

Families Settle Gunmaker Suit For \$73 Million

Sandy Hook Case May Set Payout Record

This article is by Rick Rojas, Karen Zraick and Troy Closson.

The families of nine Sandy Hook school shooting victims settled a lawsuit for \$73 million on Tuesday against the maker of the AR-15-style rifle used in the massacre, in what is believed to be the largest payout by a gun manufacturer in a mass shooting case.

The agreement is a significant setback to the firearms industry because the lawsuit worked around the federal law protecting gun companies from litigation by arguing that the manufacturer's marketing of the weapon had violated Connecticut consumer law.

The families argued that Remington, the gunmaker, promoted sales of the weapon that appealed to troubled men like the killer who stormed into Sandy Hook Elementary School in Newtown, Conn., on Dec. 14, 2012, killing 20 first graders and six adults. The lawsuit was filed by relatives of five of the children and four of the adults.

"These nine families have shared a single goal from the very beginning: to do whatever they



Daniel Barden, who was killed in the Sandy Hook shooting.

could to help prevent the next Sandy Hook," said Josh Koskoff, the lead lawyer for the families. "It is hard to imagine an outcome that better accomplishes that goal."

In addition to the financial settlement, lawyers for the families said that Remington agreed to release thousands of pages of internal company documents, including possible plans for how to market the weapon used in the massacre — a stipulation that had been a key sticking point during negotiations.

The families have said that a

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KEVIN FRAYER/GETTY IMAGES

Children taking speedskating lessons in Beijing. President Xi Jinping has made sporting success a pillar of the "Chinese dream."

China Projects Power on Rink And Ski Slope

By AMY QIN

BEIJING — In the southern Chinese city of Guangzhou, which has sweltering temperatures for much of the year, children are ditching their flip flops for skis and hitting the indoor slopes.

Out west, high up on the Tibetan Plateau, Qinghai Province has become an unlikely center for curling, the traditional Scottish sport known as "ice kettle" in China.

Over in the northeastern province of Liaoning, a group of retired men gather every day in the winter to strap on helmets and hockey pads and face off on an outdoor ice rink.

Such scenes, once rare, are growing more common as the ruling Communist Party charges ahead with an ambitious campaign to transform China — large parts of which have never seen a single flake of natural snow — into a global winter sporting power.

The campaign was started in 2015 when China's leader, Xi Jinping, pledged that the country, which had just won the right to

Continued on Page B13

For CNN's Chief, Walls Were Slowly Closing In

This article is by Emily Steel, Jodi Kantor, Michael M. Grynbaum, James B. Stewart and John Koblin.

Late in the day on Nov. 30, Jeff Zucker, the president of CNN Worldwide, summoned his star anchor and friend, Chris Cuomo, to a meeting in the network's skyscraper overlooking the Hudson River.

Mr. Zucker was joined by the network's chief marketing officer — and his secret romantic partner — Allison Gollust. They had to deliver a delicate message.

Mr. Zucker told Mr. Cuomo that

Sudden Exit by Zucker Came After Lengthy Series of Missteps

CNN was suspending him because of his unethical interactions with his brother, New York's governor. Mr. Cuomo was shocked and offered to resign. Mr. Zucker countered that the anchor might be able to return at some point, according to people with knowledge of the conversation.

Mr. Cuomo felt reassured. He and Mr. Zucker were confidants, their fortunes entwined. Mr. Cuomo didn't bother to consult a lawyer.

Barely 24 hours later, a letter arrived at CNN. It was from a lawyer representing a woman who had worked with Mr. Cuomo years earlier at ABC News. She said he had sexually assaulted her and that, in the heat of the #MeToo movement, Mr. Cuomo had tried to keep her quiet by arranging a flattering CNN segment about her employer at the time.

Continued on Page A12

Jury Rejects Palin's Libel Claim Day After Judge Did the Same

By JEREMY W. PETERS

A jury rejected Sarah Palin's libel suit against The New York Times on Tuesday, a day after the judge said he would dismiss the case if the jury ruled in her favor because her legal team had failed to provide sufficient evidence that she had been defamed by a 2017 editorial erroneously linking her to a mass shooting.

