

NATION/WORLD DIGEST

Crush Of Mud Finally Plugs BP's Gusher

NEW ORLEANS (AP) — In the end, it was a crush of mud that finally plugged the blown-out well in the Gulf of Mexico, three months after the offshore drilling rig explosion that unleashed a gusher of oil and a summer of misery along the Gulf Coast.

The government stopped just short of pronouncing the well dead, cautioning that cement and mud must still be pumped in from the bottom to seal it off for good.

President Barack Obama declared that the battle to contain one of the world's worst oil spills is "finally close to coming to an end."

Yet after months of living with lost income, fouled shorelines and dying wildlife, some Gulf Coast residents weren't so sure.

"I don't think we've finished with this," said 59-year-old Harry "Cho-cho" Cheramie, who grew up in Grand Isle, La. "We haven't really started to deal with it yet. We don't know what effect it's going to have on our seafood in the long run."

Group Sues To Stop Mosque By Ground Zero

NEW YORK (AP) — The debate over a planned Islamic community center and mosque near ground zero became a court fight Wednesday, as a conservative advocacy group sued to try to stop a project that has become a fulcrum for balancing religious freedom and the legacy of the Sept. 11 attacks.

The American Center for Law and Justice, founded by the Rev. Pat Robertson, filed suit Wednesday to challenge a city panel's decision to let developers tear down a building to make way for the mosque two blocks from ground zero.

The city Landmarks Preservation Commission moved too fast in making a decision, underappreciated the building's historic value and "allowed the intended use of the building and political considerations to taint the deliberative process," lawyer Brett Joshepe wrote in papers filed in a Manhattan state court. The Washington, D.C.-based group represents a firefighter who responded to and survived the terrorist attack at the World Trade Center.

City attorneys are confident the landmarks group adhered to legal standards and procedures. Law Department spokeswoman Kate O'Brien Ahlers said. A spokesman for the planned Islamic center, Oz Sultan, declined to comment on the lawsuit but said organizers were continuing to work toward choosing an architect.

The mosque has become a national political flashpoint, pitting several influential Republicans and the nation's most prominent Jewish civil rights group against New York Mayor Michael Bloomberg and others. In one of the latest signs of the issue's political reach beyond Manhattan, Massachusetts Gov. Deval Patrick expressed support Wednesday for the proposed mosque.

Hezbollah Seen As Key To Cooling Flare-Up

JERUSALEM (AP) — It took no more than cutting down a tree to shatter four years of calm on the Israel-Lebanon border.

With Israel uneasy about the growing arsenal of Hezbollah, the real power in the Lebanese border area, and Lebanon influenced by the Iranian-backed group's clout, the clash that left four dead showed how a small spark could ignite another war.

On Wednesday all sides appeared to be trying to restore calm, but the key was clearly in the hands of Hezbollah.

Had it entered the fray with a rocket attack on Israel's north, Israel would likely have retaliated, and another round of Mideast violence would have been under way — following the pattern of the monthlong conflict in 2006, when Hezbollah fired almost 4,000 rockets as Israel's military bombed strategic targets all over Lebanon and swept through the border area.

Instead, Hezbollah sufficed with threats against Israel, and after nightfall Wednesday, representatives of the Israeli and Lebanese armies met with U.N. peacekeepers.

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Vote Puts Health Care Back In Crosshairs

BY RICARDO ALONSO-ZALDIVAR AND DAVID A. LIEB
Associated Press Writers

WASHINGTON — Missouri voters' overwhelming opposition to requiring nearly all Americans to buy health insurance puts one of the least popular parts of President Barack Obama's health care overhaul law back in the political crosshairs.

Even if the vote sets no legally binding precedent, it will help mobilize foes of Obama's agenda in the fall midterm elections, and that could make a difference in some states with close congressional races that could decide the balance of power in Washington.

On Tuesday, Missouri voters cast 71 percent of their ballots in favor of a state measure to bar the government from requiring people to carry health insurance, and penalizing those who don't.

