a nearby state, one where abortions are legal and she can practice to her full ability while still staying close to her family.

She has two years left in her residency, but she's already being recruited by South Dakota practices.

South Dakota is facing a shortage of OB-GYNs and is a leading state for maternity care deserts, which is a county without a hospital or birth center offering obstetric care. Olson wants to be part of the solution, but she hesitates. She worries the state's abortion laws will serve to worsen the shortage, leaving future South Dakota OB-GYNs to bear heavier workloads while some rural women's health care needs are neglected.

It's a nationwide worry, as a patchwork of state laws in the aftermath of the U.S. Supreme Court decision overturning Roe v. Wade in 2022 could exacerbate an already looming national shortage.

"Where I'm training, there are maybe two out of the 28 residents who would consider working in a state that has restrictive laws in place for women's health care," said Olson, who is a resident physician at the University of Hawaii. "That's because I'm from South Dakota and the other is from Texas. The rest of them wouldn't even touch South Dakota."

#### South Dakota's OB-GYN shortage

Forty-six of South Dakota's 66 counties do not have obstetric providers, according to the U.S. Health Resources and Services Administration.

OB-GYNs are trained in two specialties: pregnancy care from preconception to childbirth, and all women's health issues. They handle Pap smears, mammograms, menopause and annual women's health physicals; they also handle infertility and are the primary surgeons when cesarean sections are needed or when an abortion is performed.

While family physicians can provide many of the same services, they are not specialized in such surgical procedures.

Patients with high-risk pregnancies often see a specialist early. Some women may have pulmonary hypertension, cystic fibrosis or other conditions that pose high risks of death when pregnant. Some could develop cancer while pregnant, or fetal anomalies might be detected. Prior to South Dakota's trigger ban, termination would have been among the options for those patients to consider.

In 2021, the Centers for Disease Control and Prevention documented increases in cesarean delivery, preterm birth rates and low birth weights across the country, all of which can increase other health risks and require specialized care. About a quarter of births in South Dakota are by cesarean delivery.

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 9 of 81

According to a 2021 report projecting the supply and demand for women's health service providers across the county, South Dakota was short 10 OB-GYNs in 2018. Although the demand isn't projected to increase by 2030, the report expects the supply of OB-GYNs to worsen — with only 78.6% of the demand being filled.

In a national survey of more than 2,000 medical students, residents, fellows and practicing physicians through social media, three-fourths of respondents said they would not apply to states with legal consequences for providing abortion care, and more than 80% would prefer to train or practice in states with preserved abortion access, according to a study published in February in the Journal of General Internal Medicine.

If medical residents bypass South Dakota for nearby states where abortion is legal, such as Colorado or Minnesota, that could lead to worse health outcomes for South Dakotans, said Morgan Schriever, a University of South Dakota medical school graduate and first-year resident at Southern Illinois University.

"Women's health care is going to suffer," Schriever said. "It'll be harder to find an OB-GYN, there will be longer wait times to see a physician, and there will be ultimately more stress on providers because they're taking more calls and more patients and more stress and more burdens on them. It'll be a downward spiral."

#### **OB-GYNs travel out of state for residencies, less likely to return**

South Dakota is one of five states that does not have an obstetrics residency, according to the American College of Obstetricians and Gynecologists.

The University of South Dakota ended its residency program in the late 1980s amid budget concerns and other complications the school faced at the time.

Since then, all USD medical students planning to become OB-GYNs must train in another state. That already makes it difficult to recruit OB-GYNs, Olson said, because residents are typically at an age where they're planning future careers, marrying or starting families.

"It's a time where a good portion of people stay in the state where they do their residencies," Olson said. When residents practice in states such as Hawaii or Illinois, where abortion law is not as restrictive as in South Dakota, it makes it a more difficult choice to return, Schriever said.

Originally from Sioux Falls, Schriever was intent on returning to South Dakota after her residency. But that's changed. In Illinois, she regularly encounters patients requesting or requiring an abortion.

The frequency of those situations made her realize how integral the practice is to women's health care, and highlighted the lengths to which women will go to receive an abortion — even spending over \$1,000 and driving hours out-of-state for one.

"Coming to or planning on practicing in a state that has these bans means I can't practice full-scope," Schriever said.

OB-GYN residency programs are required to offer access to training in abortion, although students with moral or religious objections are permitted to opt out. This requirement has been enforced by the Accreditation Council for Graduate Medical Education since 1996, and programs unable to meet this standard jeopardize their accreditation status.

It's already a problem for residents in states where abortion is banned, such as Tennessee. Several residents travel out of their residency state to another, like Oregon, to get the required experience.

"It's just a skill as an OB-GYN you should have," Schriever said. "No matter where you practice, you could have someone in the ER who needs that type of procedure and you're the only one who can perform it. It should be a skill you should have even if you don't perform it on a daily basis."

If South Dakota continues to see a shortage of OB-GYNs it "won't be fair to the patients," Schriever added. "These laws in these states make them less desirable locations for OB-GYNs to work," she said. "Women's

health care will ultimately suffer, and the people who will pay the price are the patients in these states." *Makenzie Huber is a lifelong South Dakotan whose work has won national and regional awards. She's spent five* 

years as a journalist with experience reporting on workforce, development and business issues within the state.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 10 of 81

#### **COMMENTARY**

### Ballot petition efforts alive and well, despite the Legislature

Despite the attempts by some legislators to quash the will of the people, ballot petition drives in South Dakota seem to be thriving.

Well before the next election in 2024, the secretary of state's website already lists four measures that are circulating for petition signatures. These include constitutional amendments for open primaries, abortion rights and lifting the sales tax on food. There is also an initiated measure circulating for lifting the sales tax on food.

The secretary of state's website also lists another seven measures — five constitutional amendments and two initiated measures — that have not yet fulfilled the requirements for circulating petitions. If all of them make it on the ballot, Election Day 2024 should be interesting.

This wealth of ballot measures seems to fly in the face of the Legislature, which has a long and often well-deserved reputation for trying to put up roadblocks for such efforts.

The Legislature's reputation for being less than kindly to initiated measures started in the 2017 session when lawmakers filleted Initiated Measure 22, an anti-corruption initiated bill that was endorsed by 51% of voters in 2016.

During the 2017 session, few people were defending Initiated Measure 22. Even some of its backers said it was flawed and likely unconstitutional. At 70 sections and 30 pages, Initiated Measure 22 was a beast of a document that few voters took the time to read. Voters did note that it was labeled as an anticorruption bill. That sounded good to them as the state was just coming off revelations about the flawed administration of the EB-5 immigrant-investor visa program and the embezzlement of Gear Up program money that was intended to aid Native American education.

However, feeling good about voting for an anti-corruption bill and actually implementing that bill were two different things. Republican lawmakers led a court effort to halt implementation of the law.

Granted, Initiated Measure 22 was unworkable and likely unconstitutional. And, granted, lawmakers did go to work implementing some of its provisions in a constitutional way. Still, that effort to circumvent the will of the voters has left those who run petition campaigns wary of what the Legislature can do to an initiated measure, even if it has been endorsed by the voters.

Legislators didn't do anything to enhance their reputation in 2018 when they proposed and considered at least 16 bills designed to make changes in initiated measures, constitutional amendments and petition drives. Not all of the bills were implemented, but at each hearing lawmakers heard about how they were blocking access to the ballot and circumventing the will of the people.

Those efforts haven't stopped. This year's legislative session brought House Bill 1200, an attempt to change the way petition signatures are gathered for initiated constitutional amendments. Currently, to get a constitutional amendment on the ballot, a petition drive needs to collect signatures equal to 10% of the votes cast for governor in the last election. The votes in the last gubernatorial election totaled 350,166.

House Bill 1200 would have changed the requirement on where those signatures come from, requiring signatures to be collected in each of the state's 35 legislative districts. The bill called for one-35th of the signatures to be collected in each legislative district. Given the total votes in the last election for governor, that's just a little more than 1,000 signatures per district.

The bill's sponsor, Rep. Liz May, a Republican from Kyle, said that constitutional amendments shouldn't get on the ballot with just petition signatures from the state's two or three largest communities. Lawmakers can vote to put a constitutional amendment on the ballot, Kyle said, and they come from all 35 districts, so people who circulate petitions should meet the same standard.

Notice that May's legislation applied only to constitutional amendments. Unlike initiated measures, lawmakers can't mess with the constitution once an amendment is approved by voters. If they want to make changes, they must put their own amendment on the ballot.

Opponents of May's bill pointed out that it was likely unconstitutional and called it out for what it was —

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 11 of 81

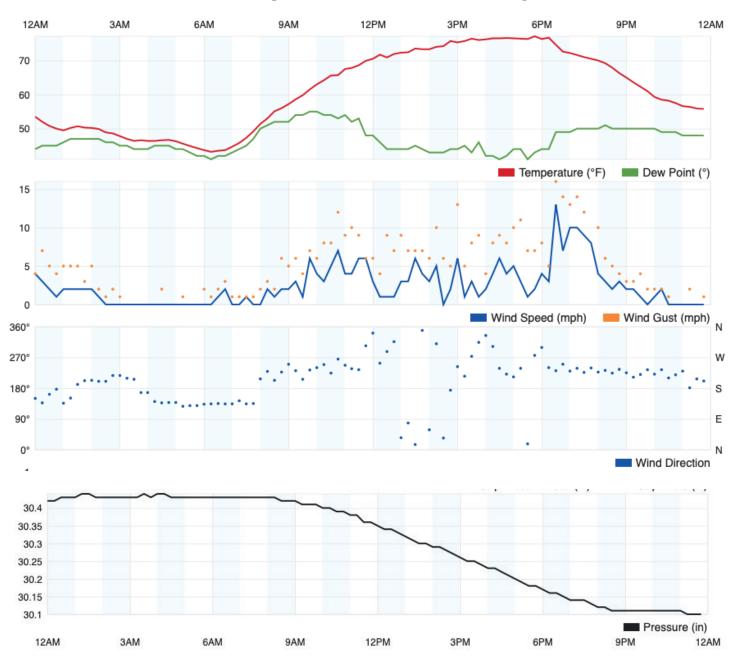
a blatant attempt to make collecting petition signatures for constitutional amendments cumbersome and costly. Blatant or not, the bill was approved by the House on a vote of 47-22. Once it got to the Senate State Affairs Committee, cooler heads prevailed and it was killed on a vote of 8-1.

South Dakota has a long history of giving its citizens the ability to petition for access to the ballot. That tradition shouldn't change. If the current crop of ballot issues are any indication, South Dakotans are just fine with the current system that lets them do more than vote for candidates on Election Day.

Dana Hess spent more than 25 years in South Dakota journalism, editing newspapers in Redfield, Milbank and Pierre. He's retired and lives in Brookings, working occasionally as a freelance writer.

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 12 of 81

Yesterday's Groton Weather Graphs





weather.gov/aberdeen

High temperatures will be between 5 and 15 degrees above normal today and Wednesday. Smoke from Canadian wildfires may also lead to milky skies. A cold front sweeps across the area Wednesday afternoon and evening, leading to showers and thunderstorms. However, the chance for over half an inch of rain is less than 10%.

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 14 of 81

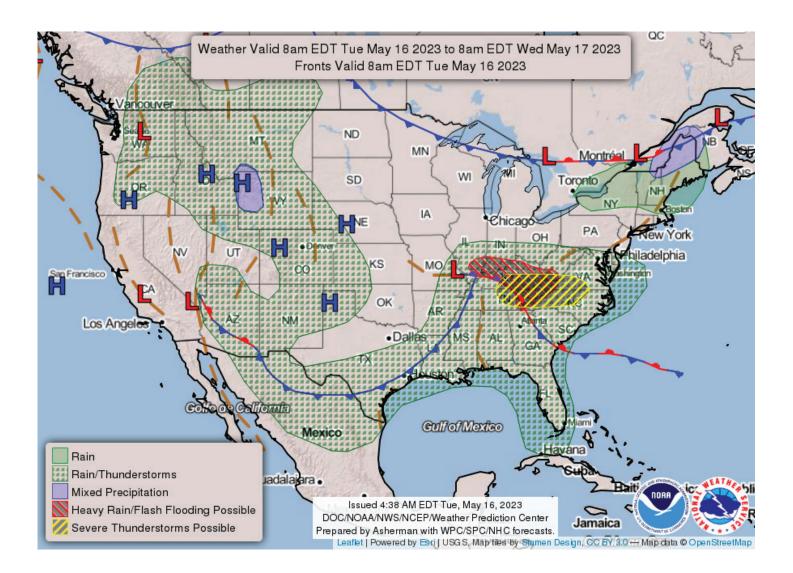
#### Yesterday's Groton Weather High Temp: 78 °F at 5:49 PM

Low Temp: 43 °F at 6:12 AM Wind: 17 mph at 7:04 PM Precip: : 0.00

Day length: 14 hours, 59 minutes

**Today's Info** 

Record High: 101 in 1934 Record Low: 23 in 2014 Average High: 71 Average Low: 44 Average Precip in May.: 1.77 Precip to date in May.: 1.90 Average Precip to date: 5.74 Precip Year to Date: 7.62 Sunset Tonight: 8:58:36 PM Sunrise Tomorrow: 5:57:50 AM



#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 15 of 81

#### **Today in Weather History**

May 16, 1883: Benchmark flooding in the Black Hills occurred in 1883, with extremely high flows reported throughout the hills that resulted from heavy rainfall on top of snowmelt. Click HERE for more images from USGS.

May 16, 1929: On this day, Aberdeen recorded 3.0 inches of snow. This snowfall is the latest measurable snow for the city of Aberdeen on record.

May 16, 1992: It was a wild day across the tri-state region of Nebraska, South Dakota, and Iowa, with tornadoes and destructive straight-line winds. A tornado damaged three-grain bins and two farm wagons in Cedar County of northeast Nebraska before crossing into Dixon County. As it traveled east, it destroyed two barns and a garage and was responsible for killing between 5,000 and 10,000 chickens at a chicken farm. In northwest Iowa, Sioux City reported winds of around 60 miles an hour causing some minor damage. Elsewhere, winds gusted as high as 75 miles an hour in Spencer and 74 miles an hour in Le Mars.

1874: The Mill Creek disaster occurred west of North Hampton, MA. Dam slippage resulted in a flash flood that claimed 143 lives and caused a million dollars property damage.

1924 - The temperature at Blitzen OR soared to 108 degrees to set a state record for the month of May. The record was later tied at Pelton Dam on the 31st of May in 1986. (The Weather Channel)

1952 - High winds in the Wasatch Canyon of Utah struck Ógden and Brigham City. Winds at Hill Air Force Base gusted to 92 mph. (The Weather Channel)

1983: An unyielding spring storm dumped heavy snow across the Front Range in Colorado. High winds of 20 to 40 mph with gusts to 55 mph produced blizzard conditions at times. The Foothills received 1 to 2 feet of snow with 4 to 12 inches along the Foothills. Blowing snow whipped the snow into drifts several feet deep closing schools and highways. Power outages occurred; with 20 square miles of Denver blacked out. Hundreds of passengers were stranded as only half of the runways were open at Stapleton International Airport. The high temperature at Denver the next day of just 40° set a record low maximum. Much of the snow melted on the 18th as temperatures rebounded into the middle and upper 50s causing widespread street flooding.

1987 - It was a summer-like day as thunderstorms abounded across the nation. Thunderstorms in Texas drenched Guadelupe County with more than three inches of rain resulting in flash flooding. (The National Weather Summary) (Storm Data)

1988 - Afternoon and evening thunderstorms developing ahead of a cold front produced severe weather from Florida to New York State. Unseasonably warm weather prevailed in the north central U.S. Havre, MT, reported a record high of 95 degrees. (The National Weather Summary)

1989 - Thunderstorms developing ahead of a cold front produced severe weather in the south central U.S. Thunderstorms spawned twenty tornadoes, and there were 180 reports of large hail and damaging winds. A tornado at Cleburne, TX, caused 30 million dollars damage. A violent (F-4) tornado touched down near Brackettville, TX, and a strong (F-3) tornado killed one person and injured 28 others at Jarrell, TX. Thunderstorms also produced softball size hail at Shamrock, TX. (The National Weather Summary) (Storm Data)

1990 - Thunderstorms produced severe weather from eastern Oklahoma and northeastern Texas to the Upper Ohio Valley. Thunderstorms spawned seventeen tornadoes, including a twister which killed one person and injured another north of Corning, AR. There were 128 reports of large hail or damaging winds. Strong thunderstorm winds killed one person and injured six others at Folsomville, IN, and injured another five persons in southeastern Hardin County KY. In Arkansas, baseball size hail was reported near Fouke and near El Dorado. (The National Weather Summary) (Storm Data)

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 16 of 81



#### WAITING FOR WISDOM

"You know," he said stroking his beard, "I have a problem learning from my past sins." "What do you mean?" I asked. "Most people say they learn from previous experiences - including sins."

"Well," he said with confidence, "I can prove them all wrong."

"How can you do that?" I asked.

"Well," he said, stroking his beard once again. "It's easy. Have you ever committed the same sin twice?" "Unfortunately, I have," I replied.

And before I could explain what I was talking about, he said with great confidence, "I rest my case." Repeating the same sin more than once is common in the lives of many Christians. Others often lose sight of what living the Christian life is all about and are not even aware of sinning. Some become careless about their responsibility to live in obedience to God's laws and are unconcerned about their lifestyle. We forget that we are accountable to God for everything we have and do. Perhaps it would be helpful if we took some time to do an inventory of the sins we know we frequently commit. To reflect on our past and its problems may keep us close to God and avoid repeating our sins!

The children of Israel had this problem. Listen to the Psalmist: "But they soon forgot what He had done and did not wait for His counsel." If we focus on the great things God has done for us, and if we seek His counsel and wait for His guidance, we can avoid repeating our sins.

Prayer: Lord, we want to live a life that honors You and is free from sin. Our habits and misconceptions often derail our efforts. May we look to You for Your guidance. In Jesus' Name, Amen.

Scripture For Today: But they soon forgot what He had done and did not wait for His counsel. Psalm 106:13



We all need the encouragement, comfort, and peace that comes through God's grace. Our daily devotionals, known as Seeds of Hope, have been a means through which thousands of people have experienced this grace. Each devotional comes from God's Word and we pray this good "seed" finds good soil in your heart. Our aim is that the Seeds of Hope will be a great source of daily encouragement to you and that God will use them to draw you near to Him

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 17 of 81

#### **2023 Community Events**

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) 01/31/2023-02/03/2023 Lion's Club Prom & Formal Dress Consignment Drop Off 6-9pm, Community Center 02/04/2023-02/05/2023 Lion's Club Prom & Formal Dress Consignment Sale 1-5pm, Community Center 02/25/2023 Littles and Me, Art Making 10-11:30am, Wage Memorial Library 03/25/2023 Spring Vendor Fair, 10am-3pm, Community Center 04/01/2023 Dueling Duo Baseball/Softball Fundraiser at the Legion Post #39 6-11:30pm 04/06/2023 Groton Career Development Event 04/08/2023 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) 06/16/2023 SDSU Alumni and Friends Golf Tournament 06/17/2023 Groton Triathalon 07/04/2023 Couples Firecracker Golf Tournament 07/09/2023 Lion's Club Summer Fest/Car Show at the City Park 9am-4pm (Sunday Mid-July) 07/26/2023 GGA Burger Fundraiser Lunch at Olive Grove Golf Course 08/04/2023 Wine on Nine 6pm 08/11/2023 GHS Basketball Golf Tournament 09/09/2023 Lion's Club Fall Citywide Rummage Sale 8am-3pm (1st Saturday after Labor Day) 09/10/2023 Couples Sunflower Golf Tournament 10/14/2023 Pumpkin Fest at the City Park 10am-3pm 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)

12/02/2023 Tour of Homes & Holiday Party

12/09/2023 Santa Claus Day at Professional Management Services 9-11am

Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 18 of 81

<b>Che Groton Independent</b> Printed & Mailed Weekly Edition <b>Subscription Form</b> All prices listed include 6.5% Sales Tax     Black & White     State     Black & White     Colored     \$79.88/year     Colored     \$42.60/6 months     E-Weekly*     \$31.95/year     * The E-Weekly is a PDF file emailed to you each week. It does not grant you access to the GDI/Video Archives.     Name:     Mailing Addres:     City     State, Zip Code     E-mail     Phone Number     Mail Completed Form to:     Groton Independent     PO. Box 34	Groton Daily Independent www.397news.com Subscription Form This option will grant you access to the GDI/Video Archives. 1 Month\$15.98 3 Months\$26.63 6 Months\$31.95 9 Months\$42.60 12 Months\$53.25 Name:
P.O. Box 34 Groton, SD 57445-0034 or scan and email to paperpaul@grotonsd.net	

Pay with Paypal. Type the following into your browser window:

paypal.me/paperpaul



Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 19 of 81



Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 20 of 81

### News from the Associated Press

### New Mexico gunman who killed 3 and injured 6 shot randomly at cars, houses, police say

By SUSAN MONTOYA BRYAN, KEN RITTER and MORGAN LEE Associated Press

FÁRMINGTON, N.M. (AP) — An 18-year-old man armed with at least three guns roamed through a northwestern New Mexico community firing randomly at cars and houses, killing three people and injuring six others including two police officers before he was killed, authorities said.

The shootings occurred around 11 a.m. Monday in Farmington, a city of about 50,000 people near the Four Corners — where New Mexico, Arizona, Utah and Colorado meet — that is a supply line and bedroom community to the region's oil and natural gas industry.

Officers responding to reports of shots being fired encountered the attacker within minutes and killed him with at least one shot, Farmington Police Chief Steve Hebbe said in a video released Monday night. He said the gunman fired at least three weapons, including an "AR-style rifle."

The shooting was "honestly one of the most horrific and difficult days that Farmington has ever had as a community," he said.

The identifies of the gunman and the victims weren't immediately released.

Investigators were still struggling to determine a motive for the attack, including talking to the shooter's family.

"But at this point it appears to be purely random, that there was no schools, no churches and no individuals targeted," Hebbe said. "During the course of the event, the suspect roamed throughout the neighborhood up to a quarter of a mile. At least six houses and three cars were shot in the course of the event, as the suspect randomly fired at whatever entered his head to shoot at."

Gov. Michelle Lujan Grisham said in a statement that she was praying for the families of the victims and that it "serves at yet another reminder of how gun violence destroys lives in our state and our country every single day."

Mayor Nate Duckett said in a statement that the shooting "has left us reeling in anguish and disbelief." At Hills Church, just a few miles away from the attack scene, dozens of people gathered around a tall metal cross as the sun set Monday to pray. Some wrapped their arms around each other as they listened. The mayor and law enforcement officers were among those in the crowd.

Lead pastor Matt Mizell talked about living in a "dark and broken world" but told the crowd that there was still hope and asked God to provide them strength.

Officers began receiving reports of gunshots at about 10:57 a.m. The first officer arrived at 11:02 a.m. and three minutes later the gunman had been killed, Hebbe said.

At first officers thought there might be a second suspect and schools were locked down "because we didn't know where any other suspects could be," the chief said. However, it now appears that the 18-year-old acted alone, he said.

One Farmington officer was shot and taken to the hospital, where he was treated and released, while a state police officer also was shot and drove himself to the hospital where he remained and is doing well, Hebbe said. That officer was reported to be in stable condition.

Joseph Robledo, a 32-year-old tree trimmer, said he rushed home after learning that his wife and 1-yearold daughter had sought shelter in the laundry room when gunshots rang out. A bullet went through his daughter's window and room, without hitting anyone.

Robledo jumped a fence to get in through the back door. Out front he found an older woman in the street who had been wounded while driving by. She appeared to have fallen out of her car, which kept rolling without her, he said.

"I went out to see because the lady was just lying in the road, and to figure just what the heck was going on," Robledo said. He and others began to administer first aid.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 21 of 81

Neighbors directed an arriving police officer toward the suspect.

"We were telling (the officer), 'He's down there.' ... The cop just went straight into action," Robledo said. Robledo's own family car was perforated with bullets.

"We've been doing yard work all last week. I just thank God that nobody was outside in front," he said. "Obviously, elderly people — he didn't have no sympathy for them. Who's to say he would have sympathy for a little kid," he said.

Middle school teacher Nick Akins, whose home is on a street that police locked down, described the neighborhood as a mostly great place to live, with a mix of homes, short-term rental apartments and churches.

"It's not like the roughest area in town, but it can be," he said. "We have great neighbors and rentals, people who come and go. We don't always know everyone."

Seeing Farmington in the national spotlight for yet another mass shooting, particularly one that occurred on his street, was surreal for him.

"You never think it's going to happen here and all of a sudden, in a tiny little town it comes here," Akins said.

Hebbe said he was "unbelievably proud" of officers' response given the threat of the suspect, who was moving around, and the chaotic scene. Authorities received at least nine calls to dispatch "putting the information all over the place, where the suspect was," he said.

The Sheriff's Office, the Farmington Police Department and state police all responded. The Bureau of Alcohol, Tobacco, Firearms and Explosives tweeted that agents from Phoenix were headed to Farmington to assist in the investigation.

Farmington police planned to hold a news conference Tuesday afternoon.

"Today, gun violence took the lives of our elders, wounded two police officers, and paralyzed Farmington's small community in fear," U.S. Rep. Teresa Leger Fernandez, a Democrat, whose district includes the area, said on Facebook. "I praise the heroes who drove to danger to stop the violence. I pray for the quick recovery of the wounded and for the families of those we lost."

"Our beautiful Nuevo Mexico is not immune to the mass shootings that occur across the country — Every. Single. Day," the message said.

In recent years, cafes and breweries have cropped up downtown Farmington alongside decades-old businesses that trade in Native American crafts from silver jewelry to wool weavings.

Last month Farmington police shot and killed a man at his front door after they went to the wrong address while responding to a domestic violence call.

Ritter reported from Las Vegas, Nevada, and Lee from Santa Fe. Associated Press writer Terry Tang in Phoenix contributed.

#### Russia launches 'exceptional' air attack on Kyiv as Europe, China look to exert influence

By SAMYA KULLAB Associated Press

KYIV, Ukraine (AP) — Ukrainian air defenses thwarted an intense Russian air attack on Kyiv early Tuesday, shooting down all 18 missiles aimed at the capital, officials said.

Loud explosions boomed over Kyiv as the nighttime attack combined Russian missiles launched from the air, sea and land in an apparent attempt to overwhelm Ukraine's air defenses. No casualties were reported as Western-supplied weapons helped fend off the assault.

The barrage came as European leaders sought new ways to punish Russia for the war and a Chinese envoy sought traction for Beijing's peace proposal.

Russia's latest attack on Kyiv was "exceptional in its density — the maximum number of attacking missiles in the shortest period of time," said Serhii Popko, the head of the Kyiv military administration.

Valentyna Myronets, a 64-year-old Kyiv resident, said she felt "pain, fear, nervousness, restlessness" amid the assaults. "God, we are waiting for victory and when all this is over," she said.

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 22 of 81

The British ambassador to Ukraine, Melinda Simmons, tweeted that the barrage was "pretty intense." "Bangs and shaking walls are not an easy night," she wrote.

It was the eighth time this month that Russian air raids had targeted the capital, a clear escalation after weeks of lull and ahead of a much-anticipated Ukrainian counter-offensive. It also came as President Volodymyr Zelenskyy concluded a whirlwind European tour to greet Ukraine's key wartime allies, which spurred an additional tranche of pledged military aid.