The jury's verdict, and the judge's decision, served as a validation of the longstanding legal precedent that considers an occasional mistake by the media a necessary cost of discourse in a free society. And it came as those who

want to see journalists pay a steeper legal cost for getting something wrong are pushing the Supreme Court to reconsider the issue.

In absolving The Times of liability, the jury concluded that the newspaper and its former opinion editor James Bennet had not acted with the level of recklessness and ill intent required to meet the high constitutional burden for public figures who claim defamation.

Ms. Palin is expected to appeal, but appeals courts tend to be deferential.

Continued on Page A14

A Sneak Peek at Fall's Palette

Patterns from the Gabriela Hearst Fall 2022 show on Tuesday, part of New York Fashion Week.

Stark Transformation From Ohio Moderate to Trump's 'No. 1 Ally'

By JENNIFER MEDINA and LISA LERER

BEACHWOOD, Ohio — In the fall of 2016, Donald J. Trump's presidential campaign was pressing Ohio's young state treasurer, Josh Mandel, to step it up. A former Marine, he held some sway

with Republican voters, and Trump aides wanted him doing more public events.

But Mr. Mandel couldn't quite find the time. He just had so many scheduling conflicts, he joked over breakfast with Matt Cox, a Republican lobbyist and, at the time, a friend. Mr. Cox recalled Mr. Man-

del rattling off the excuses he used to avoid being too closely linked to a candidate he wasn't sold on: Running after his three children, other political commitments, his observance of all those Jewish holidays.

Once Mr. Trump won, any reluctance from Mr. Mandel fell away

fast. Within weeks, he spoke at the president-elect's first victory rally, slamming those who were "avoiding Trump" during the election. Five days after the rally, he launched his second bid for Senate, borrowing Mr. Trump's catchphrases of a "rigged system" and

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INTERNATIONAL A4-10

Behind the Ottawa Protests

Self-appointed leaders, some with military and right-wing organizing backgrounds, have orchestrated a disciplined occupation.

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BUSINESS B1-6

Fed Confirmations Stalled

Republicans unhappy with President Biden's pick for the nation's top bank supervisor retaliated with a no-show on a key Federal Reserve vote.

PAGE B1

OBITUARIES B15-16

Conservative Political Satirist

P.J. O'Rourke was a voice from the right who skewered Democrats and Republicans alike. He was 74.

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NATIONAL A11-19, 22

Third Person Cured of H.I.V.

A novel treatment using blood from an umbilical cord instead of bone marrow could open a door to helping more people of diverse racial backgrounds overcome their infections.

PAGE A19

The Climate Leader Is Back

The Biden administration is restoring California's power to set its own limits on tailpipe pollution and is largely adopting the state's rules regarding heavy trucks.

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ARTS C1-8

A Basquiat, or Not?

Questions have arisen about 25 vibrant paintings said to be by the artist that are now on display in Florida.

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FOOD D1-8

Fancying Basic Chocolate

Sometimes, the most expensive ingredients aren't needed. Take a bite of the flourless cake, above, with melted chocolate chips, and you'll see why.

PAGE D1

Chicken That Never Chirped

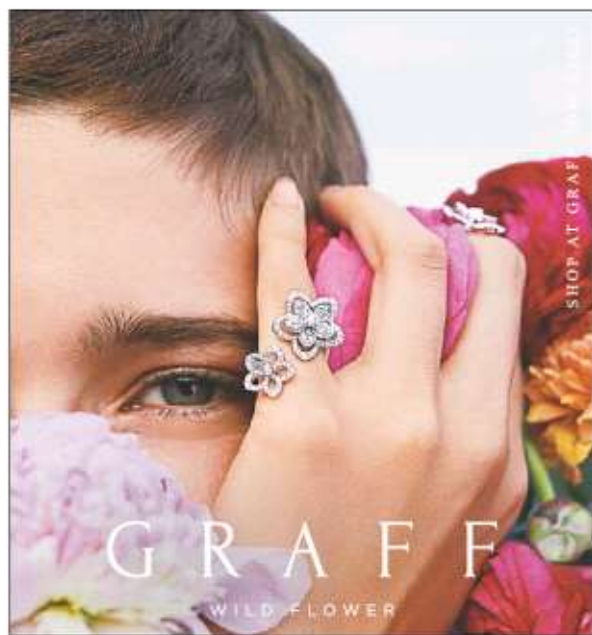
Some companies are racing to bring laboratory-grown meat to the market. "We are changing the paradigm," one company owner said. "We are detaching the meat from the animal."