That approach is at the heart of the federal health care law that Obama signed in March. Starting in 2014, Americans would be required to carry coverage, with exceptions for financial hardship. Government

would help pay premiums for millions, but those who still refuse to sign up would face a tax.

There's little chance that Missouri can wall itself off from the insurance requirement, since federal law usually supersedes state law. But sponsors of the measure were looking to send another kind of message.

"The Missouri vote is significant politically because it will help rally people who oppose the Obama administration to go to the polls in the fall elections," said Robert Blendon, a Harvard public health school professor who tracks opinion trends on health care. "It shows the debate is still alive, and that's what the sponsors wanted to do. They wanted to reintroduce the idea that there is still a debate going on."

At least two other states — Arizona and Oklahoma — have similar measures on the ballot in November. And sponsors of Florida's version are appealing to reinstate it after a state judge struck the measure from the ballot, ruling that a summary for

voters was misleading.

In Colorado, supporters submitted 130,000 voter signatures to the state last week for a ballot measure challenging the insurance mandate, about 50,000 more names than are required.

Arizona, Colorado and Florida are states with House and Senate races rated as toss-ups in November. A few years ago, state ballot measures against same-sex marriage helped turn conservatives out in the contest between incumbent President George W. Bush and Massachusetts Democratic Sen. John Kerry. Bush won.

Foes of the health care law also seek to overturn the insurance requirement in federal court.

Twenty states have joined one of the cases, pending in Florida. This week, a federal judge rejected the Obama administration's request to dismiss Virginia's lawsuit, allowing the case to proceed to formal arguments.

Opponents of the mandate argue that the federal government overstepped its constitu-

tional authority by requiring individuals to purchase a particular product, especially one that costs as much as health insurance.

The administration says the requirement is well within the government's authority to regulate interstate commerce, and penalties for those who don't comply stem from the power of Congress to levy taxes. The obligation in the new health care law was originally a Republican idea, dating back to the 1990s. Mitt Romney signed such a requirement into law at the state level as Massachusetts governor in 2006.

An individual decision not to carry insurance affects society because others have to pay when that person gets sick and seeks treatment, supporters also argue. Reforms in the law — such as requiring insurers to accept people with medical problems — won't work if individuals are allowed to postpone getting coverage until they need it.

Democrats sought to play down the significance of the Missouri vote.

Judge Overturns Calif. Gay Marriage Ban

BY LISA LEFF AND PAUL ELIAS
Associated Press Writers

SAN FRANCISCO — A federal judge overturned California's gay-marriage ban Wednesday in a landmark case that could eventually force the U.S. Supreme Court to confront the question of whether same-sex couples have a constitutional right to wed.

The ruling by Chief U.S. District Judge Vaughn Walker touched off a celebration outside the courthouse. Gay couples waved rainbow and American flags and erupted with cheers in the city that has long been a magnet for gays.

Shelly Bailes embraced her wife Ellen Pontac as Bailes held a sign reading, "Life Feels Different When You're Married."

In New York City, about 150 people gathered in front of a lower Manhattan courthouse. They carried signs saying "Our Love Wins" as organizers read portions of the ruling.

Walker made his decision in a lawsuit filed by two gay couples who claimed the voter-approved ban violated their civil rights.

The ruling "vindicates the rights of a minority of our citi-

zens to be treated with decency and respect and equality in our system," said former U.S. Solicitor General Theodore Olson, who delivered the closing argument at trial for opponents of the ban.

California Gov. Arnold Schwarzenegger also praised the ruling as an important step toward equality and freedom.

Protect Marriage, the coalition of religious and conservative groups that sponsored the ban, said it would immediately appeal the ruling to the 9th U.S. Circuit Court of Appeals.

"In America, we should uphold and respect the right of people to make policy changes through the democratic process, especially changes that do nothing more than uphold the definition of marriage that has existed since the founding of this country and beyond," said Jim Campbell, a lawyer on the defense team.

Despite the favorable ruling for same-sex couples, gay marriage will not be allowed to resume immediately.

Judge Walker said he wants to decide whether his order should be suspended while the

proponents of the ban pursue their appeal. He ordered both sides to submit written arguments by Friday on the issue.