Six "Kinzhal" aero-ballistic missiles were launched from MiG-31K aircraft, nine cruise missiles from ships in the Black Sea and three land-based S-400 cruise missiles targeted the capital, Air Force spokesman Yurii Ihnat said in a statement on Telegram.

After the first onslaught, Russia also launched Iranian-made Shahed attack drones and conducted aerial reconnaissance, Ihnat said.

Debris fell across several districts in the capital, starting fires, but no losses were reported, Kyiv Mayor Vitali Klitschko said.

Sophisticated air defense systems provided by Ukraine's Western allies, including American-made Patriot missiles, have helped spare Kyiv from the kind of destruction witnessed elsewhere in the country as Russian forces press on with their tactic of long-range bombardment.

The bolstered air defenses have deterred Russian aircraft from going deep into Ukraine and helped shape the course of the war, military experts say.

Ukrainian Defense Minister Öleksii Reznikov cheered the display of defensive prowess, calling it in a tweet "another unbelievable success."

The barrage came as European leaders were due to attend a rare summit of the 46-nation Council of Europe, the continent's main human rights body.

The two-day meeting in Iceland seeks to set up a way of logging damage in Ukraine caused by the Kremlin's forces so compensation claims can be lodged against Moscow.

Meanwhile, a Chinese envoy is preparing to visit Ukraine and Russia in coming days as Beijing presses the peace plan it released in February.

Li Hui, a former ambassador to Moscow, also will visit Poland, France and Germany, according to the Chinese foreign ministry.

Chinese leader Xi Jinping's government says it is neutral and wants to play a role as mediator in the war, but it has given Moscow political support and a breakthrough appeared unlikely more than 14 months after Russia's full-scale invasion.

At least seven civilians died and 14 others were wounded in Russian shelling of Ukrainian regions from Monday through Tuesday morning, the country's presidential office said.

Vasilisa Stepanenko in Kyiv and Yuras Karmanau in Tallinn, Estonia, contributed to this report.

Follow AP's coverage of the war in Ukraine at https://apnews.com/hub/russia-ukraine

### Special prosecutor ends Trump-Russia investigation, saying FBI acted hastily

By ERIC TUCKER and LINDSAY WHITEHURST Associated Press

WASHINGTON (AP) — A special prosecutor found that the FBI rushed into its investigation of ties between Russia and Donald Trump's 2016 campaign and relied too much on raw and unconfirmed intelligence as he concluded a four-year probe that fell far short of the former president's prediction that the "crime of the century" would be uncovered.

The report Monday from special counsel John Durham represents the long-awaited culmination of an investigation that Trump and allies had claimed would expose massive wrongdoing by law enforcement and intelligence officials. Instead, Durham's investigation delivered underwhelming results, with prosecutors securing a guilty plea from a little-known FBI employee but losing the only two criminal cases they

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 23 of 81

#### took to trial.

The roughly 300-page report catalogs what Durham says were a series of missteps by the FBI and Justice Department as investigators undertook a politically explosive probe in the heat of the 2016 election into whether the Trump campaign was colluding with Russia to tip the outcome. It criticized the FBI for opening a full-fledged investigation based on "raw, unanalyzed and uncorroborated intelligence," saying the speed at which it did so was a departure from the norm. And it said investigators repeatedly relied on "confirmation bias," ignoring or rationalizing away evidence that undercut their premise of a Trump-Russia conspiracy as they pushed the probe forward.

"Based on the review of Crossfire Hurricane and related intelligence activities, we conclude that the Department and the FBI failed to uphold their important mission of strict fidelity to the law in connection with certain events and activities described in this report," the document states.

The impact of Durham's report, though harshly critical of the FBI, is likely blunted by Durham's spotty prosecution record and by the fact that many of the episodes it cites were already examined in depth by the Justice Department's inspector general. The FBI has also long since announced dozens of corrective actions. The bureau outlined those changes in a letter to Durham on Monday, including steps meant to ensure the accuracy of secretive surveillance applications to eavesdrop on suspected terrorists and spies.

"Had those reforms been in place in 2016, the missteps identified in the report could have been prevented. This report reinforces the importance of ensuring the FBI continues to do its work with the rigor, objectivity, and professionalism the American people deserve and rightly expect," the FBI said in a statement. It also stressed that the report focused on the FBI's prior leadership, before current Director Christopher Wray took the job in 2017.

Still, Durham's findings are likely to amplify scrutiny of the FBI at a time when Trump is again seeking the White House as well as offer fresh fodder for congressional Republicans who have launched their own investigation into the purported "weaponization" of the FBI and Justice Department. After the report was released, Republican House Judiciary Committee Chairman Jim Jordan said he had invited Durham to testify next week.

Trump, on his Truth Social platform, claimed anew that the report showed the "crime of the century" and referred to the Russia investigation as a "Democrat Hoax."

Durham, the former U.S. Attorney in Connecticut, was appointed in 2019 by Trump's attorney general, William Barr, soon after special counsel Robert Mueller had completed his investigation into whether the 2016 Trump campaign had colluded with Russia to tilt the outcome of the election in his favor.

The Mueller investigation resulted in roughly three dozen criminal charges, including convictions of a half-dozen Trump associates, and determined that Russia intervened on the Trump campaign's behalf and that the campaign welcomed the help. But Mueller's team did not find that they actually conspired to sway the election, creating an opening for critics of the probe — including Barr himself — to assert that it had been launched without a proper basis.

Revelations over the following months laid bare flaws with the investigation, including errors and omissions in Justice Department applications to eavesdrop on a former Trump campaign aide, Carter Page, as well as the reliance by the FBI on a dossier of uncorroborated or discredited information compiled by an British ex-spy, Christopher Steele.

Durham's team delved deep into those mistakes, finding that investigators opened the investigation hastily, without doing key interviews or a significant review of intelligence databases. The report says the FBI, at the time the investigation was opened, had no information that any Trump campaign officials had been in touch with any Russian intelligence officials.

The original Russia investigation was opened in July 2016 after the FBI learned from an Australian diplomat that a Trump campaign associate named George Papadopoulos had claimed to know of "dirt" that the Russians had on Democratic candidate Hillary Clinton in the form of emails.

But the report faults the FBI for not having done important legwork before opening the investigation. It also said the FBI did not corroborate a "single substantive allegation" in the so-called Steele dossier and

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 24 of 81

ignored or rationalized what it asserts was exculpatory information that Trump associates had provided to FBI confidential informants. That includes, the report said, minimizing the importance of a conversation in which Papadopoulos strenuously denied to the FBI informant that he had any knowledge of ties between the campaign and Russia.

"An objective and honest assessment of these strands of information should have caused the FBI to question not only the predication for Crossfire Hurricane, but also to reflect on whether the FBI was being manipulated for political or other purposes," the report said. "Unfortunately, it did not. "

Durham's mandate was to scrutinize government decisions, and identify possible misconduct, in the early days of the Trump-Russia probe. His appointment was cheered by Trump, who in a 2019 interview with Fox News said Durham was "supposed to be the smartest and the best." He and his supporters hoped it would expose a "deep state" conspiracy within the top echelons of the FBI and other agencies to derail Trump's presidency and candidacy.

Durham and his team cast a broad net, interviewing top officials at the FBI, Justice Department and CIA in an investigation that ultimately cost more than \$6.5 million. In his first year on the job, he traveled with Barr to Italy to meet with government officials as Trump himself asked the Australian prime minister and other leaders to help with the probe.

Weeks before his December 2020 resignation as attorney general, Barr appointed Durham as a Justice Department special counsel to ensure that he would continue his work in a Democratic administration.

The slow pace of the probe irked Trump, who berated Barr before he left office about the whereabouts of the report. By the end of the Trump administration, only one criminal case had been brought, while the abrupt departure of Durham's top deputy in the final months of Trump's tenure raised questions about whether the team was in sync.

Despite expectations that Durham might charge senior government officials, his team produced only three prosecutions. A former FBI lawyer pleaded guilty to altering an email the FBI relied on in applying to eavesdrop on an ex-Trump campaign aide. Two other defendants — a lawyer for the Clinton campaign and a Russian-American analyst — were both acquitted on charges of lying to the FBI.

Follow Eric Tucker at http://www.twitter.com/etuckerAP

#### Durham report on Trump-Russia investigation: What led to it and what happens next

By ERIC TUCKER Associated Press

WASHINGTON (AP) — An investigation into the origins of the FBI's probe into ties between Russia and Donald Trump's 2016 presidential campaign has finally been concluded, with prosecutor John Durham submitting a much-awaited report that found major flaws.

The report, the culmination of a four-year investigation into possible misconduct by U.S. government officials, contained withering criticism of the FBI but few significant revelations. Nonetheless, it will give fodder to Trump supporters who have long denounced the Russia investigation. Meanwhile Trump opponents will likely point to the Durham team's meager court record — one guilty plea and two acquittals at trial — as proof that the probe was a politically motivated farce.

A look at the investigation and the report:

WHO IS JOHN DURHAM?

Durham has spent decades as a Justice Department prosecutor, with past assignments including investigations into the FBI's cozy relationship with mobsters in Boston and the CIA's destruction of videotapes of its harsh interrogations of terrorism subjects.

He was appointed in 2019 to investigate potential misconduct by U.S. government officials as they examined Russian election interference in 2016 and whether there was any illegal coordination between the Kremlin and Trump's presidential campaign.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 25 of 81

Despite skimpy results — one guilty plea and two acquittals — that failed to live up to Trump's expectations, Durham was able to continue his work well into the Biden administration, thanks in part to William Barr appointing Durham as a Justice Department special counsel shortly before Barr's 2020 resignation as attorney general.

WHY DID THE TRUMP JUSTICE DEPARTMENT THINK SUCH AN APPOINTMENT WAS NECESSARY?

The appointment came weeks after a different special counsel, Robert Mueller, wrapped up his investigation of possible connections between Russia and the Trump campaign. That probe produced more than two dozen criminal cases, including against a half-dozen Trump associates.

Though it did not charge any Trump aide with working with Russia to tip the election, it did find that Russia interfered on Trump's behalf and that the campaign welcomed, rather than discouraged, the help.

From the start, Barr was deeply skeptical of the investigation's foundation, telling Congress that "spying did occur" on the campaign.

He enlisted an outside prosecutor to hunt for potential misconduct at the government agencies who were involved in collecting intelligence and conducting the investigation, even flying with Durham to Italy to meet with officials there as part of the probe.

WERE THERE PROBLEMS WITH THE RUSSIA INVESTIGATION?

Yes, and a Justice Department inspector general inquiry already identified many.

The watchdog report found that FBI applications for warrants to eavesdrop on a former Trump campaign aide, Carter Page, contained significant errors and omitted information that would likely have weakened or undermined the premise of the application.

The cumulative effect of those errors, the report said, was to make it "appear that the information supporting probable cause was stronger than was actually the case."

Still, the inspector general did not find evidence that investigators acted with political bias and said there was a legitimate basis to open a full investigation into potential collusion, though Durham has disagreed. WHAT CRIMINAL CASES DID HE BRING AND WHAT WAS THE OUTCOME?

Durham brought three prosecutions during his tenure, but only one resulted in a conviction — and that was for a case referred to him by the Justice Department inspector general. None of the three undid core findings by Mueller that Russia had interfered with the 2016 election in sweeping fashion.

A former FBI lawyer, Kevin Clinesmith, pleaded guilty in 2020 to altering an email related to the surveillance of ex-Trump campaign aide. He was given probation.

But two other cases, both involving alleged false statements to the FBI, resulted in acquittals by jury.

Michael Sussmann, a lawyer for the Hillary Clinton campaign, was found not guilty of lying to the FBI during a meeting in which he presented computer data information that he wanted the FBI to investigate. A different jury acquitted Igor Danchenko, a Russian-American analyst, of charges that he lied to the FBI about his role in the creation of a discredited dossier about Trump.

WHAT SPECIFICALLY DID DURHAM FIND?

Durham found that the FBI acted too hastily and relied on raw and unconfirmed intelligence when it opened the Trump-Russia investigation.

He said at the time the probe was opened, the FBI had no information about any actual contact between Trump associates and Russian intelligence officials.

He also claimed that FBI investigators fell prone to "confirmation bias," repeatedly ignoring or rationalizing away information that could have undercut the premise of their investigation, and he noted that the FBI failed to corroborate a single substantive allegation from a dossier of research that it relied on during the course of the probe.

"An objective and honest assessment of these strands of information should have caused the FBI to question not only the predication for Crossfire Hurricane, but also to reflect on whether the FBI was being manipulated for political or other purposes," the report said, using the FBI's code name for the Trump-Russia probe. "Unfortunately, it did not."

HOW DID THE FBI RESPOND?

The FBI pointed out that it had long ago made dozens of corrective actions. Had those measures been

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 26 of 81

in place in 2016, it says, the errors at the center of the report could have been prevented.

It also took pains to note that the conduct in the report took place before the current director, Christopher Wray, took the job in fall 2017.

WHAT HAPPENS NEXT?

It didn't take long for Republicans in Congress to react. Rep. Jim Jordan, who chairs the House Judiciary Committee, said he had invited Durham to testify on Capitol Hill next week. Trump, too, sought to seize on the report, claiming anew in a post on his Truth Social platform that the Durham report had found "the crime of the century" and calling the Russia investigation the "Democrat Hoax."

Though the FBI says it's already taken some steps to address the problems cited in the report, Durham did say it's possible more reform could be needed. One idea, he said, would be to provide additional scrutiny of politically sensitive investigations by identifying an official who would be responsible for challenging the steps taken in a probe.

He said his team had considered but did not ultimately recommend steps that would curtail the FBI's investigative authorities, including its use of tools under the Foreign Intelligence Surveillance Act to eavesdrop on suspected spies or terrorists.

Follow Eric Tucker at http://www.twitter.com/etuckerAP

### Salman Rushdie makes rare public address after attack, warns free expression under threat

LONDON (AP) — Writer Salman Rushdie has made a public speech, nine months after being stabbed and seriously injured onstage, warning that freedom of expression in the West is under its most severe threat in his lifetime.

Rushdie delivered a video message to the British Book Awards, where he was awarded the Freedom to Publish award on Monday evening. Organizers said the honor "acknowledges the determination of authors, publishers and booksellers who take a stand against intolerance, despite the ongoing threats they face."

He said that "we live in a moment, I think, at which freedom of expression, freedom to publish has not in my lifetime been under such threat in the countries of the West."

"Now I am sitting here in the U.S., I have to look at the extraordinary attack on libraries, and books for children in schools," he said. "The attack on the idea of libraries themselves. It is quite remarkably alarming, and we need to be very aware of it, and to fight against it very hard."

Rushdie, 75, was blinded in one eye and suffered nerve damage to his hand when he was attacked at a literary festival in New York state in August. His alleged assailant, Hadi Matar, has pleaded not guilty to charges of assault and attempted murder.

Rushdie spent years in hiding with police protection after Iran's Grand Ayatollah Ruhollah Khomeini issued a fatwa, or edict, in 1989 calling for his death over the alleged blasphemy of the novel "The Satanic Verses."

In his speech, Rushdie also criticized publishers who change decades-old books for modern sensibilities, such as large-scale cuts and rewrites to the works of children's author Roald Dahl and James Bond creator Ian Fleming.

He said publishers should allow books "to come to us from their time and be of their time."

"And if that's difficult to take, don't read it, read another book," he said.

#### Germany: 5 sentenced to prison for 100-million-euro jewelry heist

BERLIN (AP) — A German court on Tuesday convicted five men over the theft of 18th-century jewels worth more than 100 million euros from a Dresden museum in 2019.

They were sentenced to prison sentences of between four years and four months and six years and three months, German news agency dpa reported. One defendant was acquitted.

The Dresden state court ruled that the five men — aged 24 to 29 — were responsible for the break-in

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 27 of 81

at the eastern German city's Green Vault Museum on Nov. 25, 2019, and the theft of 21 pieces of jewelry containing more than 4,300 diamonds, with a total insured value of at least 113.8 million euros (\$129 million). Officials said at the time that the items taken included a large diamond brooch and a diamond epaulette.

They were convicted of particularly aggravated arson in combination with dangerous bodily injury, theft with weapons, damage to property and intentional arson.

The men laid a fire just before the break-in to cut the power supply to street lights outside the museum, and also set fire to a car in a nearby garage before fleeing to Berlin. They were caught several months later in raids in Berlin.

In January, there was a plea bargain between the defense, prosecution and court after most of the stolen jewels were returned.

The plea bargain had been agreed to by four defendants, who subsequently admitted their involvement in the crime through their lawyers. The fifth defendant also confessed, but only to the procurement of objects such as the axes used to make holes in the museum display case, dpa reported.

The state of Saxony, where Dresden is located, had claimed damages of almost 89 million euros in court — for the pieces that were returned damaged, for those still missing and for repairs to the destroyed display cases and the museum building.

The Green Vault is one of the world's oldest museums. It was established in 1723 and contains the treasury of Augustus the Strong of Saxony, comprising around 4,000 objects of gold, precious stones and other materials.

### Biden to mark Jewish American Heritage Month with Broadway stars, speak out on antisemitism

WASHINGTON (AP) — President Joe Biden will mark Jewish American Heritage Month on Tuesday by highlighting his administration's efforts to combat rising antisemitism when he speaks at a White House reception that will feature performances from the stars of the Broadway revival of "Parade."

While Biden plans to use his comments to celebrate the contributions of Jewish Americans, he also will reflect on how his decision to run for the White House in 2020 was shaped by a 2017 neo-Nazi march in Charlottesville, Virginia, according to a White House official who previewed the president's speech on condition of anonymity.

The president, who just weeks ago announced he would run for reelection, spoke frequently during the 2020 campaign about the "Unite the Right" rally led by white nationalists bearing torches. Clashes between that group and a large gathering of counterprotesters led to the death of counterprotester Heather Heyer when a white nationalist drove his car into the crowd.

Biden is also expected to highlight his appointment of America's first ambassador-level special envoy to monitor and combat antisemitism, increased federal funding to help secure synagogues, Jewish community centers and Jewish day schools, and convening a White House summit on combating hate-fueled violence.

Biden late last year established an inter-agency group to better coordinate U.S. government efforts to counter antisemitism, Islamophobia and related forms of bias and discrimination within the United States. The administration is expected to soon release its national strategy to counter antisemitism.

Ben Platt and Micaela Diamond, both 2023 Tony Award nominees for their performance in "Parade," are to perform at the reception. The musical centers on the trial and imprisonment and lynching in the early 20th century of Jewish American factory manager Leo Frank. Composer Jason Robert Brown will accompany Diamond and Platt.

The White House recruited James Beard-winning chef Michael Solomonov, who specializes in Israeli cuisine, to design the menu for Tuesday's celebration.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 28 of 81

#### Biden administration announces nearly \$11 billion for renewable energy in rural communities

BY DREW COSTLEY AP Science Writer

The U.S. Department of Agriculture announced a nearly \$11 billion investment on Tuesday to help bring affordable clean energy to rural communities throughout the country.

Rural electric cooperatives, renewable energy companies and electric utilities will be able to apply for funding through two programs, U.S. Department of Agriculture Secretary Tom Vilsack said during a media briefing on Monday.

Vilsack said it was the largest single federal investment in rural electrification since President Franklin D. Roosevelt signed the Rural Electrification Act in 1936 as part of the New Deal.

"This is an exciting opportunity for the Rural Utility Service to work collaboratively with our great partners, the Rural Electric cooperatives, in order to advance a clean energy future for rural America," Vilsack said. "So this is an exciting and an historic day, and it continues an ongoing effort to ensure that rural America is a full participant in this clean energy economy."

The Empowering Rural America program will make \$9.7 billion available for rural electric cooperatives to create renewable energy, zero-emission and carbon capture systems.

Jim Matheson, CEO of the National Rural Electric Cooperative Association, praised the administration for the investment.

"This is an exciting and transformative opportunity for co-ops and their local communities, particularly as we look toward a future that depends on electricity to power more of the economy," Matheson said. "USDA has smartly structured this program in a way that will help electric co-ops leverage new tools to reduce costs and keep energy affordable while meeting the future energy needs of their rural communities."

The Powering Affordable Clean Energy program will make \$1 billion available in partially-forgivable loans for renewable energy companies and electric utilities to help finance renewable energy projects such as large-scale solar, wind and geothermal projects.

The Department of Agriculture said in a press release that the goal of this program is provide affordable clean energy to vulnerable, disadvantaged and Indigenous communities. But there is tension between building a clean energy infrastructure for all and mining the materials needed for that infrastructure.

For example, conservationists and Indigenous communities in Nevada have sued to block the opening of the largest mine planned in the U.S. for extraction of lithium used in electric vehicle batteries.

When asked about tribal concerns about mineral extraction at Monday's briefing, Vilsack said there would be a "significant tribal consultation" for mining projects on land his agency controls. But when pressed about what would happen if an Indigenous community said no to a mining project, he declined to answer the question, calling it hypothetical.

Rural electric cooperatives can apply for grants, loans and loan modifications through the Empowering Rural America program between July 31 and Aug. 31. The application period for the Powering Affordable Clean Energy program is June 30 — Sept. 29.

Experts told The Associated Press that these programs could have a significant impact for rural America. "The ERA Program has the potential to help rural electric co-ops and municipal co-ops move the needle toward a cleaner, less carbon-intensive electricity mix," said Felix Mormann, a professor of law at Texas A&M University who specializes in energy law and policy.

The programs will have relatively less impact on electricity growth in rural communities than the Rural Electrification Act during the New Deal, said Carl Kitchens, an associate professor of economics at Florida State University.

"When enacted in the 1930s, only 10 percent of farms had electric power; by 1950, it had risen to over 90 percent," Kitchens said. "Today, electricity is nearly universal except for a few small pockets and portions of reservation land."

Funding for the new programs comes from the Inflation Reduction Act, which has generated hundreds

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 29 of 81

of billions of dollars for renewable energy transition and environmental cleanup. In February, the Biden administration announced details on how states and nonprofits could apply for \$27 billion in funding from a "green bank." The next month, officials announced \$2 billion to create the Rural Energy for America Program.

And since the beginning of the year, they've announced hundreds of millions of dollars for the renewable energy transition from climate-warming fossil fuels, environmental cleanup and climate mitigation in poor communities and communities of color.

Follow Drew Costley on Twitter: @drewcostley.

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

#### Fire at New Zealand hostel kills at least 6 people, officials say

By NICK PERRY Associated Press

WELLINGTON, New Zealand (AP) — A fire ripped through a hostel in New Zealand's capital overnight, killing at least six people and forcing others to flee the four-story building in their pajamas in what a fire chief on Tuesday called his "worst nightmare."

Six bodies were found but not all areas of the building had been searched yet because the roof on the top floor had collapsed, bringing down debris and making the area unsafe, said Bruce Stubbs, the incident controller for Fire and Emergency New Zealand.

Officials said 52 people had made it out of the building alive but they were still trying to account for others. Loafers Lodge resident Tala Sili told news outlet RNZ that he saw smoke pouring through under his door and opened it to find the hallway was pitch-black.

"I was on the top floor and I couldn't go through the hallway because there was just too much smoke, so I jumped out the window," Sili said.

He said he fell onto a roof two floors below.

"It was just scary, it was really scary, but I knew I had to jump out the window or just burn inside the building," Sili told RNZ. He said he was rescued from the roof by paramedics and treated for a sprained ankle.

The Loafers Lodge offered basic, affordable rooms with shared lounges, kitchens and laundry facilities to people of a wide range of ages. Some were placed there by government agencies and were considered vulnerable because they had little in the way of resources or support networks.

The hostel has 92 rooms and features billboards on one side. Dark smoke stains extended up the exterior walls on the top story of the building in an industrial area near Wellington Regional Hospital.

Firefighters were called to the hostel at about 12:30 a.m. Emergency officials said the building had no fire sprinklers, which Prime Minister Chris Hipkins said was not required in New Zealand's building code for older buildings that would have to be retrofitted.

Police said the cause of the fire was not known yet but they didn't believe it had been deliberately lit. Police Inspector Dion Bennett said the plan was to begin a thorough scene investigation Wednesday after fire officials handed building access off to them.

Residents told reporters that fire alarms would regularly sound in the building, possibly from people smoking or overly sensitive smoke monitors, so many had initially thought it was another false alarm.

Hipkins said it could take authorities some time to confirm the number of dead. Police said they did not have an exact count, although they believed the death toll was less than 10.

"It is an absolute tragedy. It is a horrific situation," the prime minister told reporters. "In the fullness of time, of course, there will be a number of investigations about what has happened and why it happened. But for now, the focus clearly has to be on dealing with the situation."

Health authorities said two people who had been in the building were being treated at hospitals and

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 30 of 81

both were in a stable condition. Three others had been treated and discharged, while a sixth patient had chosen to leave before getting treatment.

Nick Pyatt, the Wellington district manager for Fire and Emergency New Zealand, said his thoughts were with the families of those who had perished and with the crews, who had rescued those they could and tried to rescue those they couldn't.

"This is our worst nightmare," Pyatt said. "It doesn't get worse than this."

Wellington City Council spokesperson Richard MacLean said city and government officials were helping about 50 people who escaped the fire and were at an emergency center the council set up at a running track that had showers and other facilities.

He said a number of elderly people had escaped the building with only the pajamas they were wearing. "A lot are clearly shaken and bewildered about what happened," he said.

The hostel provided a combination of short-term and long-term rentals, MacLean said. He didn't have all the details, he said, but he believed it was used by various government agencies to provide clients with needed accommodation.

Australian Prime Minister Anthony Albanese told reporters he'd spoken with Hipkins and offered Australian assistance.

"This is a dreadful human tragedy," Albanese said. "I expressed my condolences on behalf of Australia to our friends in New Zealand at this very difficult time."

#### Zelenskyy's European tour aimed to replenish Ukraine's arsenal and build political support

By JILL LAWLESS Associated Press

LÓNDON (AP) — Volodymyr Zelenskyy set off across Europe with a long shopping list. Ukraine's president will head home with much of what he wanted — though not the Western fighter jets he seeks to defend against Russian air attacks.

European leaders promised Zelenskyy an arsenal of missiles, tanks and drones during a whirlwind threeday visit to Italy, the Vatican, Germany, France and the U.K. that sought to replenish Ukraine's depleted weapons supplies ahead of a long-anticipated spring offensive aimed at turning the tide of the war.

The trip was also about shoring up European political and military support for the longer term, to ensure Ukraine can hold any ground it takes back and press for a favorable peace.

"They've got to show ... they're in this conflict for the long term and that they're able to keep sustaining this effort," said Justin Crump, a former British tank commander who heads security consultancy Sibylline. "It's not going to be one shot and done."

Zelenskyy's energetic international diplomacy over 15 months of war has persuaded Ukraine's Western allies to send ever more powerful weapons, from German Leopard tanks to U.S. Patriot missile systems and Storm Shadow cruise missiles from the U.K.

Pressing his case to European leaders in person shows Zelenskyy's growing confidence about traveling abroad. It's also an attempt to get his "ducks in a row" as Ukraine prepares a push to reclaim territory seized by Russia, said Patrick Bury, senior lecturer in security at the University of Bath.

Bury said that if Ukraine launches an offensive "and it doesn't go well, there might be a drop off in support and more pressure to negotiate. I think he's just trying to bind in for as long as he possibly can as much support as he can from the West."

On Monday, the U.K. pledged hundreds more air defense missiles, as well as attack drones with a range of more than 200 kilometers (120 miles).

