

NATION/WORLD DIGEST

Judge Will Not Withdraw From Drilling Case

NEW ORLEANS (AP) — A federal judge who overturned the Obama administration's initial six-month moratorium on deepwater oil drilling has refused to disqualify himself from the case.

Several environmental groups had asked U.S. District Judge Martin Feldman to withdraw from the case because of his investments in several oil and gas companies. Feldman refused in an order issued Friday and posted Monday.

Earlier this month, a federal appeals court rejected the government's bid to restore its temporary ban on issuing new permits for deepwater drilling and suspension of 33 existing drilling projects in the Gulf of Mexico.

The Justice Department later issued a new moratorium that it hopes will pass muster with the courts.

Scientist Stephen Schneider Dead At 65

PALO ALTO, Calif. (AP) — Stephen Schneider, a Stanford University scientist who served on an international research panel on global warming that shared the 2007 Nobel Prize with former Vice President Al Gore, has died. He was 65.

Stanford officials say Schneider died of an apparent heart attack Monday while on a flight from Stockholm to London.

Schneider studied climate change for decades and wrote a number of books charting its effects on wildlife and ecosystems in the United States. He advised every presidential administration from Nixon to Obama.

A frequent media contributor to television and in print, Schneider also wrote analyses of climate change politics, policy and how the news media covered the story.

Schneider fought a rare form of cancer and chronicled the battle in a 2005 book, "The Patient from Hell."

Defense To Start In Blagojevich Trial

CHICAGO (AP) — Rod Blagojevich's brother is likely to be one of the first witnesses this week as both men's defense cases begin at the former governor's corruption trial.

Robert Blagojevich maintains he did nothing wrong in connection with an alleged plan by his brother to sell President Barack Obama's former Senate seat. During the prosecution's case, his attorneys stressed his low profile while working as the governor's campaign fund manager.

Both brothers have pleaded not guilty to all charges, and both are expected to take the stand.

The biggest fireworks of the week are expected if Rod Blagojevich indeed testifies, as he has long promised he will. Experts say Blagojevich would need to abandon his customary cocky air and make himself the very picture of humility.

New Powers Given To Russia's Agency

MOSCOW (AP) — The upper house of Russia's parliament has passed a bill granting expanded powers to the country's main security agency, a move that critics say echoes the era of the Soviet KGB.

The bill, which now goes to President Dmitry Medvedev to be signed into law, would allow the Federal Security Service to issue warnings to people suspected of preparing to commit crimes against Russia's security.

Human rights and democracy activists say this power could be used to intimidate government opponents and stifle protests.

The security service is the main successor agency to the KGB.

The bill was approved Monday by the upper house by a vote of 121-1. The sole vote against was cast by the house's speaker, Sergei Mironov, who said he had been apprehensive about the measure.

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Feinberg Sells Funding To Spill Victims

BY FREDERIC J. FROMMER
Associated Press Writer

WASHINGTON — The administrator of a \$20 billion Gulf oil spill compensation fund offered a hard sell Monday, promising fishermen and others with lost income claims from the disaster that he'll be more generous with them than any court would be.

Kenneth Feinberg noted that claimants are free to instead file a lawsuit, but added, "You're crazy to do so, though."

"Because under this program, you will receive, if you're eligible, compensation without having to go to court for years, without the uncertainty of going to court, since I'll be much more generous than any court will be," Feinberg said. "And at the same time, you won't need to pay lawyers and costs."

Feinberg made the comments in a speech to the Economic Club of Washington, D.C., but his target audience included people and businesses who have suffered economic harm in the Gulf Coast area. He sounded like a TV pitchman, reminding them they were under "no obligation" to waive their rights to sue, unless and until they decide to accept a lump sum for all present and future injury.

He noted that claimants could get emer-

gency payments for six months without giving up their right to sue.

"If you decide after that to litigate, you still keep the check. I mean, who wouldn't come into this program?" he asked in an incredulous tone. "It is, to my way of thinking, an easy call."

Feinberg on Sunday said that the wages earned by people working on BP's cleanup will be deducted from their claims against the company, however.

He told The Associated Press the fund is designed to compensate fishermen and others for their lost income. If BP PLC is already paying someone to help skim oil and perform other clean up work, Feinberg said, those wages will be subtracted from the amount they're eligible to claim from the fund.

Feinberg said the rule is "very fair" and shouldn't eliminate an incentive for boat captains to participate in BP's vessel of opportunity cleanup program.

BP is paying vessel owners between \$1,200 and \$3,000 a day to help with the clean up.

Feinberg earlier administered compensation funds for victims of the 9/11 terrorist attacks, Agent Orange and the Virginia Tech massacre. From them, he's learned that the job involves a lot of salesmanship.

"Do not assume that people automatically will opt into these programs," he said. "People are skeptical, angry, dispirited, worried about their financial certainty, their financial future. Human nature being what it is, you have to sell these programs."

Feinberg said his job requires an "emotional perspective" for people, like an oysterman who's been in the family business for six generations. No matter how good a program you come up with, he said, "You've still got to sell them to people who are emotionally distraught."