The appeal would go first to the 9th Circuit then to the U.S. Supreme Court if the high court justices agree to review it.

California voters passed the ban as Proposition 8 in November 2008, five months after the state Supreme Court legalized gay marriage.

Supporters argued the ban was necessary to safeguard the traditional understanding of marriage and to encourage responsible childbearing.

Walker, however, found it violated the Constitution's due process and equal protection clauses while failing "to advance any rational basis in singling out gay men and lesbians for denial of a marriage license."

"Indeed, the evidence shows Proposition 8 does nothing more than enshrine in the California Constitution the notion that opposite-sex couples are superior to same-sex couples," the judge wrote in his 136-page ruling.

He also said proponents offered little evidence that they

were motivated by anything other than animus toward gays — beginning with their campaign to pass the ban, which included claims of wanting to protect children from learning about same-sex marriage in school.

"Proposition 8 played on the fear that exposure to homosexuality would turn children into homosexuals and that parents should dread having children who are not heterosexual," Walker wrote.

Walker heard 13 days of testimony and arguments since January during the first trial in federal court to examine if states can prohibit gays from getting married.

The plaintiffs presented 18 witnesses. Academic experts testified about topics ranging from the fitness of gay parents and religious views on homosexuality to the historical meaning of marriage and the political influence of the gay rights movement.

Olson teamed up with David Boies to argue the case, bringing together the two litigators best known for representing George W. Bush and Al Gore in the disputed 2000 election.

OBITUARIES

Merlin Jensen

Merlin M. Jensen, age 91 of Yankton passed away on Wednesday, August 4, 2010, at the Avera Sister James Care Center, Yankton.

Mass of Christian Burial will be at 10:30 a.m. Friday, August 6, 2010, at St. Benedict Catholic Church, Yankton with Rev. Mark Lichter officiating. Burial will be in Sacred Heart Cemetery with military graveside rites by Ernest-Bowyer VFW Post #791, Yankton and the Sioux Falls National Guard Honor Guard.

Visitations will be from 2-8 p.m. Thursday, August 5, 2010, at the Opsahl-Kostel Funeral Home and Crematory with a 7 p.m. rosary followed by a 7:30 p.m. Scripture service. Visitations will resume one hour prior to the service at the church.

Merlin Marvin Jensen was born on May 20, 1919, to Peter and Elizabeth (Madsen) Jensen in Yankton County near Irene, SD. He attended Lone Star School in Yankton County. On August 7, 1941, he entered into the United States Army and served in the South West Pacific-China, Burma, India, and the Theatre of Operation. On February 10, 1946, he was honorably discharged and returned to Yankton to be united in marriage to Alice Tank on February 27, 1946. He worked at Nellie's Service Station in Yankton, Veterinary



Jensen

Service and Supply, Yankton City Landfill and Sunshine Grocery. He was a lifetime member and served as President for two years for the Antique Auto Association.

member of the Ernest Bowyer VFW Post #791 and American Legion in Yankton, a lifetime member of the Disabled American Veterans, and was a member of the Knights of Columbus as a 1st degree Knight.

Those who will cherish his memory are his wife, Alice Jensen of Yankton, SD; daughter, Jolene (Jim) Merkwon of Tabor, SD; granddaughter, Jill (Lynn) Eckmann of Norfolk, NE; grandsons: Michael and Matthew Mayer, both of Sioux Falls, SD; great granddaughter, Emma Eckmann, and many nieces and nephews.

He was preceded in death by his parents, sisters: Agnes, Gladys, and Mable and brothers: Wendell, Carl, and Harold.

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www.opsahl-kostelfuneralhome.com

Keith Lane

Keith Merlin Lane, 77, the youngest son of Leander and Margaret (Diebold) Lane, passed away August 3, 2010, at the Wakonda Heritage Manor.

Memorial services will be 10:30 a.m. Monday, August 9, 2010, at Gayville Lutheran Church, Gayville, SD, with Rev. Ralph Egbert officiating. Burial will follow in Gayville Cemetery.

Keith was born December 12, 1932, in a farmhouse west of Gayville where he later farmed until his retirement.