France, where Ukraine's leader met President Emmanuel Macron on Sunday, said it would supply Ukraine with dozens of light tanks and armored vehicles, along with unspecified air defense systems.

Zelenskyy also visited Germany for talks with Chancellor Olaf Scholz, whose initial reluctance to provide Ukraine with lethal weapons was a source of frustration in Kyiv. Now, Germany has become one of the big-

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 31 of 81

#### Stage set for Ecuadorian president or lawmakers to be booted out of office

By REGINA GARCIA CANO and GONZALO SOLANO Associated Press

QUITO, Ecuador (AP) — A showdown between Ecuador's President Guillermo Lasso and the oppositionled National Assembly could result in either side being booted from office this week as lawmakers seek to try him for embezzlement and he mulls exercising his constitutional power to dissolve the legislature.

Lawmakers will continue impeachment proceedings against the right-leaning politician Tuesday during a session of the unicameral assembly that Lasso is expected to attend.

Political tensions have risen in Ecuador since Lasso, a former banker, was elected in 2021 and clashed from the start with a strong opposition in the Assembly. At the same time, the South American country has experienced an increase in drug-related violence, including several massacres in prisons over the past two years.

Whatever happens this week, the country's overall instability will certainly deepen.

"The removal of the president, being an institutional earthquake in any democracy, will be an event that it will shake the country's political scene," said Laura Lizarazo, senior analyst covering Ecuador and Colombia for the global firm Control Risks.

This is the second time the opposition tries to impeach Lasso, but last year it didn't get enough votes.

Tuesday's session could extend into Wednesday as it will feature hours of arguments from Lasso's accusers and defense and 10-minute remarks from any of the 137 legislators who wish to speak on the politically charged case.

The opposition is widely expected to reach the 92 votes necessary to remove Lasso following the debate, but it remains unclear exactly when within the next five days the Assembly's leadership will schedule the vote on the measure, although lawmakers have signaled it could happen Saturday. Also unknown is whether Lasso will choose to dissolve the legislature to keep his job and govern by decree until presidential and legislative elections are scheduled.

Lawmakers are accusing Lasso of not having intervened to end a contract between the state-owned oil transport company Flota Petrolera Ecuatoriana and the private entity Amazonas Tankers. The accusers argue that Lasso knew the contract was full of irregularities and cost the state millions in losses.

But lawmakers have not offered any proof so far. Lasso, who has denied the allegations, told foreign press in April that he would not hesitate to dissolve the Assembly if his removal were imminent.

"We anticipate that the progressive deterioration in terms of security that Ecuador has experienced in the last year will persist, as well as the high levels of dissatisfaction among the population who feel that democratic institutions, both the Assembly as well as the Executive, are totally disconnected from their most urgent needs, which have to do with unemployment, violence, totally unprecedented levels of extortion by organized crime, and petty crime," Lizarazo said.

Impeachment proceedings run separate from criminal investigations. Ecuador's Prosecutor's Office has opened a preliminary investigation, but Lasso has not been criminally charged.

Constitutional attorney Andre Benavides said the accusations against Lasso do not fit an embezzlement case because neither the damage to the state nor the alleged personal benefit of the president has been established.

"In this case, there is no money trace, it does not exist," Benavides said.

The Organization of American States on Monday urged legislators to "offer all the guarantees of justice and respect the rules of due process" during this week's proceedings.

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 32 of 81

### A lonely nation: Has the notion of the 'American way' promoted isolation across history?

By TED ANTHONY AP National Writer

NEW YORK (AP) — At the end of "The Searchers," one of John Wayne's most renowned Westerns, a kidnapped girl has been rescued and a family reunited. As the closing music swells, Wayne's character looks around at his kin — people who have other people to lean on — and then walks off toward the dusty West Texas horizon, lonesome and alone.

It's a classic example of a fundamental American tall tale — that of a nation built on notions of individualism, a male-dominated story filled with loners and "rugged individualists" who suck it up, do what needs to be done, ride off into the sunset and like it that way.

In reality, loneliness in America can be deadly. This month, U.S. Surgeon General Vivek Murthy declared it an American epidemic, saying that it takes as deadly a toll as smoking upon the population of the United States. "Millions of people in America are struggling in the shadows," he said, "and that's not right."

He cited some potent forces: the gradual withering of longstanding institutions, decreased engagement with churches, the fraying bonds of extended families. When you add recent stressors — the rise of social media and virtual life, post-9/11 polarization and the way COVID-19 interrupted existence — the challenge becomes even more stark.

People are lonely the world over. But as far back as the early 19th century, when the word "loneliness" began to be used in its current context in American life, some were already asking the question: Do the contours of American society — that emphasis on individualism, that spreading out with impunity over a vast, sometimes outsized landscape — encourage isolation and alienation?

Or is that, like other chunks of the American story, a premise built on myths?

Alexis de Tocqueville, watching the country as an outsider while writing "Democracy in America" in the mid-1800s, wondered whether, "as social conditions become more equal," Americans and people like them would be inclined to reject the trappings of deep community that had pervaded Old World aristocracies for centuries.

"They acquire the habit of always considering themselves as standing alone, and they are apt to imagine that their whole destiny is in their own hands," he wrote. "Thus not only does democracy make every man forget his ancestors, but it ... throws him back forever upon himself alone, and threatens in the end to confine him entirely within the solitude of his own heart."

This has been a recurring thread in how Americans perceive themselves. In the age before democracy, for better and for worse, "People weren't lonely. They were tied up in a web of connections. And in many countries that's more true than it was in the United States," says Colin Woodard, director of the Nationhood Lab at the Pell Center for International Relations and Public Policy.

"There's this idea that going out into those vast spaces and connecting with the wilderness and escaping the past was precisely what made us Americans," Woodard says.

Yet many frontier myths skip over how important community has been in the settling and growth of the nation. Some of the biggest stories of cooperation — the rise of municipal organizations and trade unions, the New Deal programs that helped drag many Americans out of the Depression in the 1930s, war efforts from the Civil War to World War II — sometimes get lost in the fervor for character-driven stories of individualism.

Those omissions continue. Fueled in part by pandemic distrust, a latter-day strain of individual-overcommunity sentiment often paired with invocations of liberty and freedom occupies a significant chunk of the national conversation these days — to the point where advocacy about community thinking is sometimes met with accusations of socialism.

Let's not consign Americans to be the heirs of a built-in loneliness gene, though. A new generation is insisting that mental health be part of the national conversation, and many voices — among them women and people of color — are increasingly offering new alternatives to the old myths.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 33 of 81

What's more, the very place where the discussion about loneliness is being held today — in the office of the surgeon general, a presidential appointee — suggests that other paths are possible.

The ways Americans perceive themselves as solitary (whether or not it's true) can be seen in their art. One of the nation's early art movements, the mid-19th-century Hudson River School, made people tiny parts of outsized landscapes, implying both that the land dwarfed humans and that they were being summoned to tame it. From that, you can draw a line straight to Hollywood and director John Ford's Westerns, which used vast landscapes to isolate and motivate humans for the purposes of telling big stories. Same with music, where both the blues and the " high lonesome sound " helped shape later genres.

In the suburbs, Betty Friedan's groundbreaking "The Feminine Mystique "helped give voice to a generation of lonely women. In the city, Edward Hopper's work — like the iconic "Nighthawks "— channeled urban loneliness. At around the same time, the emergence of film noir — crime and decay in the American city its frequent subject — helped shape the figure of the lonely man alone in a crowd who might be a protagonist, might be an antagonist, might be both.

Today, loneliness plays out on streaming TV all the time in the forms of shows like "Severance," "Shrinking," "Beef" and, most prominently, the earnest "Ted Lasso," a show about an American in Britain who — despite being known and celebrated by many — is consistently and obviously lonely.

In March, the show's creator and star, Jason Sudeikis, appeared with his cast at the White House to talk about the issue that the show is, in its final season, more about than ever: mental health. "We all know someone who has, or have been that someone ourselves actually, that's struggled, that's felt isolated, that's felt anxious, that has felt alone," Sudeikis said.

Solitude and isolation do not automatically equal loneliness. But they all live in the same part of town. During the pandemic, Murthy's report found, people tightened their groups of friends and cut time spent with them. According to the report, Americans spent 20 minutes a day with friends in 2020 — down from an hour daily two decades ago. Granted, that was during peak COVID. The trend, though, is clear — particularly among young people ages 15 to 24.

Perhaps many Americans are alone in a crowd, awash in a sea of voices both physical and virtual yet by themselves much of the time, seeking community but suspicious of it. Some of the modernizing forces that stitched the United States together in the first place — commerce, communication, roads — are, in their current forms, part of what isolates people today. There's a lot of space between the general store and Amazon deliveries to your door, between mailing a letter and navigating virtual worlds, between roads that connect towns and freeways that overrun them.

And if Americans can figure out more about what connects and what alienates, some answers to the loneliness epidemic might reveal themselves.

"We must, indeed, all hang together or, most assuredly, we shall all hang separately," Benjamin Franklin, not incidentally the country's first postmaster general, said under very different circumstances. Or perhaps it's put better by the American poet Amanda Gorman, one of the country's most insightful young voices. This is from her poem "The Miracle of Morning," written in 2020 during the early part of the pandemic.

"While we might feel small, separate, and all alone,

our people have never been more closely tethered.

Because the question isn't if we can weather this unknown,

but how we will weather this unknown together."

Ted Anthony, director of new storytelling and newsroom innovation at The Associated Press, has been writing about American culture since 1990. Follow him on Twitter at http://twitter.com/anthonyted

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 34 of 81

#### Cannes Film Festival kicks off Tuesday with Johnny Depp and 'Jeanne du Barry'

By JAKE COYLE AP Film Writer

CANNES, France (AP) — The Cannes red carpet springs to life again Tuesday as the 76th Cannes Film Festival gets underway with the premiere of the Louis XV period drama "Jeanne du Barry," with Johnny Depp.

This year's festival promises a Cote d'Azur buffet of spectacle, scandal and cinema set to be served over the next 12 days. It's unspooling against the backdrop of labor unrest. Protests that have roiled France in recent months over changes to its pension system are planned to run during the festival, albeit at a distance from the festival's main hub.

Meanwhile, an ongoing strike by screenwriters in Hollywood could have unpredictable effects on the French Riviera festival.

But with a festival lined with some much-anticipated big-budget films, including James Mangold's "Indiana Jones and the Dial of the Destiny" and Martin Scorsese's "Killers of the Flower Moon," the party is sure to go on, regardless. Stars set to hit Cannes' red carpet in the next week and a half include Natalie Portman, Leonardo DiCaprio, Cate Blanchett, Sean Penn, Alicia Vikander, the Weeknd and Scarlett Johansson.

The festivities Tuesday will include an opening ceremony where Michael Douglas is to receive an honorary Palme d'Or. (Later, one will also be dished out to "Indiana Jones" star Harrison Ford). The jury that will decide the festival's top prize, the Palme d'Or, will also be introduced.

This year, the jury is led by Swedish filmmaker Ruben Östlund, a two-time Palme winner who last year won for the social satire "The Triangle of Sadness." The rest of the jury includes Brie Larson, Paul Dano, French director Julia Ducournau, Argentine filmmaker Damián Szifron, Afghan director Atiq Rahimi, French actor Denis Ménochet, Moroccan filmmaker Maryam Tourzani and a Zambian-Welsh director Rungano Nyoni.

The opening night selection has attracted some controversy. "Jeanne du Barry," directed by and costarring the French actor-director Maïwenn, co-stars Depp as Louis XV. It's Depp's first new film since his trial last year with Amber Heard, his ex-wife. After both Depp and Heard accused each other of physical and verbal abuse, a civil jury awarded Depp \$10 million in damages and \$2 million to Heard.

In remarks to the press Monday, Cannes director Thierry Fremaux defended the choice, saying Depp is extraordinary in the film and he paid no attention to the trial.

"To tell you the truth, in my life, I only have one rule, it's the freedom of thinking, the freedom of speech and the freedom to act within a legal framework," said Fremaux. "If Johnny Depp had been banned from acting in a film, or the film was banned we wouldn't be here talking about it."

For more coverage of this year's Cannes Film Festival, visit: https://apnews.com/hub/cannes-film-festival

### Stars beat Kraken 2-1 in G7 to advance to West final, Johnston scores day after 20th birthday

By STEPHEN HAWKINS AP Sports Writer

DALLAS (AP) — Wyatt Johnston is no longer a teenager, not that he's played like one at all during his rookie season with a Dallas Stars team that is headed to the Western Conference final.

A day after his 20th birthday, Johnston scored a crucial goal for the Stars off a hard ricochet in their 2-1 victory over the Seattle Kraken in Game 7 in the second-round series Monday night.

"It's a world-class play by one of the youngest players in the league," Stars coach Pete DeBoer said. "He's been fantastic all year. He's a big part of our group. It feels like the deeper we get, the more we rely on him, the more responsibility he wants."

Roope Hintz also scored for the Stars and 24-year-old goalie Jake Oettinger had 22 saves while again bouncing back after a loss.

Dallas moves on to play first-year Stars coach DeBoer's former team, the Vegas Golden Knights. Game

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 35 of 81

1 of the West final is Friday night in Las Vegas.

DeBoer improved to 7-0 in Game 7s, this being the fourth different team he led to a win in the finale of a best-of-seven series that went the distance. Darryl Sutter and Scott Bowman are the only other coaches to do that.

It was the fourth time in five seasons the Stars got a Game 7 — the others were all away from home. They hadn't won a Game 7 at home since 2000, when they made the Stanley Cup Final for the season in a row, a year after their only title.

In the only other Game 7 they hosted at American Airlines Center, the Stars lost 6-1 to St. Louis in a second-round series in 2016.

Johnston made it 2-0 with 7:12 left, when he gathered a puck that ricocheted off the back boards to the left of the Seattle net. The kid who has played in every game this season, and is living with veteran Joe Pavelksi's family, then sent a shot that went off the shoulder and mask of goalie Phillip Grubauer before going into the net.

Grubauer stopped 26 shots, two weeks after his 33 saves when Seattle won at Colorado 2-1 in another Game 7 to knock out last year's Stanley Cup champion.

Hintz's ninth goal of the playoffs was credited as an unassisted tally and came with 4:01 left in the second period, the deepest in this series any game got before a score.

Oliver Bjorkstrand scored with 17.6 seconds left, preventing the second shutout this postseason season for Oettinger. Bjorkstrand had the both goals against the Avalanche in that Game 7 last month.

This series finale came exactly one year after Oettinger's 64-save performance in another Game 7 — a 3-2 loss at Calgary after Johnny Gaudreau's OT goal ended the first-round series.

Oettinger improved to 5-0 after losses this postseason. He allowed four goals on 18 shots during Game 6 in Seattle on Saturday, when he was pulled 4 1/2 minutes into the second period.

"Yeah, that's playoff hockey. I don't think had my best series of my career, but it shows how good of a team we are," Oettinger said. "It's ups and downs and, you know, you think might be out of it, and the next thing you know you're going to the conference final."

Dallas and Las Vegas will meet in the Western Conference Final for the second time in four seasons. The Stars beat the DeBoer-coached Golden Knights in five games in 2020, the postseason that was played in the NHL's bubble in Toronto and Edmonton during the pandemic.

The second-year Kraken had forced Game 7 with a 6-3 win at home on Saturday.

"We pushed as hard as we could push tonight. We couldn't find our top gear," Seattle coach Dave Hakstol said. "Give Dallas a lot of credit in that regard. To a certain degree, they answered the game that we played in Game 6. They came home into their home building and put us under pressure."

Adam Larsson had four of Seattle's 13 blocked shots in the first period, two in quick succession before Dallas had its only power play. After blocking Evgenii Dadonov's shot, Larsson knocked away Jamie Benn's attempt on a rebound before the Stars captain was cross-checked by by Eeli Tolvanen in front of the net.

Seattle then had seven blocked shots during the power play, not allowing the Stars to get a shot on goal even while they pretty much kept the puck in their offensive zone that entire time.

The Kraken had only eight more blocked shots the rest of the game.

Dallas had the only shot, a short-hander try by Hintz, when the Kraken had its only man-advantage after Benn was called for a high stick later in the first period.

Stars defenseman Miro Heiskanen got a puck past Grubauer only 3 1/2 minutes into the game, but it ricocheted off the crossbar and went out of play behind the net.

AP NHL Playoffs: https://apnews.com/hub/stanley-cup and https://twitter.com/AP\_Sports

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 36 of 81

gest arms suppliers to Ukraine, including battle tanks and the sophisticated IRIS-T SLM air-defense system. During Zelenskyy's visit Germany announced another 2.7 billion euros (\$3 billion) worth of equipment, including tanks, anti-aircraft systems and ammunition.

But Zelensky's aim of forming an international "fighter jet coalition" to supply Ukraine with planes has run up against NATO concern about escalating the alliance's role in the war. Ukraine wants U.S.-made F-16s to supplement its Soviet-era jets, but Washington has resisted calls to send them.

"We want to create a jet coalition and I am very positive about it," Zelenskyy said Monday after meeting British Prime Minister Rishi Sunak. But, he added: "We have to work a little bit more on it."

Sunak said Britain wants to help Ukraine acquire jets, but "it's not a straightforward thing."

The U.K. does not have any F-16s, but says it will give Ukrainian pilots basic training on Western-standard jets starting this summer.

Germany's Scholz was evasive when asked about planes, referring instead to the anti-aircraft system it has provided to Kyiv.

"That's what we as Germany are now concentrating on," he said.

The flurry of announcements from Europe's capitals is part diplomatic theater. Ukraine gets a steady flow of equipment from the West, and some of the weapons announced this week may already have been on the way. Zelenskyy's trip was about securing supplies for the long term, as well as the imminent offensive.

"They should be able to carry out the offensive with what they already have, but that's not enough to sustain it over the long term," said retired French Vice Adm. Michel Olhagaray, a former head of France's center for higher military studies. "And they'll need the long term to make the Russians crack."

Zelenskyy began his Éuropean tour Saturday in Rome, where he received a hearty commitment from Italian Premier Giorgia Meloni — and a more nuanced and less welcome message from Pope Francis.

Calling Zelenskyy her friend and emphasizing their personal rapport, Meloni promised to provide Ukraine with whatever it needs to win the war and said any compromise to accept an "unjust peace" was unacceptable for Ukraine and Italy, and dangerous for the rest of Europe.

"We cannot call 'peace' something that could resemble an invasion," she told reporters, as Zelenskyy nodded along in agreement.

Zelenskyy also visited the Vatican to meet Pope Francis, who stressed the need for "gestures of humanity" toward the most vulnerable and innocent victims of the conflict.

While Francis has frequently prayed for the "martyred" Ukrainian people, he has also lamented the Russian mothers who have lost their sons. The equivalence, and Francis' reluctance to outright condemn Russia, is part of the Vatican's tradition of neutrality in conflicts.

Zelenskyy made clear he didn't appreciate Francis' emphasis on both Russian and Ukrainian victims of the war, tweeting: "there can be no equality between the victim and the aggressor."

It was a reminder that Ukraine faces a political as well as a military battle. In Africa and Asia, especially, many are reluctant to take sides in what is seen as a regional European conflict.

François Heisbourg, a French analyst on defense and security questions at the International Institute for Strategic Studies, said Zelenskyy's European trip was part "weapons shopping tour, that's clear enough, and it seems to be working very well."

"But the other aspect, of course, is what you would call shaping the political battlefield," he said. "The politics are no less important for Zelenskyy than the purely military stuff."

Associated Press writers John Leicester in Paris, Kirsten Grieshaber in Berlin, Nicole Winfield in Rome and Danica Kirka in London contributed to this report.

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 37 of 81

### Pence allies launching super PAC to back former vice president's expected 2024 candidacy

By JILL COLVIN Associated Press

NÉW YORK (AP) — Allies of former Vice President Mike Pence are launching a new super PAC to support his expected candidacy for the 2024 Republican presidential nomination.

"Committed to America," the Pence-sanctioned group, publicly launches Tuesday, according to people familiar with the project, who spoke on condition of anonymity to share details of the planning and strategy.

"The country's at real crossroads and the Republican Party needs a strong conservative candidate who can win," said Scott Reed, the longtime GOP consultant, who will co-chair the group. "Pence has the experience, the unparalleled character, communication skills and the conservative credentials to win both the nomination and a general election."

The launch is the latest sign that Pence is moving ahead with his expected bid for the GOP nomination — a move that would put him in direct contention with his former boss, former President Donald Trump. Pence has said he will announce his plans "well before late June" and aides have been discussing potential launch dates for a campaign as early as May, but more likely in June. In the meantime, Pence has kept a busy schedule of visits to early-voting states, policy speeches and media interviews as he gears up for a run.

The new group will be co-chaired by Reed, who previously served as political director of the U.S. Chamber of Commerce and managed Bob Dole's 1996 presidential campaign. Joining him will be former Texas Rep. Jeb Hensarling, who developed a close friendship with Pence when they served in the House and is a former chair of the House Republican Conference.

Serving as executive director will be Bobby Saparow, who managed Georgia Gov. Brian Kemp's winning 2022 reelection campaign. Kemp defeated his Trump-endorsed challenger, former Sen. David Perdue, by more than 50 points. Trump had targeted Kemp as retribution for the governor's refusal to go along with his desperate attempts to overturn his defeat in the state's 2020 presidential election — a plot that is now under investigation and expected to yield multiple indictments.

Mike Ricci, who previously served as communications director to former Maryland Gov. Larry Hogan, will oversee communications.

Pence faces an uphill battle to the nomination with much of the attention and fundraising focused so far on Trump and Florida Gov. Ron DeSantis, who is planning his own entry into the race in the coming weeks. The field also includes former South Carolina Gov. Nikki Haley, tech entrepreneur Vivek Ramaswamy and former Arkansas Gov. Asa Hutchinson. South Carolina Sen. Tim Scott has formed a presidential exploratory committee and is expected to formally launch his campaign next week.

The new Pence group is animated by the belief that while the former congressman, talk radio host, Indiana governor and vice president of the United States is widely known by voters, their perceptions are mostly colored by his time as Trump's ever-loyal second-in-command.

They believe that if people are reminded of his experience, his character and his conservative credentials, they will embrace his candidacy.

"People know Mike Pence, they just don't know him well," Reed said. "This campaign is going to reintroduce Mike Pence to the country as his own man, not as vice president, but as a true economic, social and national security conservative — a Reagan conservative."

The group sees early-voting Iowa as critical for Pence and plans to launch their efforts there before expanding to other states, including New Hampshire, South Carolina and Nevada.

"We're going to organize Iowa, all 99 counties, like we're running him for county sheriff," said Reed.

They note a large portion of caucus-voters identify as Evangelical Christians, and believe Pence, a bornagain Evangelical, staunch opponent of abortion rights, and a Midwesterner, will connect especially well in the state, which in previous years boosted the campaigns of fellow conservatives like Ted Cruz, Rick Santorum and Mike Huckabee. Ultimately, however, they all failed to win their party's nomination after first-place caucus finishes.

The people familiar with the super PAC would not say how much money had been committed to the

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 38 of 81

group by donors, but insisted that they will raise as much money as they need to spend.

The group intends to focus on building a data and paid ground operation dedicated to turning people out to vote for Pence, citing Kemp's campaign as a model.

"We are going to do something very similar," Saparow said. "You will see that what we built out with Gov. Kemp is going to be taken to the national stage. So we will also be doing a very extensive paid voter contact program through Committed to America."

"There is a recipe and there is a roadmap of success that I've worked on in the past that I believe we'll be able to replicate with the vice president," he added.

They also spoke specifically of Pence's role on Jan. 6, 2021, when he resisted Trump's pressure campaign to overturn the results of the 2020 election — a power that Pence, as vice president, never possessed. Pence had been proceeding over a joint session of Congress to certify President Joe Biden's win when a violent mob of Trump's supporters broke into the Capitol, smashing windows, ramming through doors and clashing with police. Pence was rushed to safety in a Senate loading dock as some outside the building chanted, "Hang Mike Pence!"

The people said they believe voters will be drawn to Pence's defense of the Constitution. Yet it remains unclear how salient that position will be in a party still dominated by the former president. A large swath of Trump's base will never forgive Pence for his actions that day, while many Trump critics see the former vice president as complicit in Trump's most divisive actions.

A Quinnipiac University national poll released in May found 36% of Republicans nationwide view Pence unfavorably -- a higher unfavorable rating than Trump or DeSantis.

### Washington state lawmakers seek to avoid decriminalizing drugs

By ED KOMENDA Associated Press

SEATTLE (AP) — Washington lawmakers are considering a major new drug policy in a special session that begins Tuesday, a day after reaching a compromise that Democratic and Republican leaders say strikes a balance between public order and compassion for those with substance abuse issues.

The bipartisan agreement would avoid making the state the second in the U.S. to decriminalize the possession of controlled substances. Gov. Jay Inslee called lawmakers back to the Washington Statehouse for a special session after they failed to pass one before adjourning late last month.

Under a tentative deal, intentional possession or public use of small amounts of illegal drugs would be a gross misdemeanor, punishable by up to six months in jail for the first two offenses and up to a year after that.

But police and prosecutors would be encouraged to divert cases for treatment or other services, and the measure provides millions of additional dollars for diversion programs and to provide short-term housing for people with substance use disorders.

A temporary, 2-year-old law that makes intentional drug possession illegal is due to expire July 1. So unless the compromise passes, drug possession — even of fentanyl and other dangerous opiates — will become decriminalized under state law. The only other state that's tried decriminalizing drug possession is neighboring Oregon, where the experiment is off to a rocky start.

Lawmakers on both sides said the agreement strikes a balance between compassion and accountability for those struggling with substance abuse disorder. Rep. Roger Goodman, D-Kirkland, called it "a fair compromise that addresses urgent concerns about public disorder but follows evidence-based practices in helping people in need."

Both Goodman and Republican Rep. Peter Abbarno, of Centralia, said much work will remain even if the compromise is approved, because even with additional funding, the state doesn't yet have the treatment or diversion program capacity it needs to deal with the addiction crisis.

"The state of Washington is a decade behind in having treatment providers and having adequate bed space and treatment facilities," Abbarno said. "Even when we pass this policy, we're still not going to see an immediate drop in crime or substance abuse, because we don't have the workforce development and

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 39 of 81

infrastructure to deal with the off-ramps that this bill creates."

In 2021, the Washington Supreme Court struck down the state law making drug possession a felony. It was unconstitutional, the court said, because it did not require prosecutors to prove someone knowingly had the drugs. Washington was the only state in the country without that requirement.

In response, lawmakers made intentional drug possession a misdemeanor and required police to refer offenders to evaluation or treatment for their first two offenses — but there was no obvious way for officers to track how many times someone had been referred, and availability of treatment remained inadequate.

Lawmakers made the measure temporary and gave themselves until this July 1 to come up with a long-term policy.

But as this year's session ended late last month, a measure billed as a compromise was voted down in the Democratic-controlled House 55-43.

The standstill put lawmakers against a ticking clock to pass a compromise before that temporary law making possession of small amounts of drugs a misdemeanor expires.

#### 3 judges who chipped away abortion rights to hear federal abortion pill appeal

By KEVIN McGILL Associated Press

NEW ORLEANS (AP) — Three conservative appeals court judges, each with a history of supporting restrictions on abortion, will hear arguments May 17 on whether a widely used abortion drug should remain available.