At a news conference following the speech, he took issue with the suggestion that the fund represented an overreach of federal power.

"The notion that this is somehow a trick, or a power play, or is anything other than a way to resolve a national tragedy is, I think, unfair," Feinberg said. "And I'm determined to administer a program that will be fair, will be transparent, and will benefit the very people it's designed to benefit who live in the Gulf."

Feinberg, who is being paid by BP, declined to provide his salary. "That's something between me and BP," he said.

R.I., Ariz. Immigrant Measures Differ

BY ERIC TUCKER
Associated Press Writer

PROVIDENCE, R.I. — Supporters of Arizona's new illegal-immigration law have in recent weeks cited Rhode Island as a state where police have been quietly carrying out comparably tough enforcement without a court challenge from the Obama administration.

But in Rhode Island, both sides of the debate agree that the executive order issued by Gov. Don Carcieri in 2008 is far less sweeping than the Arizona law, which takes effect this month.

Comparisons of the two approaches are intended to rationalize the law in Arizona, generally more conservative than Rhode Island, by suggesting it's already more or less in place in a heavily Democratic state, said Steven Brown, a leading critic of the governor's order and executive director of the Rhode Island affiliate of the American Civil Liberties Union.

"The only reason I can see individuals focusing on Rhode Island is for political purposes and stretching what's happened here as a way to try and compare a largely Democratic state — a blue state — with a red state and somehow claim that Rhode Island should be looked at similarly," Brown said.

The Arizona law makes it a state crime for immigrants to not carry immigration documents; Rhode Island's executive order has no such provision.

Arizona's law generally requires local police officers, while enforcing other laws, to question a person's immigration status if there is a "reasonable suspicion" that the individual is in the country illegally. Rhode Island's order directs the State Police to help with immigration enforcement and encourages — but, importantly, does not require — local police to seek a suspect's immigration status.

State troopers in Rhode Island routinely check the immigration status of crime suspects, as well as people pulled over for traffic violations, if they have reasonable suspicion and will alert federal immigration authorities if they believe or can determine that someone is in the country illegally, said State Police Superintendent Brendan Doherty.

U.S. Immigration and Customs Enforcement will then decide whether the person should be immediately taken into custody or can be released pending a court appearance, Doherty said.

The ACLU has received complaints since the executive order from people who say they were unfairly pulled over or interrogated, Brown said, but such accusa-

tions can be hard to prove in court. A Boston-based federal appeals court this year upheld a Rhode Island trooper's decision during a 2006 traffic stop to seek immigration documents from passengers in a van carrying about a dozen Guatemalans who mostly admitted to being in the country illegally.

Commentators on blogs and television have seized this month on the State Police protocol to draw parallels to the Arizona law, asking why Rhode Island has not received attention for similar immigration enforcement.

In a July 7 post on the National Review website titled "United States v. Arizona — How 'Bout United States v. Rhode Island?," commentator Andrew McCarthy, a former federal prosecutor in New York, asked why the Obama administration had not already sued Rhode Island for "carrying out the procedures at issue in the Arizona immigration statute."

William Jacobson, an associate clinical law professor at Cornell University, wrote this month on his blog, Legal Insurrection, that "Arizona is the new Rhode Island" and said it was ironic that strict enforcement practices would be carried out in the "state of Sheldon Whitehouse," a Democratic senator.

REGION DIGEST

Dakota Jazz Collective To Play At Concert

The Summer Pops Concert Series continues at 8 p.m. tonight (Tuesday) at the Riverside Park amphitheatre with the Dakota Jazz Collective out of Sioux Falls.

The Dakota Jazz Collective is a horn-driven ensemble, featuring some of the finest jazz talent in the region, including Jim Speirs on trumpet, Joel Shotwell on sax, Andrew Reinartz on bass, and Bobby Gripp on drums.

The Summer Pop Concert series is sponsored by Yankton Area Arts and the City of Yankton. For more information, call Yankton Area Arts (605) 665-9754.

Avera Sacred Heart To Host Support Group

There will be a Crohn's and Colitis support group meeting at 6:45 p.m. tonight (Tuesday) at Avera Sacred Heart Campus Pavilion 409 Summit, Yankton.

This meeting is for patients with Crohn's or Colitis and their family and friends.

For information, call Kathy Ryken at 665-8667 or Dave Brown at 665-7199, evenings.

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OBITUARIES

Jacqueline Benoit

LAKE CITY, Minn. — Wife, Mother, Teacher, Artist, Friend ... Jacqueline Dolores Kollars Benoit, born April 14, 1924, died Saturday, July 17, 2010 at the St. Elizabeth Health Care Center in Wabasha.



Benoit

Jacqueline, the seventh of nine siblings, grew up on the plains of Nebraska, doing farm chores, playing in the orchard and walking to school in Crofton. She met Douglas Benoit, the love of her life, at the Sheraton Ballroom in Omaha in 1945. Three months later they were married. After his release from the Air Force, they settled in Omaha. Soon they were off a series of moves took them throughout the middle of the US from the Mexican border to the Canadian one, eventually landing in Minnesota.