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OPINION A20-21

David Axelrod

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The New York Times

College student who swiped right. New mom. Military police sergeant. Single guy whose date landed him in the emergency room. Hollywood actress. Someone who was ghosted. Chicago marketing engineer. Brooklyn poet. A wife in her final days. And more.

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Inside The Times

THE STORY BEHIND THE STORY



In Brooklyn, N.Y., people are returning to the subway — but not everyone is masking.

Preparing to Live With Covid

As the Omicron wave subsides in regions across the world, more governments, politicians and health officials are informing people it's time to start "living with the virus." According to some epidemiologists, this is an acknowledgment that SARS-CoV-2 will not be eradicated. Instead, individuals will need to rely on an arsenal of tools — including vaccines, paid sick leave and masks — to coexist with the virus while reducing personal risk and protecting others. In the Coronavirus Briefing newsletter, Jonathan Wolfe recently asked readers: "Are you ready to live with the virus?" It's a hot topic: Nearly 3,000 readers wrote in. Read a collection of edited responses below.

It's time to start living with Covid by normalizing it. It's a virus. It will keep mutating. It's never going to be "over," no matter how long we make concessions. And if it's never over, as a nation, we can't grieve, find closure, adapt and help each other and our kids find silver linings and hope. We need to begin the healing process. We need to allow the healthy to start living. ARIELE TAYLOR, BAY AREA, CALIF.

If "living with the virus" means letting down my guard, then NO. I'm not remotely ready. I'm prepared to wear masks for the rest of my life, if need be. I'm not going to get casual about Covid. I'm 74. I'm already dealing with fibromyalgia. I don't want long Covid on top of that! For me, masking up when I go out is an inconvenience I can live with. KATHRYN JANUS, CHICAGO

As a health care provider, I've been "living with the virus" since March 2020. It's absolutely consumed my professional life and spilled over greatly into my personal life as well. I don't know that I'll ever stop living with it, in the sense that there is some trauma from the last two years that will stick with me, probably forever. I want desperately for this to be over, but I am terrified of continued surges that will overwhelm our already fragile health system. I'm devastated at the thought of losing more lives to this. But I get that the current restrictions are taking a toll. I don't know what the right answer is. ELIZABETH, BROOKLYN, N.Y.

I am ready! I want to travel with my family, do my job in full capacity and have my child in school without a mask if they choose. It has been long enough and it's time to let people start choosing which precautions they want to take. You can

wear a mask for the rest of your life should you choose. No one will ever stop you from doing that. STACY FOSTER, PORTLAND, ORE.

I'm 66 with a recent cancer diagnosis. If we just decide that precautions (vaccinations, masking and testing) aren't really needed anymore because we're "living with it," then we are relegating the most vulnerable (i.e., elderly) to a life of isolation and unreasonable restrictions in order to allow younger, less vulnerable people to ignore the risks they pose to the more vulnerable. THERESA HOFFMAN, TOLEDO, OHIO

Restaurants and bars are open. Concerts are happening. Aside from health care workers and those at risk, it seems like most have returned to normal? BRANDI C., VANCOUVER, WASH.

We're past the time of waiting it out. I've accepted the addition of a yearly Covid vaccine to my flu vaccine regimen. I'll continue to wash my hands, stay home when I'm sick and maintain a healthy distance from others, just like I did in the pre-Covid era. But I'm over all the fear-mongering. We must ask ourselves: Is all of this really worth not living? JAIME, RIDGE FARM, ILL.