The case involves a regulatory issue — whether the Food and Drug Administration's approval of mifepristone, and subsequent actions making it easier to obtain, must be rolled back. The appellate hearing follows an April ruling by a federal judge in Texas, who ordered a hold on federal approval of mifepristone in a decision that overruled decades of scientific approval. His ruling was stayed pending appeal. The case was allotted to a panel made up of Jennifer Walker Elrod, James Ho and Cory Wilson.

The three judges of the New Orleans-based 5th U.S. Circuit Court of Appeals won't rule immediately. Their decision, whatever it is, is also unlikely to have an immediate effect pending an expected appeal to the U.S. Supreme Court.

Here's a look at who the judges are and their track records.

JENNIFER WALKER ELROD

Nominated to the court in 2007 by Republican President George W. Bush, Elrod was among several 5th Circuit judges allowing Texas to temporarily ban abortions as the coronavirus pandemic took hold in early 2020.

Elrod also was co-author of the opinion when the full 5th Circuit upheld in 2021 a Texas law outlawing an abortion method commonly used to end second-trimester pregnancies.

That same year, she wrote for a panel that refused to order Louisiana to issue a long-stalled license for a Planned Parenthood abortion clinic in New Orleans, saying "there is no free-standing federal right to receive an abortion-clinic license."

In the Texas case involving pandemic restrictions, she was part of a panel allowing what amounted to a ban on abortions — including medication abortions — by classifying them as non-essential procedures legally postponed under an order by Gov. Greg Abbott. The 2020 order was in effect for about a month.

Elrod was in favor of decisions upholding Texas and Louisiana laws requiring doctors at abortion clinics to have admitting privileges at nearby hospitals — a move abortion rights advocates said would force some clinics to close.

When the full court narrowly refused to let Louisiana officials cut off Medicaid funding for Planned Parenthood facilities in the state, Elrod wrote the dissent.

Elrod also boasts a high profile in 5th Circuit decisions on regulatory issues. One, if upheld by the Supreme Court, could limit the authority of the Securities and Exchange Commission to impose hefty fees and fines.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 40 of 81

Another, eventually struck by the Supreme Court, held that the "individual mandate" in former President Barack Obama's signature health care law had been rendered unconstitutional by congressional action. JAMES HO

A former Texas solicitor general, Ho is the first Asian-American to serve on the 5th Circuit and is a former clerk for Supreme Court Justice Clarence Thomas. He was nominated to the 5th Circuit in 2017 by Republican President Donald Trump. His opposition to abortion and abortion rights was clear early in his tenure, including referring to abortion as a "moral tragedy" in one 2018 opinion.

In 2019, he wrote a 15-page grudging concurrence in a ruling that said a Mississippi abortion ban had to be struck down under then-existing court precedent. "Nothing in the text or original understanding of the Constitution establishes a right to an abortion," he wrote.

He went on to cite "the racial history of abortion advocacy as a tool of the eugenics movement." He harshly criticized a lower court for declining to consider arguments that a fetus can feel pain, and for displaying "an alarming disrespect for the millions of Americans who believe ... that abortion is the immoral, tragic, and violent taking of innocent human life."

That opinion was written in the case the Supreme Court ultimately used to overturn Roe v. Wade. CORY WILSON

Nominated to the federal appeals court in 2020 by Trump, Wilson is a former Mississippi appeals court judge who had a strong anti-abortion record when he served in the Mississippi House from January 2016 to February 2019 as a Republican. Abortion rights supporters opposed his confirmation to the federal appeals court. They noted he had expressed support for "complete and immediate reversal" of the Roe v. Wade decision in a questionnaire from Mississippi Right to Life's political action committee.

Wilson voted for anti-abortion measures in 2016, including one to stop Medicaid funding to Planned Parenthood facilities in the state — a measure rejected in court. In 2018 he voted for the Mississippi law that ultimately led to the demise of Roe v. Wade in 2022. The law prohibited most abortions after 15 weeks.

At the 5th Circuit, Wilson joined Elrod, Ho and a majority of the full court in 2021 in upholding a Texas law outlawing an abortion method commonly used to end second-trimester pregnancies. He had voted for a similar law in the Mississippi Legislature.

Associated Press reporter Emily Wagster Pettus in Jackson, Mississippi, contributed to this report.

#### Debt ceiling showdown: Biden and congressional leaders to meet as McCarthy pushes for faster deal

By LISA MASCARO, FATIMA HUSSEIN and SEUNG MIN KIM Associated Press

WASHINGTON (AP) — President Joe Biden is ready to discuss the debt ceiling with congressional leaders at the White House in a high-profile session with reverberations across the globe as early outlines of a potential deal begin to emerge despite painstakingly slow negotiations.

Raising the stakes, the Tuesday afternoon session comes as Biden is preparing to depart for the Group of Seven summit in Japan where the U.S. leadership will be on the world stage later this week. The president and House Speaker Kevin McCarthy are trying to strike a budget deal before the U.S. Treasury runs out of cash to keep paying the nation's bills, which could occur as soon as June 1.

While Biden has remained upbeat that "we'll be able to do this," McCarthy is prodding the president to move faster to avert a crisis. The Republican speaker says they need an agreement soon to avoid default. Expectations are low that a deal is that close at hand. Instead, it is more likely that staff talks will continue while the president is overseas.

"I just don't see the progress happening," McCarthy told reporters Monday.

But Biden was optimistic, saying over the weekend, "There's a desire on their part as well as ours to reach an agreement."

It's the second time in a week that Biden has met with McCarthy of California and other congressional leaders at the White House. Biden is confronting a politically divided Congress for the first time on the

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 41 of 81

debt ceiling, a test for both the president and McCarthy, the new speaker, as they work to stave off an economic crisis that could come from a federal default. The meeting will also include Senate Majority Leader Chuck Schumer of New York, Senate Republican leader Mitch McConnell of Kentucky and House Democratic leader Hakeem Jeffries of New York.

Even as the Democratic president and the Republican speaker box around the politics of the issue — with Biden insisting he's not negotiating over the debt ceiling and McCarthy working to extract spending cuts — various areas of possible agreement appear to be emerging.

Talks have been under way at the Capitol for much of the past week, closed-door discussions where White House and congressional staff are discussing what it would take to craft a budget deal that would unlock a separate vote to lift the nation's borrowing capacity, now set at \$31 trillion.

Among the items on the table: clawing back some \$30 billion in untapped COVID-19 money, imposing future budget caps, approving permitting reforms to ease energy development and putting bolstered work requirements on recipients of government aid, according to those familiar with the talks.

McCarthy has complained the talks are slow-going, saying he first met with Biden more than 100 days ago and that the president should be more focused on issues at home.

"An American president should focus on the solutions of America," McCarthy said ahead of Biden's trip. But Biden has insisted Republicans must rule out default and consider budget issues separate from the need to raise the nation's debt limit. The president has said it took McCarthy all this time to put forward his own proposal after Republicans failed to produce their own budget this year.

The debt limit must be lifted, as has been done countless times before, to allow continued borrowing to pay already accrued bills.

Compounding pressure on Washington to strike a deal, Treasury Secretary Janet Yellen said Monday that agency estimates are unchanged on the possible X-date when the U.S. could run out of cash — perhaps as early as June 1.

But Yellen, in a letter to the House and Senate, left some opening for a possible time extension on a national default, stating that "the actual date Treasury exhausts extraordinary measures could be a number of days or weeks later than these estimates."

She said she would update Congress next week "as more information becomes available."

Time is dwindling. Congress has just a few days when both the House and Senate are in session to pass legislation.

"It's time for the principals to get more engaged, get their closers out there," said Sen. John Thune of South Dakota, the Republican whip. "My impression is that they have too many cooks in the kitchen, too many people in the room and not the right people."

Details of a potential budget deal remain politically daunting, and it's not at all clear they go far enough to satisfy McCarthy's hard-right faction in the House or would be acceptable to a sizable number of Democrats whose votes would almost certainly be needed to secure any final deal.

Republicans led by McCarthy want Biden to accept their proposal to roll back spending, cap future outlays and make other policy changes in the package passed last month by House Republicans. McCarthy says the House is the only chamber that has taken action to raise the debt ceiling. But the House bill is almost certain to fail in the Senate, controlled by Democrats, and Biden has said he would veto it.

Biden did signal over the weekend that he could be open to tougher work requirements for certain government aid programs, which Republicans are proposing as part of the ongoing discussion. He has said he will not accept anything that takes away people's health care coverage.

An increase in the debt limit would not authorize new federal spending. It would only allow for borrowing to pay for what Congress has already approved.

As June 1 approaches, the nonpartisan Congressional Budget Office has warned of a "significant risk" of default sometime in the first two weeks of next month.

The CBO noted that if the cash flow at the Treasury and the "extraordinary measures" that the department is now using can continue to pay for bills through June 15, the government can probably finance its operations through the end of July. That's because the expected tax revenues that will come in mid-June

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 42 of 81

and other measures will give the federal government enough cash for at least a few more weeks. \_\_\_\_ Associated Press writer Kevin Freking contributed to this report.

#### Striking Hollywood writers vow not to picket Tony Awards, opening the door to some kind of show

By MARK KENNEDY AP Entertainment Writer

NEW YORK (AP) — Striking members of the Writers Guild of America have said they will not picket next month's Tony Awards telecast, clearing a thorny issue facing show organizers and opening the door for some sort of Broadway razzle-dazzle on TV.

The union last week denied a request by Tony organizers to have a waiver for their June 11 glitzy live telecast. It reiterated that in a statement late Monday, saying the guild "will not negotiate an interim agreement or a waiver for the Tony Awards."

But the guild gave some hope that some sort of Tony show might go on, saying organizers "are altering this year's show to conform with specific requests from the WGA, and therefore the WGA will not be picketing the show." What is being altered was not clear, but it may be to allow a non-scripted version of the Tonys to go on.

The strike, which has already darkened late-night TV shows like "The Tonight Show Starring Jimmy Fallon, "The Late Show With Stephen Colbert "and "Saturday Night Live" and delayed the making of scripted TV shows, was jeopardizing theater's biggest night, one that many Broadway shows rely on to attract interest with millions of people watching.

The union — representing 11,500 writers of film, television and other entertainment forms — has been on strike since May 2, primarily over royalties from streaming media. While the guild doesn't represent Broadway writers, it does represent writers who work on the Tonys telecast.

Tony organizers faced a stark choice after the request for a waiver was rejected: either postpone the ceremony until the strike ends or announce winners in a non-televised reception that would ask nominees to cross picket lines. The decision Monday means the possibility of a third way: A non-scripted show that leans heavily on performances.

That is largely what happened during the 1988 awards, which were broadcast during a Writers Guild of America walkout. Host Angela Lansbury and presenters speaking impromptu and with performances from such shows as "A Chorus Line" and "Anything Goes."

Before the Writers Guild of America decision, a two-part Tony ceremony had been planned, with a preshow of performances streaming live on Pluto, and the main awards ceremony broadcasting live on CBS and streaming live to premium-level Peacock members.

The big first awards show during the current strike was the MTV Movie & TV Awards, which had no host and relied on recycled clips and a smattering of pre-recorded acceptance speeches. The strike has also disrupted the PEN America Gala and the Peabody Awards, which celebrate broadcasting and streaming media, on Monday canceled its June 11 awards show.

Mark Kennedy is at http://twitter.com/KennedyTwits

#### More dogs could show up in outdoor dining spaces. Not everyone is happy about it

By DEE-ANN DURBIN AP Business Writer

Just in time for the summer dining season, the U.S. government has given its blessing to restaurants that want to allow pet dogs in their outdoor spaces.

But even though nearly half of states already allow canine dining outdoors, the issue is far from settled, with many diners and restaurants pushing back against the increasing presence of pooches.

Restaurants have been required to allow service dogs for decades. But it wasn't until the mid-2000's that

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 43 of 81

a handful of states — including Florida and Illinois — began passing laws allowing dogs in outdoor dining spaces, according to the Animal Legal and Historical Center at Michigan State University. Twenty-three states now have such laws or regulations.

But the legal landscape is confusing. Michigan law doesn't allow dogs in outdoor dining spaces, for example, but lets restaurants apply for a variance from their county health department.

So in 2020, the Conference for Food Protection — a group of food industry and health experts that advises the government — asked the U.S. Food and Drug Administration to issue guidance for states. It cited a 2012 risk assessment in Australia and New Zealand that found that the health risk to human diners from dogs was very low.

The FDA's updated food code, issued late last year, says restaurants can have dogs in outdoor areas if they get approval from a local regulator. Restaurants should have signs saying dogs are welcome and should develop plans to handle dogs and their waste. They should ensure dogs remain properly restrained and provide separate food bowls so dogs don't use plates or utensils meant for humans.

The new guidance comes as U.S. pet ownership is rising. Nearly 87 million U.S. households now have a pet, up from 85 million in 2019, according to the American Pet Products Association.

And experts say more people are looking for dining options that will accommodate their dogs. Yelp searches for businesses using the "dogs allowed" filter jumped 58% between the year ending May 1, 2021, and the year ending May 1, 2023. A total of 47,415 businesses now describe themselves as "dog friendly" on Yelp, the company says.

"Younger pet owners, Millennials and Generation Z, have incredibly strong bonds with their pets and they are willing to act upon that," said Steven Feldman, president of the Human Animal Bond Research Institute. "They are more likely to frequent — and express a preference for — pet-friendly businesses."

Monty Hobbs, the managing director of a digital marketing agency in Washington, can often be found at local restaurant patios with Mattox, his 5-year-old terrier and miniature schnauzer mix. Some waiters even bring Mattox bits of bacon.

Hobbs stresses that he doesn't take Mattox everywhere. "He's my dog. He's not my child," he said.

But Mattox is well-behaved, he said, so it's nice to know they can drop in at a neighborhood bar if they're out taking a walk.

At Zazie, a San Francisco bistro, diners get \$10 off a bottle of wine on Mondays if they bring their dogs, who get treats donated by the pet store across the street.

"It's great for business. People really enjoy bringing their dog out with them," said Megan Cornelius, Zazie's co-owner.

But other restaurants are saying no to Fido.

The Salty Dog Café in Hilton Head, South Carolina, allowed dogs on its patio when it first opened in 1987. But two years later, it banned them. Too many dogs were barking through meals, fighting, lying in walkways and stealing hot dogs from kids' plates, says Tim Stearns, the Salty Dog's chief operating officer.

If diners object, the Salty Dog points them to a separate dog-friendly deck where they can eat takeout food from the restaurant. But most diners seem to appreciate the policy.

"We are all dog lovers at Salty Dog, but we remain a restaurant for humans," Stearns said.

The Blond Giraffe Key Lime Pie Factory in Key West, Florida, banned dogs because it didn't want to be held responsible if a dog ate iguana droppings — which can make them violently ill — or tripped a child or an elderly diner. In at least one case, an unleashed dog at the restaurant killed a neighborhood cat.

Julie Denzin, who has worked as a restaurant server in Milwaukee for more than a decade, has watched dogs drool, fight, growl and relieve themselves on restaurant patios. Dogs have bitten her and knocked her over, causing her to spill scalding hot coffee. She has also encountered diners who are allergic to dogs or afraid of them.

Denzin doesn't think dogs should be banned, but says restaurants should consider designating dogfriendly areas or specific hours when dogs are allowed.

"It's not a matter of liking or disliking dogs," she said. "The point is, regardless of what the owner might say — no matter how perfect and obedient they insist their dog is — there's no way to ensure the safety

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 44 of 81

and comfort of other guests."

Maddie Speirs, a dog trainer with Pawsitive Futures Dog Training in St. Petersburg, Florida, said many people hire her with the goal of training their dogs to eat out at restaurants. Not every dog is cut out for that, she said; they need to be comfortable with noise and unsolicited interactions and able to be able to sit near food for long periods.

She urges owners to think about who benefits from restaurant visits: them or their dogs.

"If you think it's for your dog, what exactly are they getting out of it?" she said. "It's not as fun of a social interaction for dogs as it is for us."

#### Georgia prosecutor fights back against Trump attempt to remove her from election probe

By KATE BRUMBACK Associated Press

ATLANTA (AP) — The Georgia prosecutor who's investigating whether Donald Trump and his allies broke any laws as they tried to overturn his 2020 election loss in the state fought back Monday against the former president's attempt to remove her from the case and exclude certain evidence.

Trump's Georgia legal team in March asked the court to toss out the report of a special grand jury that had been seated in the case and to prevent prosecutors from using any evidence or testimony stemming from the panel's investigation. They also asked that Fulton County District Attorney Fani Willis and her office be barred from continuing to investigate or prosecute the case.

Willis responded in a filing Monday that the Trump's motion is "procedurally flawed" and advances "arguments that lack merit."

For more than two years now, Willis has been investigating the actions Trump and others took in the wake of the 2020 election. She took the unusual step last year of asking for a special grand jury to aid the investigation, saying the panel's subpoena power would allow her team to compel the testimony of people who might not otherwise cooperate.

The special grand jury, which did not have the power to issue indictments, was seated last May and dissolved in January after hearing from 75 witnesses and submitting a report with recommendations for Willis. Though most of that report remains under wraps for now according to a judge's order, the panel's foreperson has said without naming names that the special grand jury recommended charging multiple people.

Trump lawyers Drew Findling, Jennifer Little and Marissa Goldberg argued that the special grand jury "involved a constant lack of clarity as to the law, inconsistent applications of basic constitutional protections for individuals being brought before it, and a prosecutor's office that was found to have an actual conflict, yet continued to pursue the investigation."

They also asked that their claims be heard by a judge other than Fulton County Superior Court Judge Robert McBurney, who oversaw the special grand jury.

Cathy Latham, one of 16 Georgia Republicans who met at the state Capitol on Dec. 14, 2020, and signed a certificate declaring falsely that Trump had won the presidential election and declaring themselves the state's "duly elected and qualified" electors, last month joined Trump's motion. It has become clear during the investigation that Willis is interested in the actions of the fake electors, and at least eight of them have secured immunity deals in the case.

In her motion Monday, Willis asked that McBurney retain supervision of the matter and urged that Trump and Latham's motions be dismissed or denied without holding a hearing.

Willis wrote that the arguments put forth in the motions fail to meet the "exacting standards" for disqualifying a prosecutor and they also fail to prove their claims that their own due process rights have been violated or that the grand jury process was "tainted" or the law governing it unconstitutional.

Trump and Latham "are not content to follow the ordinary course of the law," Willis wrote.

"The State's reply was primarily procedural in nature and failed to address several of the critical substantive issues which were discussed at length in our brief and exhibits," Trump's lawyers said in a statement,

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 45 of 81

adding that they plan to ask the court for time to file a response.

A coalition of news organizations, including The Associated Press, also filed a motion Monday objecting to Trump's request that the special grand jury report be "quashed and expunged from the record."

"Not only is such a remedy unsupported by any legal basis, it would also be starkly at odds with the fundamental principles of this Nation and State," the media lawyers argued. "The Report is a matter of the utmost public concern, and it should be released to the public in its entirety."

Willis last month sent letters to local law enforcement leaders advising them to prepare for "heightened security" as she intends to announce charging decisions in the case between July 11 and Sept. 1. To secure an indictment, she needs to bring the case before a regular grand jury.

The Georgia investigation is one of several that threatens the former president as he campaigns to regain the White House in 2024. A Manhattan grand jury in March indicted him on 34 counts of falsifying business records to cover up hush-money payments to a porn actor during the 2016 presidential election. Meanwhile, federal grand juries in Washington are investigating efforts by Trump and his allies to undo the results of the 2020 presidential election and the potential mishandling of classified documents by Trump at his Florida estate.

And a federal jury in New York last week found Trump liable for sexually abusing advice columnist E. Jean Carroll in 1996, awarding her \$5 million.

#### Groups demand officials share information on Texas mall gunman's motives

By JAMIE STENGLE Associated Press

DALLAS (AP) — Members of several Texas groups representing people of color on Monday demanded that authorities quickly acknowledge whether they believe the neo-Nazi who killed eight people at a Dallasarea mall over a week ago was racially motivated in choosing his victims.

More than a week after the May 6 attack at the Allen Premium Outlets, authorities haven't released a motive for the attack, and a Texas Department of Public Safety official has said it appeared that 33-year-old Mauricio Garcia targeted the location rather than a specific group of people.

But Lily Trieu, interim executive director of Asian Texans for Justice, said at a news conference that many community members who contacted her felt that assessment was "outrageous."

The victims — who include three members of a Korean American family and an engineer from India — represented a cross-section of the increasingly diverse Dallas suburbs.

"You can't separate location from the people who live there, and what Allen is known for, as being diverse, as being an area where there is a large Asian American and South Asian American population," said Stephanie Drenka, co-founder and executive director of the Dallas Asian American Historical Society.

She said that the Department of Public Safety official's statement "shows a fundamental lack of understanding of how systemic racism works and how it is embedded in every system and every place."

"The targeted location does not exclude the possibility of a hate crime," Drenka said. "Allen and its adjacent cities of Plano, Frisco and Carrollton are home to one of the largest Asian American populations outside of the coasts."

Authorities have acknowledged the authenticity of a social media account on which the gunman, who had no criminal record, displayed a fascination with white supremacy while offering chilling hints of his research and planning. He described mass shootings as sport and posted photos showing his large Nazi tattoos.

Chanda Parbhoo, founder and executive director of SAAVETX Education Fund, which aims to strengthen the voter engagement of the South Asian American community, said that the shooting has left people in her community frightened. "Children are having nightmares. Parents are having a feeling of helplessness," she said.

"The emotional toll this has taken on our community cannot be overstated," Parbhoo said.

Any delay in making clear the gunman's motives leaves communities vulnerable, said Caroline Kim, a

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 46 of 81

Korean American Dallas resident whose family owns a restaurant in the city's Koreatown.

Amid a sharp rise in recent years in anti-Asian violence in the U.S., three women were injured last May when a gunman opened fire in a hair salon in Dallas' Koreatown. While the Dallas police chief originally said police didn't have any indication that the shooting was racially motivated, he reversed course two days later, saying it was possibly a hate crime. The man arrested was later charged with a hate crime.

"It is crucial to classify such crimes as hate crimes as quickly as possible, as soon as possible, as strongly as possible," Kim said. "Doing so mobilizes communities, law enforcement and resources faster, media responds faster and differently. And most important of all, our communities feel heard."

Amit Banerjee, a community activist who was among those speaking, said that as someone who was raised in the area who still lives here, he said he has constantly encountered racism. He said that when his grandparents visit the area from India, "they are looked at as other, and looked at as different and looked at as someone that shouldn't be there."

Just last summer, in a widely circulated video, a woman unleashed a profanity-laced racist rant on his mother and her friends in a suburban Dallas parking lot, challenging their presence in the U.S., threatening to shoot them and physically assaulting his mother.

Other groups represented at the news conference Monday included one devoted to encouraging civic participation in the Latino community and another focused on addressing race and racism in Dallas to create a more inclusive city.

Many of those gathered at the news conference also urged elected officials to consider gun reforms. Last week though, a rare momentum in the Texas Capitol for a tougher gun law flickered out when Republicans stalled a bill that would have raised the purchase age for certain AR-style semiautomatic rifles from 18 to 21 years old.

#### Man in custody after baseball bat attack hurts 2, including intern, at congressman's Virginia office

By MATTHEW BARAKAT and DENISE LAVOIE Associated Press

FÁIRFAX, Va. (AP) — A man with a metal baseball bat walked into the northern Virginia office of U.S. Rep. Gerry Connolly on Monday, asked for him, then struck two of his workers with the bat, including an intern in her first day on the job, police and the congressman said.

The attack marked the latest in an uptick in violence aimed at lawmakers or those close to them.

Fairfax City Police said officers arrived minutes afterward and detained the man. The two staff members were treated for injuries that were not life-threatening.

The veteran Democratic congressman, who wasn't in the office at the time, said in an interview that the suspect was known to police in Fairfax County, adding, "he's never made threats to us so it was unprovoked, unexpected and inexplicable."

"I have no reason to believe that his motivation was politically motivated, but it is possible that the sort of toxic political environment we all live in, you know, set him off, and I would just hope all of us would take a little more time to be careful about what we say and how we say it," he said.

Connolly said the two women attacked — an intern struck in the side and an outreach director hit on the head — were treated and released from a hospital.

The U.S. Capitol Police and Fairfax City Police identified the suspect as Xuan-Kha Tran Pham, 49, of Fairfax. He was being held without bond at the Fairfax County Adult Detention Center on charges of malicious wounding and aggravated malicious wounding. It was not immediately clear if he had an attorney.

"At this time, it is not clear what the suspect's motivation may have been," Capitol Police said in a statement announcing a joint investigation with Fairfax City Police.

Police said the man is suspected in a separate attack a short time earlier Monday.

Fairfax County Police said a man later identified as Pham approached a woman parked in her car about five miles (eight kilometers) away from Connolly's office at 10:37 a.m. The man asked the woman if she was white, then hit her windshield with a bat and ran away, according to police. The woman wasn't injured.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 47 of 81

A video recorded on a neighbor's home camera system showed a man chasing a woman with a bat at the site where police said the earlier incident occurred. The woman can be heard screaming and a man is shown chasing her up a small hill before giving up and turning around. Dan Ashley, the homeowner, said it was "troubling to see this sort of thing happening in the neighborhood."

Pham's father, Hy Pham, told The Washington Post his son was schizophrenic and had dealt with mental illness since his late teens.

Hy Pham told the newspaper he had been unsuccessfully trying to arrange mental health care for his son. The father could not immediately be reached by The Associated Press.

In May 2022, a person whose name and community of residence matches Xuan-Kha Pham's sued the Central Intelligence Agency in federal court.

In a hand-written complaint, the plaintiff alleged the CIA had been "wrongfully imprisoning me in a lower perspective" and "brutally torturing me with a degenerating disability consistently since 1988 till the present from the fourth dimension."

Last year, officers responded to a Fairfax home after a man called dispatch saying he wished to harm others, Fairfax County Police said in a statement. Pham assaulted responding officers and attempted to take a firearm, according to the statement, adding the officers sustained minor injuries.

Pham was taken into custody and charged with assault on a law enforcement officer, resisting arrest and attempting to disarm a law enforcement officer. Those charges were eventually dropped.

A person with the Fairfax County Commonwealth's Attorney's office, who spoke on condition of anonymity because Pham now has an ongoing criminal case, said the charges were dropped because they stemmed from a mental health crisis and that the defendant entered an agreement designed to ensure he received mental health treatment. The person complied with conditions requiring him to seek treatment from his arrest in January through a nine-month period when the charges were dropped in September.

Fairfax City Police spokesperson Sgt. Lisa Gardner said police received a call about the attack at Connolly's Virginia office at about 10:50 a.m. Monday. Police arrived in about five minutes and located the suspect in the office and detained him, Gardner said. One police officer received a minor injury and was treated.

Connolly, a Democrat currently serving his eighth term in Congress, represents Virginia's Fairfax Countybased 11th District in the Washington suburbs. He said windows were broken at the office during the incident.

Other elected officials from Virginia condemned the violence, among them U.S. Sen. Mark Warner. Warner retweeted Connolly's statement, calling the attack an "extraordinarily disturbing development."

"Intimidation and violence – especially against public servants – has no place in our society," he said. Since the Jan. 6, 2021 attack on the Capitol, threats to lawmakers and their families have increased sharply. The U.S. Capitol Police investigated around 7,500 cases of potential threats against members of Congress in 2022. The year before, they investigated around 10,000 threats to members, more than twice the number from four years earlier.

In October, a man broke into the San Francisco home of then-House Speaker Nancy Pelosi, demanding to speak with her, before he smashed her husband, Paul, over the head with a hammer.

