

# Governors weigh health care plans, awaiting court ruling

More than 20 million Americans would be at risk of losing their health insurance

By BRADY MCCOMBS  
Associated Press

SALT LAKE CITY — As they gather at a conference in Utah, governors from around the U.S. are starting to think about what they will do if an appeals court upholds a lower court ruling overturning President Obama's signature health care law.

More than 20 million Americans would be at risk of losing their health insurance if the 5th U.S. Circuit Court of Appeals agrees with a Texas-based federal judge who declared the Affordable Care Act unconstitutional last December because Congress had eliminated an unpopular tax it imposed on people who did not buy insurance.

The final word on striking down the law will almost certainly come from the Supreme Court, which has twice upheld

the 2010 legislation.

Nevada Gov. Steve Sisolak, a Democrat, signed a bill earlier this year prohibiting health insurers from denying coverage to patients due to pre-existing conditions, a pre-emptive move in case the Affordable Care Act were struck down.

He said this week in Salt Lake City at the summer meeting of the National Governors Association that he would ask his recently created patient protection commission to come up with recommendations for how to ensure patients don't lose coverage if the law is overturned, which would impact about 200,000 people enrolled in Medicaid expansion in Nevada.

"To rip that away from them would be devastating to a lot of families," Sisolak said. "For example, women's health care: You're talking about with ACA being gone potentially mammograms and cancer screenings and reproductive care and an assortment of coverages they currently have."

Nevada is among a coalition of 20 Democratic-leaning states led by California that



AP Photo/Rick Bowmer

From left to right, Vermont Gov. Phil Scott, Oregon Gov. Kate Brown, Utah Gov. Gary Herbert, Montana Gov. Steve Bullock, Nevada Gov. Steve Sisolak and Maine Gov. Janet Mills pose for a photograph following a news conference launching an Outdoors Recreation Initiative on Wednesday in Salt Lake City.

appealed the lower court ruling and is urging the appeals court to keep the law intact.

Sisolak and other Democratic governors were scheduled to speak about health care issues Thursday afternoon at a news conference.

Arkansas Gov. Asa Hutchinson, a Republican, said states need Congress to be ready to quickly pass a new health care plan if the court overturns Obama's law, since doing so would cut off federal funding for Medicaid expansion.

A court decision in March blocked Arkansas from enforcing work requirements for its Medicaid expansion program, which has gener-

ated seemingly annual debate in that state's Legislature about whether to continue the program.

"Congress can't just leave that out there hanging," Hutchinson said.

The 2018 lawsuit that triggered the latest legal battle over the Affordable Care Act was filed by a coalition of 18 Republican-leaning states including Arkansas, Arizona and Utah.

Arizona Gov. Doug Ducey, a Republican, said he wants to see how the court rules before he makes any decisions about how his state would deal with the loss of Medicaid funds but that Arizona has backup funds available.

# Workers return to Idaho nuke facility after fire evacuations

By REBECCA BOONE AND FELICIA FONSECA  
Associated Press

BOISE, Idaho — Employees returned to work on Thursday at a sprawling nuclear research site in southwestern Idaho after a wildfire forced two days of evacuations.

The lightning-caused wildfire at the Idaho National Laboratory is one of several burning across the U.S. West.

"The fire is anticipated to be 100% contained today," said Idaho National Laboratory spokesman Mike Johnson.

The nuclear research complex sits on a parcel of desert that is nearly the size of Rhode Island, and facilities there include nuclear reactors, high-level nuclear waste treatment plants and various nuclear research projects.

The wildfire, which started Monday night and has burned an estimated 177 square miles, threatened some of those buildings for a time. But a shift in wind direction on Wednesday moved the fire toward open rangeland and helped fire crews make progress in fighting the flames.

The lab has several safety measures for wildfires, including clearing ground around each building and having several specially trained fire crews.

"It's not our first rodeo," spokeswoman Kerry Martin said. "We have fire stations, a lot of fire equipment; we have trained firefighters and equipment to cut barriers."

Wildfires are not uncommon on sprawling nuclear sites scattered across the arid West. A blaze burned more than 62 square miles last weekend near the Hanford Nuclear Reservation in Washington state, where most of the plutonium for the nation's nuclear weapons was created. That fire didn't threaten any buildings.

Timothy Judson, director of the Nuclear Information and Resource Service watchdog group in Takoma Park, Maryland, said there were concerns

that fires near nuclear sites in California and Colorado could release radioactive material.