I don't feel ready to "live with the virus." Part of me wants to, but my husband and I have spent the last two years being hyper vigilant to the point that I can't fathom what normalcy would look like. I know that if I attempted to "live with the virus," I would likely feel a level of anxiety I don't care to experience. DANIELLE LOVELL, CARRBORO, N.C.

To subscribe to the Coronavirus Briefing newsletter, visit nytimes.com/newsletters.

The Newspaper And Beyond

CORRECTIONS A18
CROSSWORD C3
OBITUARIES B15-16
OPINION A20-21
WEATHER A22
CLASSIFIED AD5 B4

VIDEO

The third episode of "We're Cooked," a video series from Times Opinion that examines the harmful effects of our food system on the planet, makes the case for eating insects — a dietary adjustment that may gross you out but might also help curb climate change. nytimes.com/video



AUDIO

On the "Popcast" podcast, the host Jon Caramanica and his guests discuss the controversy over the podcaster Joe Rogan, who has been criticized for promoting Covid-19 misinformation, and Spotify's role in vetting the content it distributes. nytimes.com/popcast



QUIZ

Super Bowl LVI, protests in Canada and Australian koalas. Students: How closely have you been paying attention to recent headlines? Test your knowledge with The Learning Network's weekly News quiz. nytimes.com/learning



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A Headline in History

NEWS FROM THE ARCHIVES OF THE NEW YORK TIMES

THE MAINE BLOWN UP.

February 16, 1898. The previous evening, a large explosion sunk the United States battleship Maine in Havana Harbor, The Times reported. In March, a court of inquiry found that the explosion, which killed around 260 men, was caused by a submerged mine, though much of the American public thought Spain was to blame. (A 1976 investigation found that it was likely triggered by a fire in the ship's coal bunker.) "Remember the Maine" became a rallying cry for those who wanted the United States to intercede on Cuba's behalf in its struggle for independence from Spain — which it did in April 1898.

Subscribers can browse the complete Times archives through 2002 at timesmachine.nytimes.com.

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Of Interest

NOTEWORTHY FACTS FROM TODAY'S PAPER

Chinese legislators abolished a term limit on the presidency in 2018, clearing the way for Xi Jinping to hold onto all his major posts indefinitely: president, party leader and military chairman.

China Knows Xi Is in Control But Who Comes Next? A4

The global market for lab-grown meat, commonly known as cell-based or cultivated meat, could reach \$25 billion by 2030, according to the consultants McKinsey & Company.

Brave New Bird D1

Lower-alcohol beers are stitched into the drinking fabric of Scandinavia and pub-rich England, where taxation increases as alcohol content rises.

Low-Buzz Beer, the Next Round for Brewers D4



DAVID BRANT

Migrants were caught crossing the southwest border with Mexico illegally more than two million times from December 2020 to December 2021, the largest number since at least 1960.

Rushed Across the Border, and Now Lost in a Bureaucratic Maze All

The median cost of a funeral was nearly \$8,000 in 2021, according to the National Funeral Directors Association.

Chasing a Covid Benefit Nobody Really Wants To Use B1

This year's Beijing Games marks the first time the American men did not have an entrant in the men's combined Alpine skiing event since it was reintroduced to the Olympic program in 1988.

How Americans Lost Their Alpine Dominance B10

The Conversation

FIVE OF THE MOST READ, SHARED AND DISCUSSED POSTS FROM ACROSS NYTIMES.COM

Prince Andrew Settles Sexual Abuse Lawsuit With Virginia Giuffre

Financial terms of the settlement, on the lawsuit brought by Ms. Giuffre, who accused Andrew of raping her when she was a teenager, were not disclosed. This was Tuesday's most read article; readers found it on social media.

Anna Sorokin on 'Inventing Anna' and Life After Rikers

In an interview ahead of the Netflix show's release, Ms. Sorokin, who posed as a German heiress and convinced New York's wealthy to finance her life, spoke about how her life has changed since the end of her Anna Delvey days.