Associated Press writers Lisa Mascaro and Kevin Freking in Washington, and Sarah Rankin in Richmond, Virginia, contributed to this report. Lavoie reported from Richmond.

### Washington lawmakers reach deal on drug policy, avoid automatic decriminalization

By ED KOMENDA Associated Press

SEATTLE (AP) — Democratic and Republican leaders in the Washington Statehouse reached a tentative deal on a major new drug policy Monday, one that would avoid making the state the second to decriminalize the possession of controlled substances.

Lawmakers will consider the compromise Tuesday when they return to Olympia for a special session. Gov.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 48 of 81

Jay Inslee called them back after they failed to pass a new drug policy before adjourning late last month. Under the deal, intentional possession or public use of small amounts of illegal drugs would be a gross misdemeanor, punishable by up to six months in jail for the first two offenses and up to a year after that.

But police and prosecutors would be encouraged to divert cases for treatment or other services, and the measure provides millions of additional dollars for diversion programs and to provide short-term housing for people with substance use disorders. Prosecutors would be allowed to ask courts to end pretrial diversion in cases where the defendant fails to make substantial progress.

A temporary, 2-year-old law that makes intentional drug possession illegal is due to expire July 1. So unless the compromise passes, drug possession — even of fentanyl and other dangerous opiates — will become decriminalized under state law. The only other state that's tried decriminalizing drug possession is neighboring Oregon, where the experiment is off to a rocky start.

Lawmakers on both sides said the agreement strikes a balance between compassion and accountability for those struggling with substance abuse disorder. Rep. Roger Goodman, D-Kirkland, called it "a fair compromise that addresses urgent concerns about public disorder but follows evidence-based practices in helping people in need."

Both Goodman and Republican Rep. Peter Abbarno, of Centralia, said much work will remain even if the compromise is approved, because even with additional funding, the state doesn't yet have the treatment or diversion program capacity it needs to deal with the addiction crisis.

"The state of Washington is a decade behind in having treatment providers and having adequate bed space and treatment facilities," Abbarno said. "Even when we pass this policy, we're still not going to see an immediate drop in crime or substance abuse, because we don't have the workforce development and infrastructure to deal with the off-ramps that this bill creates."

In 2021, the Washington Supreme Court struck down the state law making drug possession a felony. It was unconstitutional, the court said, because it did not require prosecutors to prove someone knowingly had the drugs. Washington was the only state in the country without that requirement.

In response, lawmakers made intentional drug possession a misdemeanor and required police to refer offenders to evaluation or treatment for their first two offenses — but there was no obvious way for officers to track how many times someone had been referred, and availability of treatment remained inadequate.

Lawmakers made the measure temporary and gave themselves until this July 1 to come up with a longterm policy.

But as this year's session ended late last month, a measure billed as a compromise was voted down in the Democratic-controlled House 55-43.

The standstill put lawmakers against a ticking clock to pass a compromise before that temporary law making possession of small amounts of drugs a misdemeanor expires in July.

Without a major new drug measure passed in Washington, cities and counties would be free to adopt their own approaches to drug possession and paraphernalia, creating a patchwork of laws that could undermine efforts to treat addiction as a public health issue.

Under the agreement, the sale of drug paraphernalia, such as glass tubes for smoking fentanyl, is a civil infraction, but possession is not banned, and public health programs would be allowed to distribute such materials as well as test strips that can detect the presence of fentanyl or other substances in drugs.

Cities and counties would not be allowed to ban drug paraphernalia, but they would be allowed to regulate recovery residences or harm reduction programs such as those that provide methadone or other medication to treat addiction, in the same way that they can regulate other essential public services.

Republican Rep. Gina Mosbrucker, of Goldendale, called the tentative deal a "good compromise" that sets lawmakers up to send a new policy to the governor's desk within several days.

"This bill stops hard drugs in Washington from becoming legal, so I think it's critical that we move forward," Mosbrucker said. "That doesn't mean we can't have amendments and things that we don't anticipate that might change that."

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 49 of 81

#### Ja Morant in limbo again as he awaits review of latest gun video on social media

By TERESA M. WALKER AP Sports Writer

Ja Morant still had his endorsement deals Monday. While his latest gun video on social media is costing him plenty in public relations currency, he hasn't lost any money.

Any, or all, of that could change any day. Once again, Morant is in limbo — awaiting the outcome of yet another NBA investigation into what could end up becoming a cataclysmic off-court decision.

"This is going to be a hot question," Syracuse professor of sport management Rick Burton said Monday. "I don't think they can hit pause on this. I think that there will be too much demand for, 'What are you going to do?"

The NBA already suspended the two-time All-Star guard eight games in March for livestreaming himself holding an apparent handgun in Colorado. That cost him about \$669,000 in salary.

How Morant's sponsors react to him being caught on social media apparently holding a weapon for the second time in less than three months is another issue.

Morant has endorsement deals with Nike and the sports drink Powerade, which is owned by Coca-Cola. Endorsement deals traditionally include confidentiality and morals clauses.

Representatives of Nike, which started selling Morant's Ja 1 shoes on April 19, did not return a message from The Associated Press on Monday. Powerade pulled his ad almost immediately after the March video.

In April, Morant countersued a Memphis teenager accusing the Grizzlies guard of punching him during a pickup court fight last summer at Morant's home. The countersuit noted the lawsuit jeopardized relationships with sponsors including some "unconsummated deals."

Burton, commissioner of Australia's National Basketball League from 2003-07, said research shows some athletes believe negativity can help them break out as a "perfect pitch person." Burton wrote in 2001 about the demand for antiheroes or athletes with controversial images.

"I'm sure the people at Nike are trying to figure out, 'Does this make him more relevant to a certain audience? And is this something we're going to ride out?" said Burton, who noted Nike doesn't often give up on an athlete trending negatively.

Memphis suspended Morant on Sunday from team activities, though that's unclear what that involves in the offseason. The Grizzlies were eliminated from the playoffs in the first round. Charity events are the biggest offseason events until training camp in late September. Players start receiving game checks when the season begins in October.

Criminal charges are not likely with no indication of where the latest Instagram video was streamed. Morant has a home in Tennessee, where Republican leaders have repeatedly worked to relax state gun laws, including in 2001 when they allowed most adults 21 and older to carry handguns without first obtaining a permit. A federal judge has since cleared the way to drop that minimum age to 18.

The issues are much broader for the face of the franchise and one of the NBA's more marketable players. "Hopefully, the young man will figure out what he's got to do to turn the ship around if he wants to continue in not only the money, but his career in the NBA," said Rob Prazmark, founder and CEO of 21 Marketing, whose clients have included the NBA and USA Basketball.

Morant now is facing criticism — even from his own fans. He remained among Twitter's top trending topics nationally even 24 hours after his latest suspension.

Game 1 of the NBA Finals is scheduled for June 1. Commissioner Adam Silver, who cited Morant for "conduct detrimental to the league" when suspending him in March, traditionally holds a news conference before the Finals start.

Spotrac.com noted Monday that Morant is projected to be paid \$33.5 million for the 2023-24 season if the NBA salary cap is \$134 million. A suspension of 20 games or fewer would cost Morant \$231,034 per game while more than 20 games would mean he loses \$304,545 a game.

Morant said when the Grizzlies' season ended that he needed to work on his decision-making.

"I've got to be better in that area," Morant said.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 50 of 81

The Grizzlies hold the No. 25 overall pick in the June draft and now likely are preparing for the possibility Morant won't be available when the season starts in October. The biggest question now is just how long that might be.

AP NBA: https://apnews.com/hub/NBA and https://twitter.com/AP\_Sports

#### Number of migrants fell 50% at US southern border after immigration changes

By REBECCA SANTANA Associated Press

WASHINGTON (AP) — The number of migrants encountered at the southern border fell 50% during the last three days compared with the days leading up to the end of a key pandemic-era regulation, U.S. officials said Monday.

But a high number of migrants are still in U.S. custody, although the number has fallen "significantly" since last week, said Blas Nunez-Neto, assistant secretary for border and immigration policy at the Department of Homeland Security.

The ability of U.S. Border Patrol to hold migrants has been a key concern as more migrants came to the border in the days leading up to the end of immigration restrictions linked to the pandemic, referred to as Title 42. The administration is facing a lawsuit aimed at curtailing its ability to release migrants from custody even when facilities are over capacity.

At one point last week, more than 27,000 migrants were in custody along the border, a number that may top 45,000 by the end of May if the powers to more quickly release migrants from custody when facilities are over capacity are curtailed, said Matthew Hudak, deputy Border Patrol chief, in a court filing last week related to the lawsuit.

Nunez-Neto said border officials had been encountering a little less than 5,000 people a day since Title 42 expired at midnight Thursday and new U.S. enforcement measures went into effect Friday. He did not give exact numbers.

"It's still too early to draw firm conclusions. We are closely watching what's happening. We are confident that the plan that we have developed across the U.S. government to address these flows will work over time," said Nunez-Neto.

He credited the U.S. planning as well as enforcement measures Mexico and Guatemala have carried out in recent days along their own southern borders. He gave no details about what those two countries were doing.

The head of the U.S. Border Patrol, Raul Ortiz, said on Twitter on Monday that his agents had apprehended 14,752 people over the past 72 hours; that averages out to 4,917 per day.

The figures given Monday are sharply below the 10,000-plus encountered on three days last week as migrants rushed to get in before new policies to restrict asylum took effect.

Title 42 allowed U.S. officials to quickly expel migrants without letting them seek asylum, but it also carried no consequences for those who entered the country and were expelled. In the leadup to the end of Title 42, the U.S. introduced tough enforcement measures to discourage people from just arriving at the border, encouraging them instead to use one of the pathways the U.S. has created to facilitate migration.

Many migrants, worried about these tough enforcement measures, came before Title 42 expired. The U.S. is in litigation about whether it can release migrants without what's called a "notice to appear."

Usually migrants who are released into the United States — as opposed to those held in custody or immediately expelled — get a "notice to appear," which includes a court date and some type of monitoring with immigration officials. But it can take up to two hours to process a single person for this, potentially choking Border Patrol holding facilities when they're at capacity.

Since 2021 the U.S. has often released migrants from custody with instructions to report to an immigration office in 60 days. It's a process that takes only 20 minutes but it's come under attack by those who say it doesn't offer enough oversight. On Thursday a Florida court temporarily put an end to the process,

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 51 of 81

following news reports that the administration was using it to relieve overcrowding in Border Patrol facilities; the administration is appealing that decision. On Monday the judge, in a preliminary injunction, narrowed the order so it only applies to migrants who say they plan to stay in Florida until their court hearings.

DHS said in a court filing Monday that it had released 6,413 individuals under the quicker release policy before the judge's order temporarily ending it was put in place.

In court filings last week, U.S. authorities said they cannot confidently estimate how many people will cross the border. Hudak said authorities predict arrests will spike to between 12,000 and 14,000 a day. Hudak also noted that intelligence reports failed to quickly flag a "singular surge" of 18,000 predominantly Haitian migrants in Del Rio, Texas, in September 2021.

This story has been corrected to note that the judge's temporary restraining order came on Thursday, not Friday.

Follow Santana on Twitter @ruskygal.

#### At 81, Martha Stewart becomes oldest Sports Illustrated swimsuit cover model

By The Associated Press undefined

NEW YORK (AP) — At 81, Martha Stewart isn't slowing down and some might say she's heating up. Stewart has been chosen as one of Sports Illustrated's swimsuit cover models, the magazine announced Monday. She's the oldest model to grace the cover of the annual swimsuit issue, surpassing Maye Musk who posed

for the special issue in 2022 at 74.

The businesswoman and media personality wrote in an Instagram post Monday that she hopes the cover inspires people "to try new things, no matter what stage of life you're in." She also posted a video clip from an interview on her podcast with MJ Day, SI Swimsuit editor in chief. The video showed a series of images of Stewart from a photo shoot in the Dominican Republic, including one of her emerging from water in a blue swimsuit wearing sunglasses.

"They were pouring water over my head," Stewart said during the podcast.

Stewart founded Martha Stewart Living Omnimedia in the 1990s and became synonymous with cooking, entertaining and homemaking. She released cookbooks, cookware, magazines, towels and other items. She's hosted numerous TV shows and in recent years has had a number of ventures with rapper Snoop Dogg. In 2004, Stewart was convicted of lying to the government about a stock sale. She served five months in prison.

Other cover models chosen for this year's swimsuit edition are recording artist Kim Petras, actor Megan Fox, and model Brooks Nader.

A red carpet celebrating the 2023 Sports Illustrated swimsuit issue will take place Thursday in New York. The magazine hits newsstands Friday.

#### Woman sues Rudy Giuliani, saying he coerced her into sex, owes her \$2 million in unpaid wages

By MICHAEL R. SISAK Associated Press

NÉW YORK (AP) — A woman who says she worked as an off-the-books employee for Rudy Giuliani during his stint as Donald Trump's personal lawyer alleges in court papers that the former New York City mayor coerced her into sex and owes her nearly \$2 million in unpaid wages.

Noelle Dunphy said in the lawsuit that she was Giuliani's business development director and public relations consultant from 2019 to 2021. She initially made her allegations public in January, but she detailed her claims further in a 70-page legal complaint filed Monday in New York.

Giuliani "vehemently" denied the allegations through a spokesperson. His lawyer had also previously

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 52 of 81

denied that Dunphy ever worked for Giuliani.

"Mayor Giuliani's lifetime of public service speaks for itself, and he will pursue all available remedies and counterclaims," said Giuliani's communications adviser, Ted Goodman.

The new court filing portrays Giuliani, 78, as a hard-drinking, Viagra-popping womanizer who made satisfying his sexual demands "an absolute requirement of her employment." She is seeking at least \$10 million.

Dunphy claimed in the lawsuit to have made numerous audio recordings of Giuliani, including some in which she says he can be heard making sexual comments, demanding sex and making sexist, racist, and antisemitic remarks.

Dunphy's legal team declined a request from The Associated Press to share those recordings, saying they were part of the litigation.

Included in the complaint are screenshots of suggestive text messages purportedly from Giuliani.

The lawsuit claims Giuliani hired Dunphy in January 2019 and promised to pay her \$1 million per year for her consulting work. But he told her that he had to defer paying her until he settled his divorce from his third wife, Judith, according to the lawsuit.

Almost immediately, according to the complaint, Giuliani started making sexual advances, including kissing her in the back of an SUV on her first day and demanding that she take care of him sexually, sometimes while he was on the phone with high-profile friends and clients.

Often, Dunphy alleges, Giuliani would demand she work in a bikini or in American flag-themed shorts he bought for her, and he urged her to strip naked for him during video meetings.

Giuliani reached a divorce settlement in December 2019, but Dunphy said all she got from Giuliani were a few cash payments totaling \$12,000 to cover living expenses. He still owes her \$1,988,000, she said.

Dunphy also contended that Giuliani had reneged on a promise to represent her, for free, in a protracted legal fight involving claims of domestic violence.

In that legal fight, Dunphy had accused a romantic partner of raping her and throwing her down a flight of stairs. The man she sued filed a counter lawsuit, saying he was the one being physically assaulted and harassed. He also sued for defamation, saying he was being extorted.

Dunphy agreed to accept \$10,000 to settle her claims in 2016. But the two sides were still fighting over a final resolution as recently as last year.

The Associated Press does not typically identify people who say they are victims of sexual abuse unless they grant permission, as Dunphy has done.

Follow Michael Sisak on Twitter at https://twitter.com/mikesisak and send confidential tips by visiting https://www.ap.org/tips/

#### Connecticut high court nominee regrets signing 2017 letter supporting Amy Coney Barrett

By DAVE COLLINS Associated Press

HARTFORD, Conn. (AP) — A nominee to Connecticut's highest court told state lawmakers Monday that she would not have signed a 2017 letter supporting Amy Coney Barrett for a federal appeals court position if she knew Barrett would later vote to overturn Roe v. Wade abortion protections as a member of the U.S. Supreme Court.

Sandra Slack Glover, a federal prosecutor nominated by Democratic Gov. Ned Lamont, made the comment during her confirmation hearing before the legislature's Judiciary Committee, as several members of the Democratic majority expressed concerns about her support of Barrett. The committee held off voting on Glover's nomination Monday evening, citing the late hour. No date for a vote was immediately set.

Glover had said she wasn't "going to demonize" Barrett, "but when I look at that letter now ... I'm no longer comfortable with some of those statements.

"But I also believed, clearly naively at this point, I thought there were guardrails," she said, referring to judges' respect for legal precedents. "And I thought the lower court judges were constrained. I thought

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 53 of 81

the Supreme Court was constrained. And I was wrong. And looking back and knowing what I now know, I shouldn't have signed it."

Glover added she was a firm supporter of abortion rights, from the perspectives of both a woman and a lawyer.

A message seeking comment from Barrett was sent to the U.S. Supreme Court.

Glover was among 34 people who served as U.S. Supreme Court law clerks in 1998, along with Barrett, who signed the 2017 letter to leaders of the Senate Judiciary Committee supporting Barrett's nomination to the 7th U.S. Circuit Court of Appeals in Chicago. In 1998, Barrett was a clerk for Justice Antonin Scalia and Glover was a clerk for Justice Sandra Day O'Connor.

The letter said the signees believed Barrett was "fully qualified" to be a federal appeals judge.

"Professor Barrett is a woman of remarkable intellect and character," the letter said. "She is eminently qualified for the job. This view is unanimous — every law clerk from October Term 1998 has joined this letter.

"Based on our observations, we came to respect Professor Barrett's conscientious work ethic, her respect for the law, and her remarkable legal abilities," it said. "She conducted herself with professionalism, grace, and integrity."

Glover said the letter was not an endorsement of Barrett's political views.

Barrett was later nominated to the U.S. Supreme Court by President Donald Trump and was among the conservative majority that overturned Roe v. Wade last year. During Senate hearings before her confirmation, Barrett had said she would obey stare decisis, the doctrine of courts giving weight to precedent when making decisions.

State Rep. Patricia Dillon, a New Haven Democrat, said the state Supreme Court was vital in acting as a "firewall" against the conservative majority on the U.S. Supreme Court.

"There's some very dramatic things happening in Washington," Dillon said at Monday's hearing. "If I could quote Justice (Elena) Kagan, actually, the stakes could not be higher at the state level because that may be the threat we have when it comes to some issues."

All current justices on the seven-member state Supreme Court were nominated by Democratic governors.

Glover, 52, of Guilford, is chief of the appellate unit at the Connecticut U.S. attorney's office, where she has worked since 2004. She previously served as an appellate attorney at the U.S. Department of Justice and in private practice.

If Glover ultimately clears a Judiciary Committee vote, her nomination will go to the Senate and House of Representatives for approval. Both are Democrat-controlled.

If the committee votes down her nomination, the chambers still could take it up.

Associated Press writer Susan Haigh contributed to this report.

#### Extended boycott disqualifies 2 GOP senators, 1 independent in Oregon Senate from being reelected

By ANDREW SELSKY Associated Press

SALEM, Ore. (AP) — Two Republicans and an Independent taking part in a boycott that has stalled hundreds of bills in the Oregon Senate, including measures on abortion and gender-affirming care, were disqualified Monday from reelection under a new constitutional amendment aimed at stopping such walkouts.

The GOP-led walkout of the Democrat-dominated Senate has stretched to 10 days, though some participating lawmakers have rotated in and out since the boycott began May 3. Each of the three affected senators accumulated 10 unexcused absences, making them ineligible to serve in the Legislature for the period after their terms expire under a ballot measure voters passed overwhelmingly last year.

"The majority of Senate Republicans continue to walk off the job that the voters elected them to do, in which our Constitution compels them to attend," Senate President Rob Wagner said from the Senate podium. He added in an email: "Three senators have now unnecessarily disqualified themselves from a

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 54 of 81

subsequent term in the Legislature."

Sen. Tim Knopp, the Senate Republican Leader, said Monday that during weekend negotiations to end the boycott, he had told Democratic leaders that the Republicans would end their boycott "to pass substantially bipartisan budgets and bills that are lawful and constitutional."

Wagner earlier said the sweeping abortion rights-gender affirming care measure was not negotiable. Republicans want it off the table.

Knopp said all 12 Republican senators took part in the boycott on Monday "in solidarity" with the three senators facing disqualification. He blasted Democrats for pursuing an "extreme" agenda.

"Let it be abundantly clear: this is just the beginning of the fight," Knopp said in a statement.

The three boycotting senators who reached the 10-day limits for automatic disqualification are Republicans Dennis Linthicum and Daniel Bonham and Independent Brian Boquist, a former Republican.

Ballot Measure 113 was passed by almost 70% of voters last November as a method to end walkouts that have plagued the Legislature for several years. It is now written into the state Constitution.

The Constitution now says missing 10 or more floor sessions "shall be deemed disorderly behavior and shall disqualify the member from holding office as a senator or representative for the term following the election after the member's current term is completed."

But left unclear is whether they can run for office as candidates.

The test will perhaps come when the window for filing as candidates in the 2024 election opens in September.

Ben Morris, spokesman for the secretary of state's office, earlier said the courts have interpreted elections statutes to state that the Elections Division can't allow a candidate on the ballot if it knows the candidate won't qualify for office.

But an explanatory statement for Ballot Measure 113 says a disqualified candidate "may run for office ... and win, but cannot hold office."

Court challenges are expected. Boquist said in an email Monday that he believes he'll be allowed on the ballot if he offers himself as a candidate in 2024.

"The Elections Division has no authority on the absence clause of the Oregon Constitution," Boquist said. "They will avoid it completely."

Bonham and Linthicum didn't immediately respond to requests for comment on their disqualifications. Linthicum's seat is also up for election in 2024, Bonham's in 2026.

In a May 9 email to constituents, Bonham accused Democrats of ignoring a long-forgotten 1979 law that said summaries of bills need to be written at an eighth-grade level — a law which was resurrected this month by the Republicans.

Bonham also blasted the abortion-protection bill as an assault on parents' rights because it lacks a requirement for girls to notify their parents of their decision to have an abortion.

"I will not sit by and help move along the majority party's extreme and unconstitutional agenda — especially with their complete and obvious dismissal of the law," Bonham wrote.

On Monday, only 16 senators were present, four short of the quorum. Wagner pleaded with them to return. Under Oregon law, a quorum in the Senate or House is two-thirds of members being present.

"There is still time for senators to come back and do their job — 41 days before the end of the 2023 legislative session," Wagner said. "We have very important work before us this session. We are here to fund our schools, to support our seniors, to repair our infrastructure and our bridges, and make Oregon a great place to live and raise families.

He reminded lawmakers that the Legislature must also approve a biennial state budget before the end of June.

Meanwhile, Senate committees and joint committees, where quorum is reached with 50% attendance, continued on Monday, with some Republicans in attendance.

#### Historical marker dedicated to feminist, Communist Party leader

### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 55 of 81

#### removed in New Hampshire

By HOLLY RAMER Associated Press

CONCORD, N.H. (AP) — A historical marker dedicated to a feminist and labor activist in New Hampshire who also led the Communist Party was removed Monday just two weeks after it was unveiled.

The green and white sign describing the life of Elizabeth Gurley Flynn was installed May 1 in Concord close to where she was born in 1890. But it quickly drew criticism from two Republican members of the Executive Council, the five-member body that approves state contracts, judicial nominees and other positions. They argued it was inappropriate given Flynn's communist involvement. Republican Gov. Chris Sununu, meanwhile, called for a review of the historical marker process.

"All polices and guidelines were followed in removing this controversial marker," said Sununu's spokesperson, Ben Vihstadt. He said Concord city officials weren't advocating to keep it, and once state officials realized it was on state property and not city land as previously believed, the state removed it.

But supporters of the sign accused the state of violating its own rules for the markers. They argued markers can only be "retired" if they contain errors of fact, are in a state of disrepair or require refurbishment.

"We still say that under the department's own guidelines, Elizabeth Gurley Flynn's birthplace in Concord is a fitting location for a historical marker," said Mary Lee Sargent, a former U.S. history teacher and longtime labor and feminist activist.

Known as "The Rebel Girl" for her fiery speeches, Flynn was a founder of the American Civil Liberties Union who advocated for women's voting rights and access to birth control. The marker also says she joined the Communist Party in 1936 and was sent to prison in 1951. She was one of many party members prosecuted "under the notorious Smith Act," the marker says, which forbade any attempts to advocate, abet or teach the violent destruction of the U.S. government.

Flynn later chaired the Communist Party of the United States and she died in Moscow during a visit in 1964, at age 74. Her marker was one of 278 across the state that describe people and places — from Revolutionary War soldiers to contemporary sports figures.

Under the current process, any person, municipality or agency can suggest a marker as long as they get 20 signatures from New Hampshire residents. Supporters must draft the marker's text and provide footnotes and copies of supporting documentation, according to the state Division of Historical Resources. The division and a historical resources advisory group evaluate the criteria.

#### MLB's new pitch clock may be leading to more blown saves

By RONALD BLUM AP Baseball Writer

NEW YORK (AP) — The pitch clock has sped up baseball as hoped — and it might be leading to more exciting endings, too.

A quarter of the way through Major League Baseball's first season with the pitch timer, relief pitchers seem to be bearing the most stress from it, with save conversions dropping to 61.4% from 67.8% at a similar point last season.

The save percentage is near the bottom range of the past decade, which averaged 65.1%, MLB said Monday. The high was 70% in 2015 and the low 61% in the pandemic-shortened 2020 season.

"Whenever relievers are coming in, it's mostly a stressful situation," said Toronto Blue Jays closer Jordan Romano, whose time between pitches dropped from to 14.8 seconds from 20.5 last season. "It was nice before when you did have those extra few seconds.

"Now you've just got to get your thoughts together and go," the 2022 All-Star added. "I haven't noticed it too much but yeah, I guess in the times I've struggled, a couple extra seconds would have been nice."

The average time of nine-inning games fell to 2 hours, 37 minutes from 3:05. That is on track to be the fastest since 1984 and would result in an everyday player being on the field about 80 fewer hours this season.

Batting average is up 14 percentage points for left-handed hitters and nine percentage points overall. Scoring has increased 8% and stolen bases are up 40%. The clock has caused an average of 0.72 viola-

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 56 of 81

tions per game.

Just over a quarter of the season had been played through Sunday, 610 of 2,430 scheduled games. There had been 307 saves in 500 save chances — a 10-year-high in opportunities.

Pitchers have 15 seconds to deliver a pitch with the bases empty and 20 seconds with runners on base, with a limit of two disengagements from the rubber per plate appearance.

"I think back-end relievers, guys that have closed in the past, I think that's been the biggest adjustment for them, just because they can't reset," Baltimore manager Brandon Hyde said. "There's so much adrenaline, the moment's so big at that point."

Starters have been impacted, too. Lucas Giolito of the Chicago White Sox has cut his time between pitches to 16.4 seconds from 20.7.

"It's been useful for just like developing rhythm, not letting myself think too much and take too much time," he said. "It's like you've got to get the ball back and get it going and fire it. You can't be overthinking."

Other rules added for this season also seem to be having intended results, including a limit on infield shifts that requires two infielders on either side of second base and within the outer boundary of the infield, as well as an increase in the size of bases to 18-inch squares from 15-by-15.

The big league batting average of .247 was up from .236 at this point last season, when final average was .243. Offense usually increases in warmer summer months, and last year's first month was plagued by unusually cold and wet weather in a significiant number of cities.

Left-handed batting average is up 14 points to .245, and there are more runs per game (9.1 from 8.4) and stolen bases per game (1.4 from 1.0).