Jackie was a home-maker in all of the best senses of the word. She cooked, canned, baked and was always ready to pack up whatever she was preparing to head out on an impromptu picnic. She transformed each house the family lived in into a lovely home, yet always had time to sit with one of her four daughters for a quiet talk. She re-covered furniture, painted "wallpaper" onto walls, sewed bedspreads, and tended many gardens.

In middle age she followed Douglas into teaching three, four and five-year-old children at the Rochester Montessori School and the Montessori Child Development Center in Rochester. Later in life she began to paint: watercolors of the Nebraska prairie, its barns and fences. She was able always to appreciate the "small, ordinary" things the smell of earth or a fresh tomato, the taste of fresh, cold watermelon, or sitting by the petunias with a cup of coffee at sunset.

Entwined in her very being from childhood, through a high school convent experience, and within her long, sweet marriage has been her Catholic faith. A statue of the Sacred Heart of Jesus accompanied the family to each house where Jackie and Doug lived. The rosary was a daily ritual.

She is survived by her dear, devoted Douglas of Lake City, MN; four daughters, Carrie Salemi of Durham, NC, Tyrene Johnston of Sharon, MA, Joan Lizaola of Dundas, MN and Jackie Foley of Rochester; one brother, Orville Kollars; 10 grandchildren and 6 great-grandchildren.

She was preceded in death by her parents, four brothers and 3 sisters.

Funeral Mass will be at 10:30 a.m. on Wednesday at St. Mary of the Lake Catholic Church with Father Richard Dernek presiding. Burial will be at St. Mary's Catholic Cemetery. Visitation will

be Tuesday from 5 to 7 p.m. at the Mahn Family Funeral Home, Anderson-Peterson Chapel in Lake City. In lieu of flowers contributions may be made to Missionaries of Africa, St. Mary's Parish and The Fraternity of St. Peter.

www.mahnfamilyfuneralhome.com

Yankton Press & Dakotan
July 20, 2010

Fern Paulsen

VIBORG — Fern Paulsen, 95, died Sunday (July 18, 2010) at the Good Samaritan Center in Centerville.

Services are at 1:30 p.m. Thursday at Our Savior's Lutheran Church, Viborg.

Visitation is 1-8 p.m. Wednesday, with family present from 7-8 p.m., at the Viborg Funeral Home.

Register online at www.viborg-funeralhome.com.

Lester Drappeaux

EVERETT, Wash. — Lester Drappeaux, 74, of Everett, Wash., died Sunday, July 11, 2010, at Everett.

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Funeral services are at 10:30 a.m. Wednesday, July 21, at the Marty Community Center, Marty. Burial is in the Greenwood Presbyterian Cemetery, rural Greenwood.

Wake services begin today (Tuesday) at the Community Center, Marty.

Crosby-Jaeger Funeral Home, Wagner, is in charge of arrangements.

Vivian Gullikson

WAGNER — Vivian Gullikson, 73, of Wagner died Monday (July 19, 2010) at her home in Wagner.

Funeral services are at 11 a.m. Friday at St. Paul's Catholic Church, Marty. Burial will be in St. Paul's Catholic Cemetery, Marty.

Crosby-Jaeger Funeral Home in Wagner is in charge of arrangements.

Marvin Kamback

Marvin Kamback, 71, of Yankton died Saturday (July 17, 2010) at the Human Services Center, Yankton.

Memorial Services are at 11 a.m. Saturday, July 24, at St.

Daily Lunch \$6.25
Specials Mon-Sat 11am-2pm
Yesterday's Cafe
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John's Lutheran Church, Yankton, with the Rev. Steve Weispennig officiating.

Visitations is 3-9 p.m. Friday at Opsahl-Kostel Funeral Home and Crematory, Yankton, with a 7 p.m. prayer service. Visitations will resume one hour prior to the service at the church.

Marvin's family invites everyone to a lunch following the memorial service at the funeral home.

Andrea Guy

VOLIN — Andrea R. Guy, 44, of Volin died from pancreatic cancer at her residence Monday (July 19, 2010).

Funeral services are at 10:30 a.m. Saturday at Faith United Lutheran Church, rural Volin, with the Rev. Velma Larson officiating.

ating. Burial will be in the Zion Lutheran Cemetery, rural Volin, with military graveside rites by the Gingrich-Dixon American Legion Post No. 13.

Visitation is 5-8 p.m. Friday at the church with a prayer service at 7 p.m. Visitations will resume one hour prior to the service at the church.

Opsahl-Kostel Funeral Home & Crematory, Yankton, is in charge of funeral arrangements.

Judy Morman

CROFTON, Neb. — Judy Morman, age 58, of Crofton, Nebraska, died Monday (July 19, 2010) at Avera Sacred Heart Hospital in Yankton.

Arrangements are pending with the Wintz Funeral Home in Hartington.

IN REMEMBRANCE

Marian J. Wiedmeier

10:30 AM, Tuesday
Trinity Lutheran Church
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