Accounting Firm Cuts Ties With Trump And Retracts Financial Statements

Mazars USA said in a letter that it could no longer stand behind the annual statements, which are central to an investigation by the New York attorney general.



SERGEY PYLOV/REUTERS

Ukraine Live Updates: Biden Warns Invasion Still Possible Despite Russian Pullback Claim

President Biden said that the United States has not verified that Russia has begun to withdraw troops and that its forces "remain very much in a threatening position."

24 Brilliant Baking Recipes to Change Your Kitchen Game

A great baking recipe can seem like wizardry. In the most brilliant of cases, it can surprise and delight with its inventiveness, and educate. Times readers ate this article up.

Spotlight

ADDITIONAL REPORTAGE AND REPORTEES FROM OUR JOURNALISTS

The author Harley Rustad's new book, "Lost in the Valley of Death," is about the American adventurer Justin Alexander Shetler, who went missing in 2016 while on a pilgrimage in the Himalayas. On "The Book Review Podcast," Mr. Rustad discussed how Mr. Shetler's use of social media dovetailed with his spiritual journey — and how it didn't. Read an edited excerpt from his conversation with the host, Pamela Paul.

Pamela Paul When you look at Mr. Shetler's Instagram, he's this very good-looking, muscular guy who seems to be aware of his physical presence. Talk a little bit about how he approached social media.

Harley Rustad There are a fair amount of shirtless selfies on his Instagram account. I think it's quite easy for people to write him off as somebody who is just out there to have an enormous following and to reap the benefits of what that could bring. But I don't think that's entirely a truthful read of who Justin was. We all curate how we want to present ourselves to the world, and that's not necessarily accurate.

Something that he longed for and struggled with was solitude. And so, as much as he validated and found value in that platform, it also created this barrier for him to achieve something pure: isolation, and what can be found in those moments of solitude.

Paul Can you describe what his final posts ultimately told you about his last days?

Rustad As a reporter trying to piece together this puzzle, his social media was a rich resource. It had time stamps, locations and people I could interview. But it also presented a problem about where the truth lies in what is posted. I had moments where he told a story online that I had to pick apart, and I found flaws. It added a whole other layer to his story.

Listen to the entire conversation at nytimes.com/tbrpodcast.

Quote of the Day

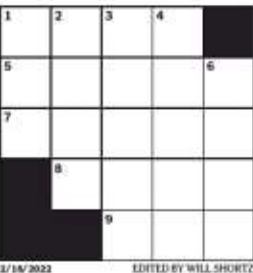
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"The Josh Mandel of 2003 — of 2016, even — would not recognize the Josh Mandel of 2021."

ROB ZIMMERMAN, a Democrat who raised funds for Mr. Mandel, a Republican Senate candidate from Ohio who has taken a hard right turn politically from his moderate roots.

The Mini Crossword

BY JOEL FAGLIANO



3/16/2022

EDITED BY WILL SHORTEZ

- ACROSS**
- 1 Figure skating jump
 - 5 Commuting option
 - 7 Downright mean
 - 8 Steven ____, Best Actor nominee for "Minari"
 - 9 James Bond's occupation

- DOWN**
- 1 Fictional news channel on "Succession"
 - 2 Medical imaging procedure
 - 3 Makes less difficult
 - 4 Illuminated
 - 6 Big Apple address letters

SOLUTION TO PREVIOUS PUZZLE

M	A	T	H
B	L	U	E
A	P	P	L
S	H	A	L
A	C	A	

Here to Help

GLOBETROTTING: SIX RECENTLY RELEASED BOOKS FROM AROUND THE WORLD

The Times's Books desk keeps a running list of books in translation coming out in 2022. Here are six that have been published recently.

Among the Almond Trees (Palestine)
Diagnosed with cancer, the Palestinian author of this memoir returns to his childhood village and determines to build a house for his wife and son.
By Hussein Barghouti. Translated from the Arabic by Ibrahim Muhawi.

The Employees (Denmark)
On a spaceship in the near future, a strange new cargo leads human and android workers to feel a sense of nostalgia and a craving for intimacy.
By Olga Ravn. Translated from the Danish by Martin Aiken.