The stolen base success rate of 78.4% was the highest on record, up from 74.1% at a similar point last year.

"Pace of play, pro. Dislike everything that leads to more stolen bases, hate that," said Cleveland pitcher Shane Bieber, the 2020 AL Cy Young Award winner. "For myself, obviously, but for catchers, as well, it sucks. People look at the stolen base rate and go directly to catchers, but there's so much more that goes into it."

Of 437 timer violations, 287 were called on pitchers (65.7%), 126 on batters (28.8%) and five on catchers (1.1%).

San Diego's Joe Musgrove leads pitchers with five violations, followed by Cincinnati's Hunter Greene with four. Among batters, Boston's Yu Chang, San Francisco's J.D. Davis, Atlanta's Eddie Rosario and Pittsburgh's Carlos Santana are tied for the high of three apiece.

AP Baseball Writer Jay Cohen, AP Sports Writer Tom Withers and AP freelance writer Ian Harrison contributed to this report.

AP MLB: https://apnews.com/hub/MLB and https://twitter.com/AP\_Sports

#### Bear in a tree holds Michigan city in suspense for hours on Mother's Day

TRAVERSE CITY, Mich. (AP) — A city in northern Michigan has a new Mother's Day memory: A 350-pound bear was in a tree for hours, watched by dozens of people, before it fell asleep and dropped onto mattresses below.

"It's like the best block party ever," Annette Andersen said.

The drama in Traverse City began when wildlife experts responded to a morning call about a bear in a leafy tree. They fired at least four tranquilizer darts into his butt. The bear snoozed on a thick limb before finally dropping to the ground by early afternoon Sunday.

Ashlea Walter hauled mattresses from her house to soften the fall, the Traverse City Record-Eagle reported.

Spectators sitting on lawns or in chairs held their phones up to take pictures and video.

"They're a tough animal," said Steve Griffith, a state wildlife biologist. "Obviously they are in trees all the time, and they do have accidents in the wild. ... They can take a pretty good fall."

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 57 of 81

The bear was transferred on a tarp to a cylindrical bear trap after his vital signs and airway were checked. Next stop: a long drive and release in a wooded area, "probably 50-60 miles at minimum," Griffith said.

### Turkish President Erdogan heads to a runoff election that will decide who leads a key NATO country

By SUZAN FRASER and ZEYNEP BILGINSOY Associated Press

ANKARA, Turkey (AP) — Turkish voters will head back to the polls in two weeks for a runoff election to decide if conservative President Recep Tayyip Erdogan or his main rival will lead a country struggling with sky-high inflation as it plays a key role in NATO expansion and in the Middle East.

The May 28 second round of presidential elections that election officials announced Monday will allow Turkey to decide if the nation remains under the increasingly authoritarian president for a third decade, or if it can embark on the more democratic course that Kemal Kilicdaroglu has claimed he can deliver.

As in previous years, the nationalist Erdogan led a highly divisive campaign.

He portrayed Kilicdaroglu, who had received the backing of the country's pro-Kurdish party, of colluding with "terrorists" and of supporting what he called "deviant" LGBTQ rights. As a devout leader of the predominantly Muslim country, which was founded on secular principles, Erdogan has had the backing of conservative voters and has courted more Islamists with his anti-LGBTQ rhetoric.

In a bid to woo voters hit hard by inflation, he increased wages and pensions and subsidized electricity and gas bills, while showcasing Turkey's homegrown defense industry and infrastructure projects.

Some voters said the results announced Monday should strengthen Turkish democracy by reminding Erdogan of the important of convincing voters.

Sena Dayan said she voted for the Erdogan alliance, but wasn't upset at the need for a runoff.

"I believe this is good for the government, and better for our future, to look back at mistaken decisions," Dayan said in Istanbul. "Erdogan is too confident in himself. The people broke this confidence a bit."

For others, Sunday's vote showed how polarized Turkey has become.

"I am not happy at all," voter Suzan Devletsah said. "I worry about the future of Turkey."

Kilicdaroglu leads the pro-secular main opposition party, which was established by the founder of modern Turkey. He campaigned on promises to reverse crackdowns on free speech and other forms of democratic backsliding and to repair an economy battered by high inflation and currency devaluation.

The latest official statistics put inflation at about 44%, down from a high of around 86%, but independent experts estimate them as much higher.

As the results came in, it appeared those elements didn't shake up the electorate as many expected. Turkey's conservative heartland overwhelmingly voted for the ruling party, with Kilicdaroglu's main opposition winning most of the coastal provinces in the west and south.

Western nations and foreign investors were particularly interested in the outcome because of Erdogan's unorthodox leadership of the economy, and often mercurial but successful efforts to put the country that spans Europe and Asia at the center of many major diplomatic negotiations.

Erdogan faced electoral headwinds due to the cost-of-living crisis and criticism over the government's response to a devastating February earthquake. But with his alliance retaining its hold on the parliament, Erdogan is now in a good position to win in the second round.

Preliminary results showed that Erdogan won 49.5% of the vote on Sunday, while Kilicdaroglu grabbed 44.9%, and the third candidate, Sinan Ogan, received 5.2%, according to Ahmet Yener, the head of Supreme Electoral Board.

The remaining uncounted votes were not enough to tip Erdogan into outright victory, even if they all broke for him, Yener said. In the last presidential election in 2018, Erdogan won in the first round, with more than 52% of the vote.

Uncertainty looms for the 3.4 million Syrian refugees who have been under Turkey's temporary protection after fleeing the war in neighboring Syria. Both Kilicdaroglu and Ogan campaigned on sending Syrians

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 58 of 81

back, arguing that they're a burden as Turkey faces an economic downturn, and Syrian President Bashar Assad and Erdogan's governments are working on improving relations after years of hostility. Erdogan, who welcomed Syrians to Turkey, has put them and other migrants on the table in negotiations with Europe, which has been wrangling with the flow of people.

Erdogan, who has governed Turkey as either prime minister or president since 2003, painted Sunday's vote as a victory both for himself and the country.

In a tweet Monday, he said the votes for him and his alliance confirmed the nation's trust but added he respected the results that kept him from an outright victory by half a percentage point.

"God willing we will have a historic win by increasing our votes from May 14 and emerging victorious on May 28 elections," he said as he added he would seek votes from all people regardless of their political preferences.

Kilicdaroglu sounded defiant, tweeting around the time the runoff was announced: "Do not fall into despair ... We will stand up and win this election together."

Kilicdaroglu, 74, and his party have lost all previous presidential and parliamentary elections since he took leadership in 2010 but increased their votes this time.

Right-wing candidate Ogan has not said whom he would endorse if the elections go to a second round. Erdogan's party and its allies secured 322 seats in the National Assembly, while the opposition won 213 and the 65 remaining went to a pro-Kurdish and leftist alliance, according to preliminary results.

Results reported by the state-run Anadolu Agency showed Erdogan's party dominating in the earthquakehit region, winning 10 out of 11 provinces in an area that has traditionally supported the president. That was despite criticism of a slow response by his government to the 7.8-magnitude earthquake that killed more than 50,000 people.

Nearly 89% of eligible voters in Turkey cast a ballot and over half of overseas voters went to the ballot box. Voter turnout in Turkey is traditionally strong, despite the government suppressing freedom of expression and assembly over the years and especially since a 2016 coup attempt.

Érdogan blamed the failed coup on followers of a former ally, cleric Fethullah Gulen, and initiated a large-scale crackdown on civil servants with alleged links to Gulen and also jailed activists, journalists and pro-Kurdish politicians.

Michael Georg Link, Special Co-ordinator and leader of the OSCE observer mission monitoring the election, said the elections were competitive but limited.

"As the criminalization of some political forces, including the detention of several opposition politicians, prevented full political pluralism and impeded individuals' rights to run in the elections," he explained.

The observer mission also noted the use of public resources, media bias in favor of Erdogan, the criminalization of disseminating false information and online censorship gave Erdogan an "unjustified advantage," while saying the elections showed the resilience of Turkish democracy.

Bilginsoy reported from Istanbul. Associated Press journalists Robert Badendieck contributed from Istanbul, Mehmet Guzel from Ankara, Turkey and Cinar Kiper from Bodrum, Turkey.

### TSA is testing facial recognition at more airports, raising privacy concerns

By REBECCA SANTANA and RICK GENTILO Associated Press

BALTIMORE (AP) — A passenger walks up to an airport security checkpoint, slips an ID card into a slot and looks into a camera atop a small screen. The screen flashes "Photo Complete" and the person walks through — all without having to hand over their identification to the TSA officer sitting behind the screen. It's all part of a pilot project by the Transportation Security Administration to assess the use of facial

recognition technology at a number of airports across the country.

"What we are trying to do with this is aid the officers to actually determine that you are who you say

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 59 of 81

who you are," said Jason Lim, identity management capabilities manager, during a demonstration of the technology to reporters at Baltimore-Washington International Thurgood Marshall Airport.

The effort comes at a time when the use of various forms of technology to enhance security and streamline procedures is only increasing. TSA says the pilot is voluntary and accurate, but critics have raised concerns about questions of bias in facial recognition technology and possible repercussions for passengers who want to opt out.

The technology is currently in 16 airports. In addition to Baltimore, it's being used at Reagan National near Washington, D.C., airports in Atlanta, Boston, Dallas, Denver, Detroit, Las Vegas, Los Angeles, Miami, Orlando, Phoenix, Salt Lake City, San Jose, and Gulfport-Biloxi and Jackson in Mississippi. However, it's not at every TSA checkpoint so not every traveler going through those airports would necessarily experience it.

Travelers put their driver's license into a slot that reads the card or place their passport photo against a card reader. Then they look at a camera on a screen about the size of an iPad, which captures their image and compares it to their ID. The technology is both checking to make sure the people at the airport match the ID they present and that the identification is in fact real. A TSA officer is still there and signs off on the screening.

A small sign alerts travelers that their photo will be taken as part of the pilot and that they can opt out if they'd like. It also includes a QR code for them to get more information.

Since it's come out the pilot has come under scrutiny by some elected officials and privacy advocates. In a February letter to TSA, five senators — four Democrats and an Independent who is part of the Democratic caucus — demanded the agency stop the program, saying: "Increasing biometric surveillance of Americans by the government represents a risk to civil liberties and privacy rights."

As various forms of technology that use biometric information like face IDs, retina scans or fingerprint matches have become more pervasive in both the private sector and the federal government, it's raised concerns among privacy advocates about how this data is collected, who has access to it and what happens if it gets hacked.

Meg Foster, a justice fellow at Georgetown University's Center on Privacy and Technology, said there are concerns about bias within the algorithms of various facial recognition technologies. Some have a harder time recognizing faces of minorities, for example. And there's the concern of outside hackers figuring out ways to hack into government systems for nefarious aims.

With regard to the TSA pilot, Foster said she has concerns that while the agency says it's not currently storing the biometric data it collects, what if that changes in the future? And while people are allowed to opt out, she said it's not fair to put the onus on harried passengers who might be worried about missing their flight if they do.

"They might be concerned that if they object to face recognition, that they're going to be under further suspicion," Foster said.

Jeramie Scott, with the Electronic Privacy Information Center, said that while it's voluntary now it might not be for long. He noted that David Pekoske, who heads TSA, said during a talk in April that eventually the use of biometrics would be required because they're more effective and efficient, although he gave no timeline.

Scott said he'd prefer TSA not use the technology at all. At the least, he'd like to see an outside audit to verify that the technology isn't disproportionally affecting certain groups and that the images are deleted immediately.

TSA says the goal of the pilot is to improve the accuracy of the identity verification without slowing down the speed at which passengers pass through the checkpoints — a key issue for an agency that sees 2.4 million passengers daily. The agency said early results are positive and have shown no discernable difference in the algorithm's ability to recognize passengers based on things like age, gender, race and ethnicity.

Lim said the images aren't being compiled into a database, and that photos and IDs are deleted. Since this is an assessment, in limited circumstances some data is collected and shared with the Department of Homeland Security's Science and Technology Directorate. TSA says that data is deleted after 24 months.

Lim said the camera only turns on when a person puts in their ID card — so it's not randomly gather-

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 60 of 81

ing images of people at the airport. That also gives passengers control over whether they want to use it, he said. And he said that research has shown that while some algorithms do perform worse with certain demographics, it also shows that higher-quality algorithms, like the one the agency uses, are much more accurate. He said using the best available cameras also is a factor.

"We take these privacy concerns and civil rights concerns very seriously, because we touch so many people every day," he said.

Retired TSA official Keith Jeffries said the pandemic greatly accelerated the rollout of various types of this "touchless" technology, whereby a passenger isn't handing over a document to an agent. And he envisioned a "checkpoint of the future" where a passenger's face can be used to check their bags, go through the security checkpoints and board the plane — all with little to no need to pull out a boarding card or ID documents.

He acknowledged the privacy concerns and lack of trust many people have when it comes to giving biometric data to the federal government, but said in many ways the use of biometrics is already deeply embedded in society through the use of privately owned technology.

"Technology is here to stay," he said.

Follow Santana on Twitter @ruskygal.

#### St. Louis prosecutor seeks to free man imprisoned 33 years for murder, citing evidence of innocence

By JIM SALTER Associated Press

ST. LOUIS (AP) — St. Louis' top prosecutor has asked a court to set aside the conviction of a man who has spent 33 years in prison for a killing he says he didn't commit, after witnesses who testified against him later said authorities had pressured them to lie.

In her request to overturn Christopher Dunn's first-degree murder conviction, St. Louis Circuit Attorney Kim Gardner cited "clear and convincing evidence" that he had not been involved in the 1990 shooting death of Ricco Rogers.

"We are hopeful his wrongful conviction is set aside for the sake of Mr. Dunn, his family, and the people of the City of St. Louis," Gardner said in a statement Monday.

Gardner filed a motion with St. Louis Circuit Court on Friday to vacate Dunn's conviction. It wasn't immediately clear if the state attorney general's office would oppose the motion. A spokeswoman for Attorney General Andrew Bailey didn't immediately respond to a Monday request for comment.

Gardner, a Democrat, succeeded in February in getting a court to set aside the conviction of another man, Lamar Johnson, who had spent nearly three decades in prison. Gardner took up his cause after an investigation her office conducted with help from the Innocence Project convinced her he was innocent in a 1994 killing. Johnson was convicted largely on the testimony of an eyewitness who later alleged that he had been coerced into his statements.

The overturning of Johnson's conviction was a rare victory in a challenging year for Gardner, the city's first Black prosecutor. She has been under fire for months from critics who contend that under her watch, too many cases, including homicides, have gone unpunished, that victims and their families are left uninformed, and that her office is too slow to take on cases brought by police. Bailey, a Republican who unsuccessfully sought to keep Johnson locked up, filed a court motion seeking her removal. Criticism escalated when recent cases had to be delayed because prosecutors from the understaffed office failed to show up in court.

Gardner said the attacks were politically and racially motivated. But she announced this month that she would resign effective June 1. Republican Gov. Mike Parson will appoint her replacement.

Dunn, 51, who is Black, was 18 when Rogers was killed. Among the key evidence used to convict him was testimony from two boys who were at the scene of the shooting. Both later recanted their testimony, saying they had been coerced by police and prosecutors.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 61 of 81

A judge has heard Dunn's innocence case before. At an evidentiary hearing in 2020, Judge William Hickle agreed that a jury would likely find Dunn not guilty based on new evidence. But Hickle declined to exonerate Dunn, citing a 2016 Missouri Supreme Court ruling that only death row inmates — not those like Dunn sentenced to life in prison without the possibility of parole — could make a "freestanding" claim of actual innocence.

A 2021 law now allows prosecutors to seek court hearings in cases with new evidence of a wrongful conviction. It has led to the freeing of another longtime inmate, Kevin Strickland, who served more than 40 years for a Kansas City triple killing. Johnson was the second inmate freed as a result of the new law. Dunn's attorneys at the Midwest Innocence Project say he should be the third.

"We are confident that when faced with such evidence, any Court will find, as Judge Hickle did nearly three years ago, that Christopher Dunn is innocent," the group said in the news release.

#### Cannes Film Festival readies a blockbuster edition, with Indy, `Flower Moon,' Depp and more

By JAKE COYLE AP Film Writer

The Cannes Film Festival, which will kick off Tuesday, is such a colossal extravaganza that taking measure of its ups and downs is notoriously difficult. It's a showcase of the world's best cinema. It's a red-carpet spectacular. It's a French Riviera hive of dealmaking.

But by at least some metrics, Cannes — following a canceled 2020 festival, a much-diminished 2021 edition and a triumphant 2022 return — is finally all the way back.

"Let's just say it's gotten very hard to get restaurant reservations again," says Christine Vachon, the veteran producer and longtime collaborator of Todd Haynes.

When the 76th Cannes Film Festival opens Tuesday with the premiere of "Jeanne du Barry," a historical drama by Maïwenn starring Johnny Depp, the gleaming Cote d'Azur pageant can feel confident that it has weathered the storms of the pandemic and the perceived threat of streaming. (Netflix and Cannes remain at an impasse.)

Last year's festival, a banner one by most judgments, produced three Oscar best-picture nominees ("Top Gun: Maverick," "Elvis" and the Palme d'Or winner "Triangle of Sadness" ), again proving Cannes as the premiere global launching pad for films big and small.

#### A BLOCKBUSTER CANNES

This year's festival is headlined by a pair of marquee premieres: Martin Scorsese's Osage Nation 1920s epic "Killers of the Flower Moon," with Leonardo DiCaprio and Robert De Niro, and James Mangold's "Indiana Jones and the Dial of Destiny," starring Harrison Ford in his final performance as the character.

But as blockbuster as Cannes can be, even those films suggest the wide spectrum of cinema on hand. Both Scorsese and Mangold were first in Cannes decades ago to premiere their early breakthrough films in the Directors Fortnight sidebar. Scorsese with 1973's "Mean Streets," Mangold with 1995's "Heavy."

This time, though, they'll debut much bigger films, sure to be the hottest tickets on the Croisette. Scorsese has his \$200 million epic for Apple TV+. And Mangold will premiere, as he says, "a more splendiferous project" than his minimalist debut.

The "Indy" celebration will include a tribute to Ford. He, along with Michael Douglas, will be given honorary Palme d'Ors. To Mangold, it's a chance for Ford to embrace the franchise's international following. The "Indiana Jones" films' essence, the director says, is rooted in golden-age cinema.

"These are things where you're taking your guidance from the classics," Mangold says. "That's something that's really appreciated by the French about American cinema. In many ways, they revere the old pictures more than even the audience in the United States do. That makes it a really wonderful platform."

A RECORD HIGH FOR FEMALE FILMMAKERS

This year, 21 films are competing for the Palme d'Or, which will be decided by a jury led by last year's winner, Swedish writer-director Ruben Östlund. Seven are directed by women, a new high for Cannes in its nearly eight decades of existence. Among the most anticipated is Italian filmmaker Alice Rohrwacher's

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 62 of 81

"La Chimera," starring Josh O'Connor and Isabella Rossellini.

The festival, running through May 27, will unspool against the backdrop of labor unrest on both sides of the Atlantic. France has been beset in recent months by protests over pension reforms, including raising the retirement age. In the U.S., screenwriters are on strike to seek better pay in the streaming era.

The prospect of a prolonged work stoppage could potentially drive up prices for finished films at Cannes, the world's top movie market. Among the titles seeking distribution is Haynes' "May December," which stars Natalie Portman as a journalist who embeds with a couple (Julianne Moore, Charles Melton) once renown for their age discrepancy.

Though arthouses have struggled to match the box-office recovery at multiplexes, Vachon, a producer on "May December," says her company, Killer Films, and the indie stalwart Haynes are accustomed to "pivoting endlessly and finding opportunities no matter what the sea winds bring."

#### AUTEURS AND A-LISTERS

As usual, this year's competition lineup returns plenty of Cannes heavyweights, including Hirokazu Koreeda ("Monster"), Wim Wenders ("Perfect Days"), Nuri Bilge Ceylan ("About Dry Grasses"), Ken Loach ("The Old Oak") and Nanny Moretti ("A Brighter Tomorrow").

Jonathan Glazer's "The Zone of Interest," shot in Auschwitz, is one of the festival's most eagerly awaited films. It's his first since 2013's "Under the Skin." Pedro Almodóvar will premiere the short "Strange Way of Life," with Pedro Pascal and Ethan Hawke. Wes Anderson, flanked by another starry ensemble, will debut "Asteroid City."

There's also the upcoming HBO series "The Idol," from "Euphoria" filmmaker Sam Levinson starring the Weeknd and Lily-Rose Depp; "Firebrand" with Alicia Vikander as Catherine Parr and Judd Law as Tudor King Henry VIII; and the Pixar movie "Elemental," which closes the festival.

Steve McQueen, the "12 Years a Slave" filmmaker, will debut the longest film playing at Cannes and one of its most thought-provoking. "Occupied City," which McQueen made with his wife, Dutch author Bianca Stigter, is a four hour-plus documentary that combines narration detailing violent incidents across Amsterdam during the Nazi occupation with present-day footage from those locations.

McQueen, too, began his feature filmmaking career at Cannes. His 2008 debut," Hunger," won the Camera d'Or, a prize for best first film. "It's never as good as the first time," McQueen says.

"But it's the most important film festival," continues McQueen. "Our film is asking questions. This is where you want to premiere films that challenge and films that ask questions. You're right on the front line." POTENTIAL BREAKTHROUGHS

While many eyes will be on reactions to the new Scorsese or "Asteroid City," Cannes will, as it does every year, bring new directors to wider film audiences. Senegalese filmmaker Ramata-Toulaye Sy's "Banel & Adama" is the rare first feature in Palme competition.

Argentine filmmaker Rodrigo Moreno, 50, will be making his first trip to Cannes with "The Delinquents," a heist drama sprinkled with existentialism and cinematic flourishes. It's one of the highlights of the Un Certain Regard section.

The film took Moreno five years to make, partially because of the pandemic. But its Cannes selection is a long time coming in another way. Moreno's first feature as a solo director was invited to both Un Certain Regard and main competition at Berlin. The producers chose Berlin.

"At this point of my career. I'm focused on: If this allows me to keep on working and make the next film, to me, that's OK. It's the only thing I really want," says Moreno.

"The shooting of this film spanned almost five years, which is crazy," he adds. "But the nice side of that is that every year, I had to shoot. The one thing I knew was that a new year began, and I had to shoot. And the following, I had to shoot."

Follow AP Film Writer Jake Coyle on Twitter at: http://twitter.com/jakecoyleAP

#### DeSantis curtails diversity, equity and inclusion programs in

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 63 of 81

#### Florida state colleges

By ANTHONY IZAGUIRRE Associated Press

TÁLLAHASSEE, Fla. (AP) — Florida Gov. Ron DeSantis on Monday signed a bill that blocks public colleges from using federal or state funding on diversity programs, addressing a concern of conservatives ahead of the Republican governor's expected presidential candidacy.

The law, which DeSantis proposed earlier this year, comes as Republicans across the country target programs on diversity, equity and inclusion in higher education.

The signing builds on the governor's larger push to shape Florida's education system through regulating how schools deal with subjects such as race and gender, with DeSantis arguing that he is challenging inappropriate liberal ideology in the classroom.

DeSantis, who is expected to announce his presidential run in the coming weeks, has focused heavily on divisive cultural issues as he moves to win over the conservative voters who typically decide Republican primary elections.

Diversity, equity and inclusion offices in higher education often spearhead services tailored to students of various races, genders, sexual orientations, cultures and abilities. Some college administrators also consider so-called DEI factors when admitting students, providing scholarships or deciding which faculty to hire and promote.

The law blocks public universities from diverting state or federal funds toward programs or campus activities that advocate for diversity, equity and inclusion or promote political or social activism.

"In reality what this concept of DEI has been is to attempt to impose orthodoxy on the university," DeSantis said at a bill signing ceremony in Sarasota. "This has basically been used as a veneer to impose an ideological agenda, and that is wrong."

The measure also bars curriculums that teach "identity politics" or "theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities." The provision is aimed at curtailing education about critical race theory, a way of thinking about U.S. history through the lens of racism.

In a signal of DeSantis' reach on education, he chose to sign the bill at New College of Florida, a small, traditionally-progressive school that became nationally known this year after the governor appointed a group of conservatives to its board of trustees. Among the DeSantis appointees' first moves was to eliminate the New College's diversity, equity and inclusion office.

The takeover has led to pushback among students at New College, long known for its progressive thought and creative course offerings that don't use traditional grades.

On Monday, a small group of protestors gathered outside the signing ceremony. DeSantis, as well as most of the speakers at the event, ridiculed them.

"You know, I saw some of the protestors out there. I was a little disappointed. I was hoping for more," DeSantis said with a smile as his supporters clapped.

Sen. Shevrin Jones, a Democrat, issued a statement after the signing that said the law continues De-Santis' "overreach" into education.

"Education ought to be about teaching kids how to think through issues, not what to think about issues," Jones said. "The exposure to wide-ranging experiences and fresh perspectives encourages understanding and creativity. By restricting what students can learn, the state is actively suppressing students' academic and intellectual freedom."

#### Vending machines are the latest tool for fighting opioid overdoses

By MATTHEW PERRONE AP Health Writer

WASHINGTON (AP) — Vending machines that have long been stocked with snacks are getting repurposed to distribute life-saving supplies to help fight the opioid epidemic.

A growing number of cities and local governments are making so-called "harm reduction" items, including the overdose-reversal drug naloxone, available for free via machines.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 64 of 81

Interest in the approach is expected to grow after U.S. regulators recently approved Narcan, the leading naloxone brand, to be sold without a prescription. That switch allows the nasal spray to be stocked in convenience stores, supermarkets and vending machines.

Machine supplier Shaffer Distributing, which also sells arcade games and pinball machines, is one of the companies that has worked with U.S. communities to put the medication in machines even before the FDA's over-the-counter approval.

Marty Turner, the Columbus, Ohio, company's director of vending sales, explains that many other items for promoting public health can be stocked and distributed this way. The interview has been edited for length and clarity.

Q: How do these machines work and what types of items do they dispense?

It's a basic vending machine that we've modified to dispense the products that health departments, harm-reduction groups or other nonprofits are looking to get into the neighborhood.

We've worked on machines that dispense Narcan nasal spray, fentanyl testing strips, HIV testing kits, prescription disposal bags and then even some first aid kits and safe sex kits. Really anything that they're looking to get into the hands of the public.

Q: How many have you sold?

We've probably sold close to 200 or more machines to the harm-reduction community. They've put them everywhere from public libraries to city hall. There've been a couple delivered to post offices, college campuses, sheriff's offices — almost anywhere that you have 24-hour public access.

Q: What's the advantage of using a vending machine for this effort?

The vending machine just gives the end user the opportunity to walk up without being judged or having to have the money to purchase the product.

And in the case of Narcan, where it's now an over-the-counter drug, we feel the vending machines are going to be just as popular and in-demand, because your next-door neighbor might not want to walk into Walgreens and have you standing in line behind him wondering "OK, why is this guy buying Narcan?" It kind of takes away the stigma and offers 24/7 access.

Q: How much do these machines typically cost?

The naloxone machines sell for anywhere from \$4,500 to about \$7,400 for an outdoor machine. The outdoor machine is resistant to the rain and it has a compressor so that it can maintain its temperature in the summer that's safe for the product.

Q: Do users ever have to enter any personal information or other details when using the machine?