He attended Dewey Grade School. He spent three years at Gayville High School. He graduated from Yankton High School in 1950.

Keith was a farmer. He was a neighbor. Before he started his career helping to make Gayville the hay capital he studied at Southern State Teachers College in Springfield. As full time neighbor he made his snow plow a free source of community service in the winter. His parked red pickup signaled coffee time at Ma and Pa's or when a coffee thirst was imminent.

Keith is preceded in death by three brothers, Dale of Aberdeen, Don of Mission Hill and Gayville, and John of Gayville. He is survived by his brother Dennis (Margaret) of Ponte Vedra Beach, Florida. Keith is sur-

vived by many nieces and nephews who learned to know his kindness. Keith was an uncle, he was a brother, but first of all he was a son.

For obituary and online condolences, visit hansentfuneralhome.com.

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Angela Kosters

Angela Lea Kusters, 27, of Yankton, SD, was granted her angel wings on August 3, 2010, as a result of automobile/pedestrian accident in Yankton.

Funeral services will be 2:00 p.m. August 7, 2010, at First Baptist Church in Vermillion, SD, with Rev. Sandy Aakre officiating. Burial will follow in the Yankton Cemetery. Visitation will be from 5 to 7 p.m. with a prayer service beginning at 7:00 p.m., August 6, 2010, at Hansen Funeral Home in Vermillion, SD.

Angela was born on August 16, 1982, in Vermillion, SD. She married Noel Kusters on August 19, 2000, at First Baptist Church in Vermillion, SD. Her days were spent surrounded by family and friends that Angie had touched in many ways throughout her short, yet very memorable life.

Angie's life would seem too short to many, but those who were

touched by her understood that the quality of existence far exceeds the quantity of time in which one lives. Her gentle smile and caring heart brought so much joy to our family. Angie gave us all such courage and hope and reminded us of the preciousness of life. She loved spending time with her family and friends and was the most loving mother to her four beautiful children.

Angie is survived by her loving husband and children, Noel Kusters, Kaylea (7), Nathaniel (5), Gavin (3), and Gracie (8 months); mother, Brenda Thompson (Lee) Happe of Volin, SD, stepmother, Lois Donaldson of Volin and father, Mike Barta (Nicole) of Vermillion, SD; mother-in-law, Sharon Kusters; sisters Deonna Rupp (Marc), Darcy Johnsen (Sam), Kari Barta (Ross), Sunshine Roos (Frank), Laiken Barta;

sister in law Noreen Olson (Jason); brothers Justin Thompson (Amy), Christopher Barta, Tom Sealey (Angie), and Daniel Sealey (Amanda); brother-in-law Neil Kusters; maternal grandparents Millard (Sonny) Thompson; paternal grandparents Dick and Marjean Barta, all of Vermillion; several aunts, uncles, cousins, nieces and nephews.

Angela was preceded in death by her grandmother, Deanna Thompson; great-grandmother Opal Johnson and great-grandfather, Alvin (Swede) Johnson, grandfather Kern Donaldson, Aunt Betty Thompson, sister-in-law Nicole Kusters and dear friend Waylon Madsen.

For obituary and online condolences, visit hansentfuneralhome.com.

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THE FAMILY OF VINCENT VARILEK
would like to thank the emergency medical staff, Avera Sacred Heart Hospital and McKennan Hospital emergency room doctors and nurses and support staff for the care they gave to Vincent. We would also like to thank everyone for your prayers, calls, cards, flowers, food, emails and kind loving support during our loss. A special thanks to Father Thury, Brenda Sturgeon, Cindy Ludens and their sons for serving the Mass. Thanks also to the Altar Society for serving the great lunch. Thank you to the wonderful friends and cousins of Vincent who served as pallbearers and honorary pallbearers for the service. Thanks also to the employers and employees that Vincent worked with for their kindness and generosity. Our appreciation to Wintz-Ray Funeral Home for their kind and caring consideration to the family. He was loved by all and will be missed forever.
Katleen & James Haines & family
Fred & Doris Fiedler & family
Rick Hansen & family