The Hummingbird (Italy)
In this award-winning, blackly comic novel, an ophthalmologist bumbles through life, coping with tragedy, bad decisions and more.
By Sandro Veronesi. Translated from the Italian by Elena Pala.

Jawbone (Ecuador)
In an abandoned cabin, schoolmates are drawn into increasingly extravagant and dangerous situations by their most daring friend, with horrific consequences.
By Mónica Ojeda. Translated from the Spanish by Sarah Booker.



TIROKA MAER

Quake (Iceland)
Questions of family, memory and trust swirl through this mystery, which unfolds after a woman's seizure on a busy Icelandic street.
By Auður Jónsdóttir. Translated from the Icelandic by Meg Matich.

The Vanished Collection (France)
Perignon, a great-granddaughter of a wealthy French-Jewish art collector, investigates what happened to the family's trove of Impressionist art after it was confiscated by the Nazis.
By Pauline Baer de Perignon. Translated from the French by Natasha Lehrer.

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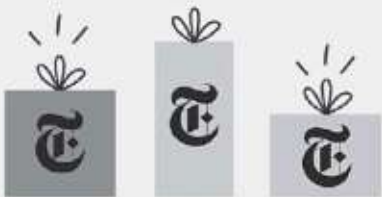
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International

The New York Times



President Xi Jinping will convene the next National People's Congress late this year. He is expected to keep his post as Communist Party general secretary.

China Knows Xi Is in Control. But Who Comes Next?

As Communist Summit Nears, Guessing Game Over Successor Heats Up

By CHRIS BUCKLEY

One rising Chinese provincial leader lauded Xi Jinping as the Communist Party's "greatest guarantee." The party chief of a big coastal city urged officials to revere Mr. Xi's "noble bearing as a leader and personal charisma." A top general said Mr. Xi had faced down "grave political risks" to achieve the "revolutionary reinvention" of China's military.

The orchestrated adulation that has carried Mr. Xi into 2022 adds to the growing certainty that he will secure another term in power at a Communist Party congress late in the year. In an era of global upheaval and opportunity, scores of senior officials have said, China needs a resolute, powerful central leader — that is, Mr. Xi — to ensure its ascent as a superpower.

But one great uncertainty looms over China, and it is of Mr. Xi's own design: Nobody, except maybe a tight-lipped circle of senior officials, knows how long he wants to stay in power, or when and how he will appoint a political heir. Mr. Xi seems to like it that way.

"Xi's political genius is the strategic use of uncertainty; he likes to keep everyone off balance," said Christopher K. Johnson, the president of the China Strategies Group and a former Central Intelligence Agency analyst of Chinese politics.

At the congress, Mr. Xi is highly likely to keep his key post as Communist Party general secretary for five more years, bucking the previous assumption that Chinese leaders were settling into a pattern of decade-long reigns. Chinese legislators abolished a term limit on the presidency in 2018, clearing the way for Mr. Xi, 68, to hold onto all his major posts indefinitely: president, party leader and military chairman.

But for how many years? And who would take over after him? The dilemmas of when and how to signal a plan to step away from formal office and confirm an heir could test Mr. Xi's redoubtable political skills.

Keeping everyone guessing could help reinforce loyalty to him, and give him more time to judge potential successors. Yet holding off from designating one could magnify anxiety, even rifts, in China's elite.

"To pick an heir would make Xi a lame duck to some extent," Guoguang Wu, a professor at the University of Victoria in Canada who served as an adviser to Zhao Ziyang, the Chinese leader ousted in 1989, wrote by email. "But it would also reduce the pressure Xi has to confront in seeking his third term."

Confidence, Mr. Xi has said, is key to protecting party power, and he wants no surprises to upset a triumphant buildup to the congress.

Setting economic priorities for 2022, China's leaders repeated "stability" seven times. Beijing is not wavering from its "zero Covid" strategy, while other countries have buckled. This year, too, China's Winter Olympics, so far untroubled by protest, and planned launch of a space station will bathe Mr. Xi in the aura of a statesman.