What we've found is that the more information you're asking of the end user — for example, if you're asking whether they're male or female or their ZIP code or their age — then they're less likely to get a product.

We are working primarily with the folks that are looking for a low barrier. They'd just like to walk up to the machine, press the selection button and get the product. That just seems to be the best opportunity to get these into the hands of the people who need them most.

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

#### Five years after his Obama portrait, Kehinde Wiley is taking his art everywhere all at once

By JOCELYN NOVECK AP National Writer

NEW YORK (AP) — Kehinde Wiley was already well into his influential art career when his portrait of Barack Obama — arms crossed, perched on a chair amid brilliant foliage — was unveiled in 2018. But there's no doubt it changed the artist's life.

Here's one way he describes the shift: Now, should he ever show up at the bank and realize he's forgotten his ID — which hasn't happened yet, but still — he could say: "You know that portrait of Obama? I'm

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 65 of 81

that guy, and I didn't bring my ID, so if you could just Google that..."

But Wiley, proud as he is of the groundbreaking work — an official portrait of a Black president by a Black artist — does wonder how long he'll be referred to in that context.

"I wonder if I will ever be able to do anything that lives up to the gravity of that moment," he says. "Everybody wants to be seen in a number of different contexts ... but I mean, what a great project to be involved in. So, come on, here's the world's smallest violin, playing just for me."

If Wiley, 46, is on a mission to make sure he's remembered for a lot more, he seems well on his way. With shows currently on both U.S. coasts, another headed to Paris, and growing artistic bases in Africa, he truly seems to be everywhere all at once.

Just take the last few months. In March, he was in San Francisco for the U.S premiere of "Kehinde Wiley: An Archaeology of Silence" at the de Young Museum, a powerful display of massive paintings and sculptures exploring anti-Black violence in a global context. The museum has set up dedicated spaces for attendees who need a breather from the intensity of the show, which runs until Oct. 15.

Meanwhile, at the Sean Kelly gallery in New York, he's just opened "HAVANA," running through June 17, focusing on circus performers and carnival street dancers in Cuba.

In between, he was in Africa, where he's been doing y from negotiating prices with vendors to selecting stone for the floors while building his second artist residency campus on the continent, Black Rock Nigeria, in Calabar (the first is in Senegal).

Wiley is also at work on a new portrait show on Black heads of state at the Musée du Quai Branly in Paris, scheduled for September.

With homes in Senegal, Nigeria, New York City and the Catskills, plus a studio in Brooklyn, not to mention roots in his native Los Angeles — including his mother and twin brother — Wiley is not an easy man to pin down for an interview. But he was generous with his time — and anecdotes — as he recently showed The Associated Press around "HAVANA." Later that night, a passerby peering into the gallery would have seen the airy space packed to the gills with admirers for an opening reception.

Wiley had just returned from Ethiopia, and before that Nigeria. The rhythm of his travels, he says, goes like this: "You'll be on the road working on something and you'll be in some amazing place and there's a couple of down days, and then you're (again) in some extraordinary part of the world. I guess work and play are all kind of intertwined. But I'm also incredibly hungry for new experiences."

Wiley's projects often overlap and intersect over a number of years. His current Cuba show stems from two visits there, in 2015 and in 2022.

It features new paintings, works on paper and a three-screen film downstairs, exploring the phenomenon of the "carnivalesque." On this particular day, with the opening only hours away, he was still actively discussing changing the font for the film's subtitles.

During his 2015 visit, Wiley visited the Escuela Nacional de Circo Cuba — a circus school. He became intrigued by the idea of "not fully formed technicians, this metaphor of not quite being quite perfect at creating magic." During his second visit, he met with performers from Raices Profundas, a nearly 50-year-old dance ensemble that performs in the Yoruba tradition.

Just like Obama's portrait features, in its background, flowers from places of significance in the president's life, the backgrounds of the Cuba paintings are comprised of "things from Africa that found their way to the Americas like sugar cane, yams, cola nut, okra ... All of these fit into the narrative of African presence in the Americas."

Wiley's method of working has been much discussed — he has studio assistants work on the backgrounds, and then he comes in to execute the figure, or figures. There are variations, though, "moments when I'm super excited about doing that figure and the crew is already working on something else, so I'll just go ahead and they'll catch up with me. Now that I've got studios all over the place, you can swing it both ways."

This gallery show is more intimate than his massive show in San Francisco, which has drawn significant attendance, museum officials say. In that show, portraits of young Black people in positions of rest (or in some interpretations, death) inhabit settings that recall famous artworks of the Western world. On the

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 66 of 81

audio track, one of the most moving sections is commentary from Wanda Johnson, the mother of Oscar Grant, who was killed by police at a BART station in Oakland in 2009.

Museumgoer La Tanya Carmical, 66, of Castro Valley, was struck by that commentary, particularly "the tragedy in her voice." Carmical took a Friday in March to see the show, where she spent four hours. She was particularly moved by an image of a man laying on rocks.

"For me it was the hands, the way they're positioned," she said. "I took a couple of pictures. And then (Wiley's) color — these are just beautifully colored, the skin tones. It's the hands, it's the color, it's the lighting."

The show is not only about anti-Black violence in the United States.

"It's a story of anti-Blackness globally," says Abram Jackson, director of interpretation at the de Young. "It's not limited to a particular country or region. There's a universality to the ways in which Black people have been mistreated and the violence that has happened to us from colonialism forward."

For this show, models were found in Senegal, Jackson says. The way Wiley chooses his models depends on the project —sometimes he recruits them on the streets, whereas in Cuba it took research and outreach. Does he remember everyone? The artist laughs.

"That's a lot to ask," he notes, standing amid his Cuba portraits. "But yeah, certain people stand out." He points to a woman in yellow, a street dancer.

"I remember her being much more timid in her self-presentation, but then this radical transformation happening when she was onstage," he says. When a visitor says she looks wary, he notes that "a lot of it is direction, right? There's me telling them what to do, and there's how every human being is going to respond. Portraiture in some ways reveals how different people respond to the same direction."

Which brings us back to Obama.

When Wiley was photographing the former president, the artist did what he always does: He directed. "Turn this way." "Look here."

But Obama soon grew impatient. "I'm trying to box him into this set of formulaic poses," Wiley says, "and he's like, 'You know what? Stop. Let me take care of this.' And the pose that you see him in, is when he starts to take over. And there's a fluidity to the photo shoot."

"And when I got to the editing," the artist chuckles, "it was like, 'Yeah. I should have just let him handle it!"

#### Cartier uses images of Amazon tribe devastated by illegal gold mining. Critics call that hypocrisy

By FABIANO MAISONNAVE Associated Press

BOA VISTA, Brazil (AP) — Until two months ago, Cartier's website showed Yanomami children playing in a green field.

The French luxury jewelry brand said it was working to promote the culture of the Indigenous people and protect the rainforest where they live, in a vast territory straddling Brazil and Venezuela. But the project that the site described protecting the Amazon never took place. And Cartier published the photo without the approval of Yanomami leadership, violating the beliefs of a people who had been living in almost total isolation until they were contacted by outsiders in the 1970s.

Some of the Yanomami and their defenders praise Cartier's promotion of Yanomami causes. However, advertising by one of the world's biggest jewelers with images of an Indigenous people devastated by illegal gold mining has some complaining of greenwashing, a corporation promoting its own image by supporting a cause.

"How can a gold jewelry company, which we, the Yanomami people, are against, use the image of the Yanomami?" asked Júnior Hekurari, a member of the Indigenous group and head of the Yanomami's health council.

Disease, killing and prostitution, fueled by the drugs and alcohol imported by thousands of illegal gold miners, have devastated traditional Yanomami life, and 570 Yanomami children died from malnutrition, diarrhea, and malaria between 2019 and 2022, according to Brazilian statistics. The poisonous mercury

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 67 of 81

used in illegal mining causes birth defects and ravages ecosystems.

Cartier says it does not buy illegally mined gold, but Yanomami leaders have urged people not to buy gold jewelry at all, regardless of its source, because demand for the precious metal drives gold prices up and draws miners into their territory.

Cartier and other jewelry brands that are part of the Swiss conglomerate Richemont had combined sales of 11 billion euros (\$11.7 billion) in the fiscal year ending March 31, 2022, according to its annual report. Some of the pieces advertised on its U.S. website cost as much as \$341,000.

Cartier's connection to the roughly 40,000 Yanomami goes back 20 years, primarily through Fondation Cartier, a corporate philanthropy created and funded by the company in 1984.

In the past, few Yanomami or their advocates have publicly criticized Cartier or the foundation, but a growing number have begun expressing concerns.

Cartier's foundation recently sponsored a finely curated exhibit displaying photographs of Yanomami, along with works by Indigenous artists, in an elegant non-profit Manhattan arts center. The exhibit, previously in Paris, was praised by outlets ranging from The New York Times to Luxury Daily, an influential industry publication whose headline read, "Fondation Cartier continues push for indigenous justice through art sponsorship."

Barbara Navarro, a French multimedia artist, saw something very different, as did several other artists, including some Yanomami.

In the multimedia show "Pas de Cartier," or "Not Cartier," in the village of Nemours, France, Navarro and others critique the luxury brand and the devastation caused by illegal miners in an exhibit that includes sculptures and drawings. In one photo montage, a large gold mine surrounded by the Amazon forest is seen next to a Cartier store.

"The Yanomami are paying the price with their health and their very lives for our society's relentless avidity for gold," said Navarro. "For Cartier, sponsorship of the Yanomami represents an opportunity to burnish their brand."

For many Indigenous groups, a corporation or philanthropy using a photo of them requires formal permission, which Hekurari gave The Associated Press to show how Cartier used their image. The photo of the children on the Cartier website violated the Yanomami's right to prior, free, and informed consent, according to the Roraima Indigenous Council, a grassroots umbrella organization, citing the International Labour Organization's Convention 169 on Indigenous and Tribal Peoples, which Brazil signed.

Hekurari said his people need international cooperation but his organization would never accept money from a jewelry company.

In his trips along the Yanomami territory, an area the size of Portugal, the Yanomami leader has encountered scores of skeletal children in communities under siege by thousands of illegal miners. In March, his organization, Urihi, launched an online campaign to raise awareness against the gold trade and in a video the Yanomami leader calls on Oscar winners to replace the famous gold-plated statuettes with wooden figures of Omama, a mythical entity.

"When someone buys gold in a jewelry store, he is financing more invasions to destroy Indigenous lands," he said. "It is not just a matter of extracting gold. It is a matter of reaping lives."

Cartier declined to comment on the Yanomami's appeal for people to stop buying gold jewelry but, when contacted by AP in late March, Cartier removed the picture and the project description. Funds had been allocated to a forest-preservation project but ended up being used to acquire medical equipment to fight COVID-19 among the Yanomami, the company said. A donation worth \$74,200 was made in June 2020.

The inaccurate description "was a regrettable oversight on our part, and it was addressed immediately after it was brought to our attention," the company said.

But the problem is bigger than poor image choices, many say. Dário Kopenawa, vice-president of the Hutukara Yanomami Association, said he believes that, "anyone who buys a gold ring is part of the crime."

Cartier and its foundation describe their relationship as arms-length. Kopenawa also made a distinction between Cartier and its namesake foundation.

"We know that Cartier buys gold all over the world ... but the foundation is different. It is another coor-

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 68 of 81

dinator, another branch. It supports the protection of the Yanomami," he said.

In February, Kopenawa even flew to New York to attend "Yanomami Struggle - Art and Activism in the Amazon," the exhibit sponsored by the Fondation Cartier with photographic portraits of Indigenous people alongside works by Yanomami artists. Kopenawa and other Yanomami participated in the opening ceremony, with U.N. Secretary-General Antonio Guterres among the guests.

Fondation Cartier has a collection of nearly 2,000 works at its Paris headquarters. The foundation "is run by an independent dedicated team of professionals from the art world in charge of defining and implementing the artistic program," it said.

The foundation is led by Alain Dominique Perrin, a prominent figure in the luxury industry who previously served as Richemont's top executive. In a 2018 interview with French business magazine Entreprendre, he emphasized the corporate value of arts patronage.

"Patronage is similar to sponsorship: You help an artist to exhibit, to gain recognition and to develop, but in return, the Fondation receives praise from the press, the media and social networks, which necessarily benefits the company," he said.

The foundation, "will become a focal point for the management and the image of the Cartier brand," Richemont wrote in its 1994 annual report, when the headquarters was inaugurated with 12,000 square feet of exhibition space.

French anthropologist Bruce Albert has been engaged with the Yanomami for decades, participating in a campaign in the 1990s that secured the tribe's land demarcation. He connected Fondation Cartier with the Yanomami in 2003. That year, Albert curated the first photo and art exhibit about the Yanomami sponsored by the foundation.

In early February, Albert attended the opening ceremony of the New York exhibition after working on it as a paid consultant, together with Kopenawa and Yanomami artists.

Responding to questions in writing, Albert in February praised Fondation Cartier as independent, and said better control from Brazilian authorities would be more efficient than a gold boycott. Still, Albert criticized the use of the image on Cartier's website, saying by email in April that the Yanomami hadn't granted permission for its use, and the jeweler wasn't funding any reforestation projects.

When it comes to acquiring gold, Cartier says the vast majority is purchased recycled and the company conforms to standards of the Responsible Jewelry Council, which describes itself as the world's leading sustainability standard-setting organization for the jewelry and watch industry.

With gold, however, it is next to impossible to prove provenance, as much illegal material seeps into global supply chains. And Yanomami leaders have made clear that they believe that gold is at the root of the group's troubles.

"Is there a responsibility in the purchase of this gold?" Ivo Makuxi, the lawyer from the Indigenous council, asked about Cartier's role in an industry that has hurt the Yanomami. "Does the company respect the Indigenous rights?"

Associated Press climate and environmental coverage receives support from several private foundations. See more about AP's climate initiative here. The AP is solely responsible for all content.

#### Oakland A's reach agreement for potential stadium site on Las Vegas Strip

By MARK ANDERSON AP Sports Writer

LÁS VEGAS (AP) — The Oakland Athletics have reached an agreement with Bally's and Gaming & Leisure Properties to build a potential stadium on the Tropicana hotel site along the Las Vegas Strip.

Bally's Corp. made the announcement Monday for a 30,000-seat stadium on the 35-acre site. The project is expected to cost about \$1.5 billion, and the A's are asking for nearly \$400 million in public support from the Nevada Legislature, which could vote on a proposal this week.

The A's previously previously signed an agreement to build a stadium also on Tropicana Avenue but on

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 69 of 81

the other side of Interstate 15 that runs alongside the Strip. They were expected to ask the Legislature for \$500 million in public funds for the 49-acre site that would have included much more than a stadium.

The new agreement is a scaled-down proposal but the location is in closer walking distance for fans who are staying in hotels on the south end of the Strip."We are excited about the potential to bring Major League Baseball to this iconic location," A's President Dave Kaval said in a statement. "We are thrilled to work alongside Bally's and GLPI, and look forward to finalizing plans to bring the Athletics to Southern Nevada."

Kaval has said he hopes to break ground on a new ballpark next year and open the venue in time for the 2027 season. The A's have a lease at Oakland Coliseum through 2024, and they could play the 2025 and '26 seasons at Las Vegas Ballpark, home to their Triple-A affiliate Aviators.

The Tropicana opened in 1957 and in its heyday drew such A-listers as Sammy Davis Jr. Now the Trop is overshadowed by nearby megaresorts such as the MGM Grand, New York-New York and Mandalay Bay, and soon it likely will meet the fate of so many other historic Las Vegas hotels that are no longer around.

"We are honored to have been selected to partner with the Oakland Athletics on this monumental step in helping to bring Major League Baseball to the great city of Las Vegas, and to be a part of the once-ina-generation opportunity of having a professional baseball team located within a short walk of the Las Vegas Strip," Bally's President George Papanier said in a statement. "The Tropicana has been a landmark of Las Vegas for generations, and this development will enhance this iconic site for generations to come."

The A's had been looking for a new home for years to replace the outdated and run-down Oakland Coliseum, where the team has played since arriving from Kansas City for the 1968 season. It is averaging less than 9,500 fans at home this season, by far the lowest among the 30 teams.

The team had been in negotiations with the city of Oakland to build a stadium on the waterfront but switched the focus entirely to Las Vegas last month. The A's exclusive negotiating rights deal with the Port of Oakland for the Howard Terminal site expired last Friday, allowing the port to negotiate with other parties interested in using the downtown site.

On Friday, the A's also reached a deal with the Culinary Union, a politically powerful Nevada union that represents more than 60,000 workers mostly in the Las Vegas area, which guarantees that A's workers have the right to organize and negotiate union contracts.

"We hope there will be a path forward for all stakeholders so the Las Vegas A's can join the Las Vegas Golden Knights and the Las Vegas Raiders to continue this transformation as Las Vegas, the entertainment capital of the world, also becomes the sporting capital of the world," Culinary Union secretary-treasurer Ted Pappageorge said in a statement.

Associated Press/Report for America writer Gabe Stern and AP Sports Writer Josh Dubow contributed to this report.

AP MLB: https://apnews.com/hub/mlb and https://twitter.com/AP\_Sports

### 3M fires company executive for inappropriate conduct weeks after promotion

WASHINGTON (AP) — 3M has fired prominent company executive Michael Vale due to "inappropriate personal conduct and violation of company policy," the maker of Post-it notes, industrial coatings and ceramics announced on Monday.

Vale was promoted to group president and chief business and country officer just last month. Vale worked at 3M for more than 30 years, according to an April 25 press release announcing his promotion, which said he would report to Chairman and CEO Mike Roman.

The St. Paul, Minnesota-based company said that Vale was terminated on Friday. 3M did not specify many details surrounding the executive's termination but noted that his inappropriate conduct and violation of policy was "unrelated to the company's operations and financial performance."

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 70 of 81

According to 3M's Monday announcement, the company took "immediate action" after verifying the violation.

3M has initated a search to find a replacement for Vale, the company said.

When contacted by The Associated Press on Monday, 3M declined to comment further.

Vale's termination arrives just weeks after 3M announced that the company would be cutting thousands of jobs as part of restructing actions.

When announcing first-quarter results in April, 3M said that these actions were expected to impact about 6,000 positions worldwide, in addition to the reduction of 2,500 manufacturing roles announced in January. For the first quarter, 3M reported earnings of \$1.76 per share. Sales totaled \$8 billion for the period.

#### Native Americans demand accountability for ancestral remains identified at Dartmouth College

By MICHAEL CASEY Associated Press

BOSTON (AP) — As a citizen of the Quapaw Nation, Ahnili Johnson-Jennings has always seen Dartmouth College as the university for Native American students.

Her father graduated from the school, founded in 1769 to educate Native Americans, and she had come to rely on its network of students, professors and administrators. But news that the Ivy League school in New Hampshire identified partial skeletal remains of 15 Native Americans in one of its collections has Johnson-Jennings and others reassessing that relationship.

"It's hard to reconcile. It's hard to see the college in this old way where they were taking Native remains and using them for their own benefit," said Johnson-Jennings, a senior and co-president of Native Americans at Dartmouth.

The remains were used to teach a class as recently as last year, until an audit concluded they had been wrongly catalogued as not Native. Native American students were briefed on the discovery in March.

"It was very upsetting to hear, especially when you've just felt so supported by a school and they've had that secret that maybe no one knew about, but still, to some sense, was a secret," Johnson-Jennings said.

Dartmouth is among a growing list of universities, museums and other institutions wrestling with how best to handle Native American remains and artifacts in their collections, and with what these discoveries say about their past policies regarding Native communities.

Until the 20th century, archeologists, anthropologists, collectors and curiosity seekers took Native remains and sacred objects during expeditions on tribal lands. Some remains, including Native skulls, were sought after in the name of science. Bodies were collected by government agencies after battles with tribes. Museums wanted them to enhance their collections, and academic institutions relied on Native bones as teaching tools.

"One-hundred years ago, it was OK for a professor, for an alumni to go into the lands of a Native community and dig up their ancestors," said professor Jeremy DeSilva, a paleoanthropologist and chairman of Dartmouth's anthropology department.

"It's amazing that folks didn't recognize how harmful that was," he continued.

For Native tribes, the loss of the remains and cultural items still inflicts significant pain. The remains, most believe, are imbued with the spirit of the ancestor to whom they belong and are connected to living citizens of those tribes.

Tribes could go to court or negotiate with an institution for remains to be repatriated. But it wasn't until the Native American Graves Protection and Repatriation Act, or NAGPRA, in 1990 that a process was created for their return. It requires federally funded institutions, including universities, to return remains and funerary items to rightful communities.

More than three decades later, some 884,000 Native American artifacts — including nearly 102,000 human remains — are still held by colleges, museums and other institutions, according to data maintained by the National Park Service.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 71 of 81

Critics complain that many institutions move too slowly, invoking an exception in NAGPRA for remains they label as culturally unidentifiable. That puts the burden on tribes to prove the remains are their ancestors, an expense many can't afford.

Dartmouth has repatriated skeletal remains of 10 Native Americans along with 36 burial objects since 1995. The NAGPRA database says the 15 sets of skeletal remains and 46 "associated funerary objects" were taken from counties in Alaska, Arizona, New Mexico, Colorado, California and Florida. It lists the geographic origin of two sets of remains as unknown.

In February, Cornell University returned to the Oneida Indian Nation ancestral remains that were inadvertently dug up in 1964 and stored for decades in a school archive. Colgate University in November returned more than 1,500 items that the Oneidas had buried with their dead as far back as 400 years ago.

"It is hard to overstate the importance of repatriations to the Oneida people," said Ray Halbritter, Oneida Indian Nation Representative.

"When our ancestors' remains and their cultural artifacts are restored to us, we are not only able to lay them to rest according to our traditions — we regain nothing less than the history of our people and the ability to tell our own stories," Halbritter's statement said. "Each repatriation represents another step forward on a long journey toward recognition of our sovereignty as a Nation and our dignity as people."

The University of California, Berkeley tops the list of institutions still holding artifacts, according to the Park Service; followed closely by the Ohio History Connection, a nonprofit organization working to preserve the state's history; and Harvard University's Peabody Museum of Archaeology and Ethnology.

The process of returning remains to affiliated tribes can be complex and complicated, but Shannon O'Loughlin, chief executive of the Association on American Indian Affairs, a national group that assists tribes with repatriations, said it's racist to refuse.

"It just says that they value the idea of Native Americans as specimens more than they do as human beings," said O'Loughlin, a citizen of the Choctaw Nation of Oklahoma.

The remains held in Dartmouth's teaching collection in Silsby Hall were identified as Native in November in an audit led by Jami Powell, curator of Indigenous art at Dartmouth's Hood Museum.

The bones have been moved from locked cabinet in the basement to a secure off-campus location. Dartmouth has hired a team of independent experts to determine their origin, a review that will take months.

It also is studying an additional 100 bones that may be Native American and working with tribes to repatriate additional bone fragments related to three individuals whose remains were repatriated in the 1990s.

"For me as an Indigenous person, it's always important in my work that I treat these ancestors with the utmost care and respect and that an essential part of my function is helping them return home," said Powell, a citizen of the Osage nation.

Dartmouth President Philip Hanlon said in March that he's "deeply saddened by what we've found on our campus." His statement apologized for the college's wrongful possession of the remains and pledged "to take careful and meaningful action to address our situation and consult with the communities most directly impacted."

The Department of Anthropology's teaching collection is believed to have included bones purchased from biological supply companies; from donated cadavers used by medical students; and archeological remains, some of which came from Native American burial mounds and were given by alumni.

Until November, Dartmouth officials said they had believed Native American bones had been removed from the school in the 1990s.

"Nobody had really taken the time or the effort to fully document what we had. This was around a time where our whole discipline was beginning to reflect a little more deeply on what it meant to be in the care of, or caring for human remains," said DeSilva, the anthropology department's chairman.

DeSilva acknowledged mistakes in documenting Native American remains, but said they weren't malicious, and no one was to blame. He said he hopes the most recent discovery will force a reckoning over past practices.

The college is now reevaluating its whole collection of human remains and plans to "build an ethically

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 72 of 81

sourced collection that complies with legal standards" to be used in osteology — the study of bones and skeletal systems, DeSilva said.

The college is also working to repair its relationship with Native students and alumni. That includes accommodating Native students uncomfortable going into Silsby, A Navaio medicine man aso held a cleansing ceremony on campus that included the anthropology building.

Native Americans now represent about 1% of Dartmouth's 4,458 students. Though the school was formed to teach Native Americans, it wasn't until 1972 that Dartmouth created a program tailored to them, one of the first in the country. Still, symbols of insensitivity lingered on campus, including a set of murals that the school said it would move into storage in 2018.

Shawn Attakai, co-president of the Native American Alumni Association of Dartmouth, said he's disappointed about the discovery, and sad that some of the remains could be from his own Navajo Nation, where he is a tribal lawyer.

"Native Americans have a history of injustices in this country starting from it's founding all the way to the present," said Attakai.

Johnson-Jennings appreciates the efforts, but said justice requires a person or entity to be held accountable. Allowing the remains to be mislabeled for so long, she said, "is a mistake that us Natives are paying for, the tribes that those ancestors belong to are paying for."

#### Repelled by high car prices, Americans are holding on to their vehicles longer than ever

By TOM KRISHER AP Auto Writer

ANN ARBOR, Mich. (AP) — With new and used cars still painfully expensive, Ryan Holdsworth says he plans to keep his 9-year-old Chevy Cruze for at least four more years. Limiting his car payments and his overall debt is a bigger priority for him than having a new vehicle.

A 35-year-old grocery store worker from Grand Rapids, Michigan, Holdsworth would probably be in the market for a vehicle within a few years — if not for the high cost. For now, it's out of the question.

"You're not going to get one for a price you can afford," he said.

Holdsworth has plenty of company. Americans are keeping their cars longer than ever. The average age of a passenger vehicle on the road hit a record 12.5 years this year, according to data gathered by S&P Global Mobility. Sedans like Holdsworth's are even older, on average — 13.6 years.

Blame it mainly on the pandemic, which in 2020 triggered a global shortage of automotive computer chips, the vital component that runs everything from radios to gas pedals to transmissions. The shortage drastically slowed global assembly lines, making new vehicles scarce on dealer lots just when consumers were increasingly eager to buy.

Prices reached record highs. And though they've eased somewhat, the cost of a vehicle still feels punishingly expensive to many Americans, especially when coupled with now much-higher loan rates.

Since the pandemic struck three years ago, the average new vehicle has rocketed 24% to nearly \$48,000 as of April, according to Edmunds.com. Typical loan rates on new-car purchases have ballooned to 7%, a consequence of the Federal Reserve's aggressive streak of interest rate hikes to fight inflation.

It's all pushed the national average monthly auto loan payment to \$729 — prohibitively high for many. Experts say a family earning the median U.S. household income can no longer afford the average new car payment and still cover such necessities as housing, food and utilities.

Used vehicle prices, on average, have surged even more since the pandemic hit — up 40%, to nearly \$29,000. With an average loan rate having reached 11%, the typical monthly used-vehicle payment is now \$563.

Faced with deciding between making a jumbo payment and keeping their existing vehicles, more owners are choosing to stick with what they have, even if it means spending more on repairs and maintenance.

Auto mechanics have been struck by the rising ages and mileages of vehicles that now arrive at the shop

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 73 of 81

in numbers they'd never seen before.

"You see cars all the time in here with 250,000, 300,000 miles," said Jay Nuber, owner of Japanese Auto Professional Service, a repair garage near downtown Ann Arbor, Michigan. "They haven't been really having major work or anything. They've just been doing the (routine) service."