Meanwhile, a wildfire burning in a scenic mountain pass near the northern Arizona city of Flagstaff has grown slightly.

Fire incident management spokeswoman Bonnie Strawser said Thursday the fire was about 12% contained. The fire has burned about 3 square miles since it started Sunday. Densely vegetated and rugged terrain is creating challenges for firefighters.

Rain helped on Wednesday and allowed some residents of one neighborhood to return home after evacuations, but also raised the risk of flooding because of aging drainage systems, officials said.

A drying trend is expected in coming days before seasonal rain picks up again early next week, officials said.

The area had not received any significant moisture in weeks and had no previous wildfires on record. That means the dense forest with lots of pine needles and grass will burn more intensely, creating a hard clay surface that quickly sheds water.

A team that will analyze the soil and look at ways to stabilize it was expected to arrive Thursday.

"It's not an easy task, but we're going to give it our best shot," Coconino National Forest Supervisor Laura Jo West said at a community meeting.

Ladd Vagen, his wife and two daughters were among the residents of more than two dozen homes who were ordered to evacuate. They were allowed to return home Wednesday, and found everything exactly as they left it with an added smell of smoke.

The family is on notice that they may have to flee again.

Arizona's governor has declared an emergency, freeing up funding to battle the blaze. The firefighting cost to date is \$2.1 million, incident commander Rich Nieto said.

# U.S. will execute inmates for first time since 2003

By MICHAEL BALSAMO AND COLLEEN LONG  
Associated Press

WASHINGTON — The United States will resume executing federal death-row inmates, the Justice Department said Thursday, ending an informal, two-decade moratorium even as the nation sees a broad shift away from capital punishment.

Attorney General William Barr instructed the Bureau of Prisons to schedule executions starting in December for five men, all accused of murdering children.

"The Justice Department upholds the rule of law — and we owe it to the victims and their families to carry forward the sentence imposed by our justice system," Barr said.

The move is likely to stir up fresh interest in an issue that has largely lain dormant in recent years, adding a new front to the culture battles that President Donald Trump already is waging on matters, such as abortion and immigration in the lead-up to the 2020 elections.

Most Democrats oppose

capital punishment. Vice President Joe Biden this week shifted to call for the elimination of the federal death penalty after years of supporting it.

By contrast, Trump has spoken often — and sometimes wistfully — about capital punishment and his belief that executions serve as both an effective deterrent and appropriate punishment for some crimes, including mass shootings and the killings of police officers.

"I think they should very much bring the death penalty into vogue," Trump said last year after 11 people were gunned down in a Pittsburgh synagogue.

He's suggested repeatedly that the U.S. might be better off if it adopted harsh drug laws like those embraced by Philippine President Rodrigo Duterte, under whom thousands of drug suspects have been killed by police.

Trump was a vocal proponent of the death penalty for decades before taking office, most notably in 1989 when he took out full-page advertisements in New York City

newspapers urging elected officials to "BRING BACK THE DEATH PENALTY" following the rape of a jogger in Central Park. "If the punishment is strong," he wrote then, "the attacks on innocent people will stop."

Five Harlem teenagers were convicted in the Central Park case, but had their convictions vacated years later after another man confessed to the rape. More than a decade after their exoneration, the city agreed to pay the so-called Central Park Five \$41 million, a settlement Trump blasted as "outrageous."

The death penalty remains legal in 30 states, but only a handful regularly conduct executions. Texas has executed 108 prisoners since 2010, far more than any other state.

Executions on the federal level have long been rare. The government has put to death only three defendants since restoring the federal death penalty in 1988, the most recent of which occurred in 2003, when Louis Jones was executed for the 1995 kidnapping, rape and murder of a

young female soldier.

In 2014, following a botched state execution in Oklahoma, President Barack Obama directed the Justice Department to conduct a broad review of capital punishment and issues surrounding lethal injection drugs.

That review has been completed, Barr said Thursday, and it has cleared the way for executions to resume.

Barr approved a new procedure for lethal injections that replaces the three-drug cocktail previously used in federal execution with a single drug, pentobarbital. This is similar to the procedure used in several states, including Georgia, Missouri and Texas.

Though there hasn't been a federal execution since 2003, the Justice Department has continued to approve death penalty prosecutions and federal courts have sentenced defendants to death.

Robert Dunham, the executive director of the nonprofit Death Penalty Information Center, said he was concerned the process for resuming executions was rushed.



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