But the blaze of propaganda will shed



Vice Premier Han Zheng, at lectern, considered one of Mr. Xi's protégés, is likely to retire from the Politburo Standing Committee at the next congress.

few clues about internal deliberations building up to the congress. Secrecy around elite politics is ingrained in Communist Party leaders, and it has deepened under Mr. Xi. They see themselves as guarding China's rise and one-party power in an often hostile world.

Mr. Xi's power games may only come into broad focus when a new leadership files out on the red carpet of the Great Hall of the People in Beijing at the end of the congress, which is likely to convene in November.

Given his desire to keep his options open, Mr. Xi is likely to hold off even then from specifically signaling a successor who would be brought into the Politburo Standing Committee, the party's innermost circle of power, several experts said.

Mr. Xi and the premier, Li Keqiang, vaulted into the Standing Committee in 2007, confirming them as the two leaders-in-waiting at the time.

Instead of making a similar move, Mr. Xi is more likely to bring a cohort of next-generation officials into the full 25-member Politburo — the tier below the Politburo Standing Committee — creating a reserve bench whose loyalty and mettle would be tested in the years to come.

"The action will probably be in the Politburo," said Mr. Johnson, the former C.I.A. analyst. "Doing anything that would signal a successor now seems unlikely."

China's history of botched succession plans stands as a warning to Mr. Xi. Mao Zedong and Deng Xiaoping both had an unhappy record of choosing, then turning on, political heirs.

Mr. Xi became top leader in 2012 after a year of lurid strife in ruling circles. He has argued that the fall of the Soviet Union resulted from installing weak, unworthy leaders who betrayed the Communist cause.

"Whether a political party and a country can constantly nurture outstanding leadership talent to a great extent determines whether it rises or falls," Chen Xi, the party's head of organizational affairs, wrote late last year in People's Daily, the party's newspaper.

Mr. Xi has already sought to prevent undercurrents of discontent from converging into opposition before the congress.

In November, he oversaw a resolution on Communist Party history that gave a glowing affirmation of his years in power. Praise in such a weighty document will help deter pushback, and Mr. Xi has used it to demand "absolute loyalty" to the party from members. A recent video series, parading officials felled for corruption and abuses of power, reinforced the warning.

"All the machinery of coercion is in his hands," Lance Gore, a senior research

fellow at the East Asian Institute of the National University of Singapore, said of Mr. Xi. "He's offended a lot of people, but nobody is in a position to contend with him, openly or even covertly."

Even so, Mr. Xi does not have carte blanche over the next leadership lineup. Other officials could press on his policy missteps to quietly seek more say, Mr. Johnson said. And Mr. Xi's own interests may also lie in showing some give and take, so different groupings feel they have a seat at the top table.

"It's not necessarily winner-takes-all," said Timothy Cheek, a historian of the Chinese Communist Party at the University of British Columbia. "He's leaving room so that other people are somewhat accommodated."

Even if politics goes smoothly, who retires and who rises presents Mr. Xi with tricky trade-offs.

At the last party congress in 2017, leaders did not pick a successor to Mr. Xi, upending the ladder-like handover of power that had been taking shape in previous decades. Some of Mr. Xi's protégés may now be too old to stay in the race, while promising younger officials remain untested, and generally unknown.

Under an informal age ceiling for senior party posts, two of the seven members of the Politburo Standing Committee — the top tier of power — are likely to retire: Vice Premier Han Zheng and the head of the Chinese legislature, Li Zhan-shu. That unspoken rule says that members who are 68 or older should step down when a congress comes around. Mr. Xi could also engineer more retirements, including of the premier, Li Keqiang, or expand the size of the Standing Committee, which is not fixed by rule.

Possible recruits into the top body include Chen Min'er, Hu Chunhua, and Ding Xuexiang. All are Politburo members young enough to serve 10 years in the Standing Committee under the age rules. So far, though, none has received a telltale pre-congress move that suggests Mr. Xi has special plans for him, such as a high-profile transfer or a propaganda push.