It doesn't mean that most owners of older vehicles are necessarily stuck with constant repair bills. One reason people can hold their vehicles for increasingly long periods is that auto manufacturing has improved over time. Engines run longer. Bodies don't rust as quickly. Components last longer.

Yet the cost of buying either a new or used vehicle is leaving more people with essentially no choice but to keep the one they have.

"The repair-versus-buy equation changed," said Todd Campau, an associate director with S&P. Even with rising repair costs, Campau said, it's still typically more cost-effective to fix an older vehicle than to spring for a purchase.

The average vehicle age, which has been edging up since 2019, accelerated this year by a substantial three months. And while 12.5 years is the average, Campau noted, more vehicles are staying on the road for 20 years or more, sometimes with three or four successive owners.

In such cases, the third or fourth owner is getting a much older car than they would have in the past. Nearly 122 million vehicles on the road are more than a dozen years old, Campau said. S&P predicts that the number of older vehicles will keep growing until at least 2028.

Even with more durable vehicles able to last longer, all of this has created a boom time for auto shops. Through most of last year, Nuber's Japanese Auto was overwhelmed with customers. It took up to three weeks to get an appointment, whether for repairs or the routine maintenance that older vehicles, in particular, require.

"The phone just kept ringing, and the cars just kept coming," Nuber said.

It's now at the point where some vehicle owners must decide whether to pay for a repair that costs more than their vehicle is worth. That's where many of them draw the line, said Dave Weber, manager at Japanese Auto.

On Friday, Weber said, one customer needed rear brakes, wheel bearings and exhaust system repairs. The customer decided to do only half the repairs and wait until later to decide whether to sink more money into the aging vehicle.

"They patch them up and drive them for however long, until the next major repair," Weber said.

S&P predicts that U.S. new vehicle sales will reach 14.5 million this year, from about 13.9 million last year. A big reason is that the supply at dealerships is finally growing. Automakers have also begun to restore some discounts that had long helped keep a lid on prices. The result is that many people who can afford to buy can now do so. It's a trend that could slow the advancing age of the U.S. fleet and boost overall sales.

Still, no one is predicting a return to pre-pandemic annual sales of around 17 million anytime soon. Even with discounts, new-vehicle prices are likely to stay much higher than pre-pandemic levels for years to come.

As for Holdsworth, the Chevy Cruze owner, he plans to keep up with the scheduled maintenance on his car, especially routine oil changes. Even if he encountered a major repair, he thinks he'd probably pay for it.

Having bought his vehicle two years ago, Holdsworth has about two years of payments left. So his Cruze, too, may reach the 12.5-year-old national average.

"I'll finish paying it off," he said, "and drive it for a couple more years."

#### What you need to know about a glass cliff and why it could put Twitter's new CEO in danger

By BARBARA ORTUTAY AP Technology Writer

Less than two months into his \$44 billion purchase of Twitter, Elon Musk declared that whoever took over as the company's CEO " must like pain a lot." Then he promised he'd step down as soon as he found a replacement "foolish enough" to want the job.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 74 of 81

That person, Musk announced Friday, is Linda Yaccarino, a highly-regarded advertising executive from NBCUniversal. She'll start in six weeks. How long she'll last might depend on her pain tolerance.

When Musk tweeted on Thursday that he's found a new CEO but didn't say who, one word stuck out: "she." Some of his more extreme Twitter followers took immediate issue with the new CEO's gender, but the fact that Musk hired a woman is actually notable simply because it is so rare — in business overall and especially in the tech industry — to see female chief executives.

Her appointment renewed questions about the "glass cliff," a theory that women — as well as underrepresented minorities — are more likely to be hired for leadership jobs when there's a crisis, which sets them up for failure. The term was coined in 2005 by University of Exeter professors Michelle Ryan and Alex Haslam, and there have been plenty of famous examples since then, from Yahoo's Marissa Mayer to the U.K.'s Theresa May.

#### Could Yaccarino be headed toward it?

"Her credentials are impeccable and she's been extremely successful so far. But she's also been in settings where her success was achievable," said Jo-Ellen Pozner, a business professor at Santa Clara University who studies corporate governance. "I mean no disrespect to her or to diminish her in the least. I just think that this is an impossible situation for basically anybody."

Whether or not she succeeds depends in part on how much Musk is willing to step back from Twitter's day-to-day operations. The Tesla and SpaceX CEO said he will continue to serve as Twitter's executive chairman — Yaccarino's boss — as well as its chief technology officer, reporting to her. He added that Yaccarino "will focus primarily on business operations."

From the moment Yaccarino's name was confirmed, advertising industry experts hailed the decision as a good one — perhaps the only one — to steer Twitter toward stability and profitability. Yaccarino oversaw NBCUniversal's market strategy and advertising revenue for its broadcast, cable and digital assets, which totaled nearly \$10 billion. In comparison, Twitter's final quarterly revenue as a public company, reported in July, was just \$1.17 billion.

"She is exactly what Twitter needs to start rebuilding advertiser trust, bring back big advertisers and really start improving Twitter's ad business," said Jasmine Enberg, an analyst at Insider Intelligence who follows Twitter. "That said, there are still a lot of challenges and Yaccarino is going to have her hands full from day one."

Musk's tenure at Twitter's helm has been chaotic at best. He began his first day firing the company's top executives, followed by roughly 80% of its staff. This has meant that Twitter has far fewer engineers to ensure that the site is running smoothly and far fewer content moderators to help rid it of hate speech, animal cruelty and graphic violence.

He's upended the platform's verification system and has scaled back safeguards against the spread of misinformation. It's been some of these changes — along with Musk's own penchant for spreading misinformation and engaging with prominent conspiracy theorists and far-right figures — that analysts say soured many advertisers on the platform.

"Elon Musk has been telling us for months repeatedly that Twitter's problems are the result of advertisers pulling away. But that's not the source of his problems. Advertisers pulling away are a symptom of the problems at Twitter. He's created chaos. He's eliminated internal controls. He's eliminated critical functions like content moderation. He's made the user experience very unpredictable. He's allowed dangerous voices to flourish," Pozner said. "Nobody — man, woman, alien — is going to be able to right this ship given these circumstances."

The glass cliff theory holds up in business as well as politics, and, according to a 2011 Harvard Business Review report, "does not seem to apply to organizations with a history of female leaders."

Twitter, like most tech companies, does not have a strong history of female leaders. Its founders were all men, as were all five of its CEOs, including Musk. While female chief executives are rare across industries, they are exceptionally rare in tech. Of the 340 CEOs in a recent survey of S&P 500 companies, 18 were women, up from 16 in 2020. In tech, prominent female CEOs include Oracle's Safra Catz and chipmaker

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 75 of 81

#### AMD's Lisa Su.

Yaccarino seems ready to go head-to-head with Musk, though it's not clear how that'll play out. In a recent on-stage interview with him, she asked Musk if he could commit to not tweeting after 3 a.m. Agreeing that he's "gotten myself in trouble a few times" with late night/early morning tweets, he responded with a noncommittal "I will aspire to tweet less at 3 a.m."

She also asked Musk if he's open to let advertisers "influence" his vision for Twitter, in "product development, ad safety, content moderation" so they could get more excited about investing in the platform. Musk guickly shut her down.

"It's totally cool to say that you want to have your advertising appear in certain places in Twitter and not in other places, but it is not cool to to try to say what Twitter will do," he said. "And if that means losing advertising dollars, we lose it. But freedom of speech is paramount."

Regaining advertisers' trust will require stabilizing Twitter and ensuring that key product decisions are made thoughtfully and deliberately and not, as Musk has often been known to do, on the spur of the moment, inspired by a fan's tweet or a passing thought. Industry insiders describe Yaccarino as extremely capable, with a proven track record and impressive resume.

But if she's to succeed on the business side, she'll need Musk's buy-in on the product side.

"It is really debatable whether or not he's going to hand the reins over entirely to Yaccarino," Enberg said "And a lot of Twitter's success from here on out really depends on what he decides in terms of that."

### Photos, video of Belarus leader emerge after days of absences that sparked health rumors

By YURAS KARMANAU Associated Press

TÁLLINN, Estonia (AP) — For nearly a week, the whereabouts of Belarus' authoritarian leader Alexander Lukashenko have been a mystery.

The 68-year-old was seen at a May 9 Victory Day parade in Moscow's Red Square, looking pale and bloated, and he skipped a celebratory breakfast in the Kremlin to fly home. Later that day, he appeared at similar event in his capital of Minsk to mark the victory over Nazi Germany in World War II, but then skipped other scheduled appearances for days, feeding speculation on social media about his health.

On Monday, the state news agency Belta reported Lukashenko inspected an air force installation. A photo posted to the presidential website showed him standing stiffly in a military jacket, taking a salute from an officer, while another showed him sitting at a command post desk. A video of Lukashenko speaking to the military later appeared in a Telegram channel with ties to the presidential press service.

The intent of the media was clear -- to dispel rumors and reports that Lukashenko was seriously ill — but they also raised some new questions.

A bandage appeared on his left hand, similar to one that was seen on his right hand at the Kremlin last week. In the video, Lukashenko speaks to the officers in an unusually hoarse and weak voice, sometimes pausing between words.

The man who has ruled Belarus with an iron fist for nearly three decades has been a close ally of Russian President Vladimir Putin, allowing the Kremlin to use his country as a staging ground for its war in neighboring Ukraine, although he has stopped short of committing his troops to the conflict.

Lukashenko is the only foreign leader to regularly meet with Putin since the invasion began in February 2022, meeting 14 times.

Their last get-together was at the May 9 parade in Moscow. He sat near Putin amid elderly veterans with medals as well as other leaders of neighboring states in the Kremlin's effort to show that Russia was not completely isolated amid the war in Ukraine.

On photos and video from Moscow, though, Lukashenko looked tired. After the parade, he was absent from a short walk by the leaders of about 300 meters (yards) from Red Square to the Tomb of the Unknown Soldier, where they laid flowers. Media reports said Lukashenko rode to the memorial on an electric cart.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 76 of 81

He then skipped a Putin-hosted breakfast and flew home for the Victory Day ceremony in Minsk, although he failed to make a speech for the first time in years, delegating it to his defense minister.

Since then, he has canceled a government meeting on corruption and then, for the first time in years, failed to show at an important state holiday — Sunday's celebration of Flag Day. Prime Minister Roman Golovchenko read an address on his behalf.

Then came Monday's state news report on his appearance at the central command post of the Belarusian air force, although there was no explanation of his recent absences or report on his health.

At the command post, officers report to him that Belarus' air defenses have been on high alert since Saturday, when military aircraft went down in Russia. Lukashenko said the aircraft were "downed," but didn't elaborate.

Government officials have not commented on the unusual absence of Lukashenko, who typically appears at events and meetings almost daily, giving long, flamboyant speeches. The barrel-chested leader is often shown playing ice hockey or working in his vegetable garden.

Pavel Latushka, a former government official turned opposition activist, cited unidentified government sources as saying Lukashenko is suffering from a viral infection with a complication of myocarditis — an inflammation of the heart muscle.

Another report by the Belarusian independent news outlet Euroradio said Lukashenko was taken to an elite clinic in Minsk, with no details on his condition.

Neither of those reports could be independently verified.

Russian lawmaker Konstantin Zatulin told Russian media Sunday that Lukashenko "has simply fallen ill." "There is nothing supernatural there, it's not COVID-19. The man has simply fallen ill," Zatulin was quoted by news outlets as saying. "Despite the fact that the man fell ill, he considered it his duty to come to Moscow (on May 9), and that same evening he was holding events in Minsk. He probably needs some rest, and that's it," Zatulin said.

Asked Monday about Lukashenko's health before the Belta news agency's dispatch, spokesman Dmitry Peskov urged reporters to "focus on official reports."

"There has been no official reports from Minsk. And we believe that it's very important to focus on official information," Peskov said.

Lukashenko, a former collective farm director, has led Belarus since 1994, stifling any dissent with brutal repressions. The country's Soviet-style economy for decades has relied heavily on cheap Russian energy and loans Moscow generously granted multiple times.

In August 2020, after he won a sixth consecutive term in an election that was widely denounced as rigged, there were months of unprecedented protests in the country. The government responded with a violent crackdown, arresting over 35,000 people, with thousands beaten while in custody. Scores of independent media organizations and rights groups have been shut down, activists fled the country, and Lukashenko's government was hit with crippling sanctions by the U.S. and the European Union.

Putin supported Lukashenko in suppressing the demonstrations, and in return, the Belarusian leader threw his weight behind Moscow's invasion of Ukraine.

Opposition figures and analysts warn that a serious illness involving Lukashenko could destabilize Belarus. Exiled opposition leader Sviatlana Tsikhanouskaya warned that "in countries where dictatorship reigns, the entire system starts to collapse when a leader disappears."

"There are many different rumors about the health of dictator Lukashenko, and for us it means only one thing — we need to be well-prepared for any scenario," Tsikhanouskaya told The Associated Press in written comments Monday.

Independent political analyst Valery Karbalevich said that "hiding information about the health of the leader doesn't calm the situation down. It instead kicks off an avalanche of rumors and diagnoses — from poisoning to cancer."

"Lukashneko is getting old and starts to get sick, and for a personalist regime, it becomes a serious factor for destabilizing the entire system, which begins to shudder and crumble," Karbalevich said.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 77 of 81

### After school shooting, Tennessee governor signs bill to shield gun firms further against lawsuits

By JONATHAN MATTISE Associated Press

NASHVILLE, Tenn. (AP) — Tennessee Gov. Bill Lee has signed off on additional protections for gun and ammunition dealers, manufacturers and sellers against lawsuits within a bill that lawmakers passed after a deadly school shooting in March.

The Republican governor quietly signed the legislation Thursday. Its provisions kick in on July 1.

The state Senate gave final passage to the bill in mid-April, just weeks after the March 27 shooting at The Covenant School in Nashville that killed six people, including three 9-year-olds. The House had passed it before the shooting.

Lee's choice to sign the bill comes as he keeps pushing for the same Republican lawmakers, who hold supermajorities in the House and Senate, to pass a proposal that aims to keep guns away from people who could harm themselves or others. Lee plans to call lawmakers back into an August special session that aims "to strengthen public safety and preserve constitutional rights" after they adjourned last month without taking up his "temporary mental health order of protection" proposal. His office hasn't released the parameters of what version of that proposal, or others, will be considered in the session yet.

The expansion of civil immunity for gun companies was hardly in doubt after lawmakers passed it. Lee has never issued a veto, which lawmakers would have the numbers to override. However, he occasionally has allowed bills to take effect without his signature to signal his concerns or disapproval of a policy.

Democratic lawmakers have blasted the move to prioritize legal protections to the gun industry in the wake of the shooting. Three Senate Republicans voted against the legislation, which came before them in the middle of weeks of public pressure, protests and marches to pass gun control reforms. Only Democrats opposed the bill in the House vote before the shooting.

"With regards to the law, the GOP supermajority is more focused on protecting firearms and manufacturers and dealers than protecting our children and communities," Rep. John Ray Clemmons, the House Democratic caucus chairman from Nashville, said in an interview Monday.

The bill's sponsor, Republican Sen. Joey Hensley from Hohenwald, said during a floor debate last month that his legislation doesn't prevent any other proposal from passing to make changes after the shooting. He said the bill aims to help out businesses in Tennessee's booming firearms industry.

The Tennessee bill spells out a half-dozen situations in which gun and ammo companies could be held civilly liable in Tennessee state courts, exempting others.

The firearm industry remains largely shielded from liability under federal law. Seventeen states do not have special immunity for the gun industry. Tennessee was already not one of those states before the bill's approval, according to Everytown for Gun Safety, a gun control advocacy group. In recent years, some states have moved in the opposite direction of Tennessee by rolling back legal protections for gun manufacturers and dealers.

Last year, Remington, the company that made the rifle used in the the 2012 Sandy Hook Elementary School massacre in Connecticut, settled with the families of those killed in the shooting for \$73 million. The families had accused the company of targeting younger, at-risk males in advertising and product placement in violent video games.

And in February, families of those killed and injured in a 2018 Texas high school shooting settled a lawsuit they filed against a Tennessee-based online retailer, Lucky Gunner, that was accused of illegally selling ammunition to the student who authorities say fatally shot 10 people. Some of the settlement specifics in the case in the Texas court system were kept confidential.

The owner of the company, Jordan Mollenhour, sits on the Tennessee State Board of Education. The company was accused of failing to verify Dimitrios Pagourtzis' age — he was 17, at the time — when he bought more than 100 rounds of ammunition on two occasions before the May 2018 shooting at Santa Fe High School.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 78 of 81

#### A Florida man living underwater won't resurface even after breaking the record

KEY LARGO, Fla. (AP) — A university professor broke a record for the longest time living underwater without depressurization this weekend at a Florida Keys lodge for scuba divers.

Joseph Dituri's 74th day residing in Jules' Undersea Lodge, situated at the bottom of a 30-foot-deep lagoon in Key Largo, wasn't much different than his previous days there since he submerged March 1.

Dituri, who also goes by the moniker "Dr. Deep Sea," ate a protein-heavy meal of eggs and salmon prepared using a microwave, exercised with resistance bands, did his daily pushups and took an hour-long nap. Unlike a submarine, the lodge does not use technology to adjust for the increased underwater pressure. The previous record of 73 days, two hours and 34 minutes was set by two Tennessee professors -- Bruce

Cantrell and Jessica Fain -- at the same location in 2014.

But Dituri isn't just settling for the record and resurfacing: He plans to stay at the lodge until June 9, when he reaches 100 days and completes an underwater mission dubbed Project Neptune 100.

The mission combines medical and ocean research along with educational outreach and was organized by the Marine Resources Development Foundation, owner of the habitat.

"The record is a small bump and I really appreciate it," said Dituri, a University of South Florida educator who holds a doctorate in biomedical engineering and is a retired U.S. Naval officer. "I'm honored to have it, but we still have more science to do."

His research includes daily experiments in physiology to monitor how the human body responds to longterm exposure to extreme pressure.

"The idea here is to populate the world's oceans, to take care of them by living in them and really treating them well," Dituri said.

The outreach portion of Dituri's mission includes conducting online classes and broadcast interviews from his digital studio beneath the sea. During the past 74 days, he has reached over 2,500 students through online classes in marine science and more with his regular biomedical engineering courses at the University of South Florida.

While he says he loves living under the ocean, there is one thing he really misses.

"The thing that I miss the most about being on the surface is literally the sun," Dituri said. "The sun has been a major factor in my life – I usually go to the gym at five and then I come back out and watch the sunrise."

#### China sentences 78-year-old US citizen to life in prison on spying charges

BEIJING (AP) — China sentenced a 78-year-old United States citizen to life in prison Monday on spying charges, in a case that could exacerbate the deterioration in ties between Beijing and Washington over recent years.

Details of the charges against John Shing-Wan Leung, who also holds permanent residency in Hong Kong, have not been publicly released.

Leung was detained April 15, 2021, by the local bureau of China's counterintelligence agency in the southeastern city of Suzhou, according to a statement posted by the city's intermediate court on its social media site. His detention came after China had closed its borders and imposed tight domestic travel restrictions and social controls to fight the spread of COVID-19.

Such investigations and trials are held behind closed doors and little information is generally released other than vague accusations of infiltration, gathering secrets and threatening state security.

Relations between Washington and Beijing are at their lowest in decades amid disputes over trade, technology, human rights and China's increasingly aggressive approach toward its territorial claims involving self-governing Taiwan and the South China Sea. High-level government visits have been on hold and U.S.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 79 of 81

companies are delaying major investments amid mixed messaging from Beijing.

The sentencing comes as U.S. President Joe Biden is traveling to Hiroshima, Japan, for the Group of Seven major industrial nations summit, followed by a visit to Papua New Guinea, a Pacific island nation in a region where China has sought to increase its economic, military and diplomatic influence. After Beijing's gains in the area, the U.S. and its Asia-Pacific partners stepped up their regional presence, offering investments and financial support rivaling those furnished by China.

Now the world's second-largest economy, China is expanding its footprint in ports, railways and other infrastructure from Europe to Southeast Asia and beyond.

While the Suzhou court offered no indication of a tie to overall China-U.S. relations, spying charges are highly selective and evidence backing them up is not released. That is standard practice among most countries, who wish to secure their personal connections, networks and access to information.

However, China's authoritarian political system and the ruling Communist Party's absolute control over legal matters, civil society and freedom of information forestalls demands for further information, as well as court appeals.

The U.S. Embassy in Beijing said it was aware of the case, but could not comment further due to privacy concerns. "The Department of State has no greater priority than the safety and security of U.S. citizens overseas," the embassy said in the emailed statement.

The government of Hong Kong, a former British colony that returned to Chinese control in 1997, gave no further information about Leung's sentencing. Asked about the case Monday, Secretary for Security Chris Tang said Chinese authorities had reported the arrest to the city through a notification mechanism in 2021. Tang offered no other details about the case.

When it was returned to China, Hong Kong was promised it would retain its financial, social and political liberties, but Beijing has essentially scuttled that commitment since cracking down on pro-democracy protesters and imposing a sweeping national security law in 2020.

Chinese national security agencies have also raided the offices of foreign business consulting firms in Beijing and other cities as part of a crackdown on foreign businesses that provide sensitive economic data.

Foreign companies operating in China have come under increasing pressure as Xi Jinping's government tightens control over the economy. That stands in stark contrast to efforts to lure back foreign investors after draconian COVID-19 pandemic restrictions were lifted at the beginning of the year.

Long pretrial detentions are not unusual in China and prosecutors have broad powers to hold people charged in national security cases, regardless of their citizenship status.

Two Chinese-Australians, Cheng Lei, who formerly worked for China's state broadcaster, and writer Yang Jun, have been held since 2020 and 2019 respectively without word on their sentencing.

Government suspicion is particularly focused on Chinese-born foreign citizens and people from Taiwan and Hong Kong, especially if they have political contacts or work in academia or publishing.

Under Xi, the party has launched multiple campaigns against what it calls foreign efforts to sabotage its rule, without showing evidence. Universities have been ordered to censor discussions of human rights, modern Chinese history and ideas that could prompt questions about total Communist Party control.

Xi's government has also taken a hard line on foreign relations, most recently ordering outa Canadian diplomat in retaliation for Ottawa's expulsion of a staffer at the Chinese embassy accused of threatening a member of the Canadian parliament and his family members living in Hong Kong.

That meshes with Xi's confrontational global stance that has seen China partner with Russia in accusing the West of provoking Moscow's invasion of Ukraine and seeking to overthrow the U.S.-led liberal dominance of global affairs.

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 80 of 81

#### Today in History: May 16, Warsaw Ghetto Uprising ends

By The Associated Press undefined

Today in History

Today is Tuesday, May 16, the 136th day of 2023. There are 229 days left in the year.

Today's Highlight in History:

On May 16, 1943, the nearly month-long Warsaw Ghetto Uprising came to an end as German forces crushed the Jewish resistance and blew up the Great Synagogue.

On this date:

In 1770, Marie Antoinette, age 14, married the future King Louis XVI of France, who was 15.

In 1866, Congress authorized minting of the first five-cent piece, also known as the "Shield nickel."

In 1929, the first Academy Awards were presented. "Wings' won "best production," while Emil Jannings (YAHN'-ings) and Janet Gaynor were named best actor and best actress.

In 1939, the federal government began its first food stamp program in Rochester, New York.

In 1957, federal agent Eliot Ness, who organized "The Untouchables" team that took on gangster Al Capone, died in Coudersport, Pennsylvania, at age 54.

In 1960, the first working laser was demonstrated at Hughes Research Laboratories in Malibu, California, by physicist Theodore Maiman.

In 1966, China launched the Cultural Revolution, a radical as well as deadly reform movement aimed at purging the country of "counter-revolutionaries."

In 1975, Japanese climber Junko Tabei became the first woman to reach the summit of Mount Everest. In 1990, death claimed entertainer Sammy Davis Jr. in Los Angeles at age 64 and "Muppets" creator Jim Henson in New York at age 53.

In 1997, President Bill Clinton publicly apologized for the notorious Tuskegee experiment, in which government scientists deliberately allowed Black men to weaken and die of treatable syphilis.

In 2007, anti-war Democrats in the Senate failed in an attempt to cut off funds for the Iraq war.

In 2016, President Barack Obama called on the nation to support law enforcement officers as he bestowed the Medal of Valor on 13 who risked their lives.

Ten years ago: President Barack Obama named a temporary chief for the scandal-marred Internal Revenue Service and pressed Congress to approve new security money to prevent another Benghazi-style terrorist attack. "The Office" aired its final episode after nine seasons on the air on NBC. Candice Glover won the 12th season of "American Idol" on Fox.

Five years ago: Officials at Michigan State University said they had agreed to pay \$500 million to settle claims from more than 300 women and girls who said they were assaulted by sports doctor Larry Nassar. North Korea canceled high-level talks with South Korea after the nation engaged in joint military exercises with the United States. Five people were killed as thunderstorms struck the northeastern U.S.

One year ago: The U.S. death toll from COVID-19 hits 1 million. The once-unimaginable figure only hinted at the multitudes of loved ones and friends staggered by grief and frustration. Some of those left behind said they cannot return to normal. More than 260 Ukrainian fighters, including some badly wounded, were evacuated from a steel plant in the ruined city of Mariupol and taken to areas under Russia's control. Baby formula maker Abbott reached an agreement with U.S. health regulators to restart production at its largest domestic factory amid a national shortage.

Today's Birthdays: Former U.S. Senator and Connecticut Governor Lowell Weicker is 92. Former Director of National Intelligence Dan Coats is 80. Jazz musician Billy Cobham is 79. Actor Danny Trejo is 79. Actor Bill Smitrovich is 76. Actor Pierce Brosnan is 70. Actor Debra Winger is 68. Olympic gold medal gymnast Olga Korbut is 67. Olympic gold medal marathon runner Joan Benoit Samuelson is 65. Actor Mare Winningham is 64. Rock musician Boyd Tinsley (The Dave Matthews Band) is 59. Rock musician Krist Novoselic (noh-voh-SEL'-ik) is 58. Singer Janet Jackson is 57. Country singer Scott Reeves (Blue County) is 57. Actor Brian (BREE'-un) F. O'Byrne is 56. R&B singer Ralph Tresvant (New Edition) is 55. Actor David Boreanaz is 54. Political commentator Tucker Carlson is 54. Actor Tracey Gold is 54. International Tennis Hall of Famer

#### Tuesday, May 16, 2023 ~ Vol. 31 - No. 312 ~ 81 of 81

Gabriela Sabatini is 53. Country singer Rick Trevino is 52. Musician Simon Katz is 52. TV personality Bill Rancic is 52. Actor Khary Payton is 51. Rapper Special Ed is 51. Actor Tori Spelling is 50. Actor Sean Carrigan is 49. Singer-rapper B. Slade (formerly known as Tonex) is 48. Actor Lynn Collins is 46. Actor Melanie Lynskey is 46. Actor Jim Sturgess is 45. Actor Joseph Morgan is 42. DJ Alex Pall (The Chainsmokers) is 38. Actor Megan Fox is 37. Actor Drew Roy is 37. Actor Jacob Zachar is 37. Actor-comedian Jermaine Fowler is 35. Actor Thomas Brodie-Sangster is 33. Actor Marc John Jefferies is 33. Olympic bronze medal figure skater Ashley Wagner is 32. Actor Miles Heizer is 29.