Party insiders once described Mr. Chen as a favorite and possible heir of Mr. Xi. But Mr. Chen already seems too old to win elite approval, said Bo Zhiyue, a consultant in New Zealand who studies Chinese elite politics. Mr. Chen will be 67 in 2022, a year when Mr. Xi could step down at a party congress. Mr. Xi was 59 when he became leader at a congress in 2012.

Mr. Xi "has to bring in new people, but he doesn't want any of them labeled as his successor," Mr. Bo said. "There's the big dilemma for Xi Jinping — how to promote them but not too far and limit his options."

There is likely to be much more turnover in the full Politburo, the second-highest rung of power. Retirements there could create 11 vacancies, which Mr. Xi could use to promote a cohort of loyal officials in their 50s or early 60s, many now provincial leaders.

But if Mr. Xi stays at the top for another decade or longer, they may also be passed over for even younger potential successors now working in obscurity in ministries and local administrations.

"If Xi stays healthy and avoids policy disasters, he could remain a capable national leader and a formidable political operator for another couple of decades," said Neil Thomas, who analyses Chinese politics for the Eurasia Group.

At Penal Court, Navalny Faces Fresh Charges Of Corruption

By IVAN NECHEPURENKO

Aleksei A. Navalny, the most prominent challenger to the rule of President Vladimir V. Putin of Russia, appeared at a court hearing on Tuesday to face charges of embezzlement and contempt of court that could extend his imprisonment by 15 years.

The trial is starting as Mr. Putin has grabbed the world's attention by engaging in a high-stakes standoff with the West over Ukraine. Mr. Navalny's supporters said they believed the trial was deliberately scheduled to coincide with the crisis to divert attention away from his case.

The proceedings were held in a prison outside Moscow, where Mr. Navalny, who has accused Mr. Putin of ordering his security agencies to assassinate him, is serving a sentence that ends next year. The Kremlin has denied Mr. Navalny's accusations.

Standing in a makeshift courtroom in his prison uniform, a visibly thinner Mr. Navalny accused the court of deliberately holding the trial in a penal colony hours away from Moscow to reduce media attention and obstruct the work of his lawyers, who were not allowed to bring their laptops with case materials.

"I am not afraid of this court, of the penal colony, the F.S.B., of the prosecutors, chemical weapons, Putin and all others," Mr. Navalny said in court, according to a video of his statement. "I am not afraid because I believe it is humiliating and useless to be afraid of it all."

Russian investigators have accused Mr. Navalny and his associates of creating his anti-corruption foundation for the purpose of embezzling people's donations, court documents said. Investigators said that Mr. Navalny had published inquiries of "alleged corruption among government officials at various levels" to attract these donations. They said Mr. Navalny attempted to take part in the 2018 presidential election for that purpose. (Mr. Navalny was barred by Russian election officials from running for president.)

In particular, the investigators accused Mr. Navalny of stealing \$35,000 from four people, who had testified against him. In a video published ahead of the trial, Mr. Navalny's ally Ivan Zhdanov accused two of the four victims mentioned in the case of cooperating with the Russian government to "slander an innocent person in exchange for money."

"These are people who were brought by the hand, given someone else's money and told to make one payment," said Mr. Zhdanov, adding that the criminal case was opened only a day after one of the four victims sent a donation to the foundation.

The other two people who testified against Mr. Navalny were pressured to do so, Mr. Zhdanov said. One is facing up to 10 years in prison, and the other had been under investigation over tax evasion, he said. Over the past decade Mr. Navalny has built a political organization with offices in major cities. Despite growing police and government pressure, Mr. Navalny's organization was able to consolidate some of the most vocal critics of Mr. Putin and helped organize some of the biggest street protests against his government.

In 2013, when the Russian government allowed Mr. Navalny to run for the post of mayor of Moscow, he came close to defeating the incumbent pro-Kremlin candidate, garnering more than 630,000 votes. However, Mr. Navalny's popularity grew hand in hand with the Kremlin's decreasing tolerance for his activities. Mr. Navalny was arrested for violating parole at a Moscow airport after returning to Russia last year from Germany, where he was recovering from poisoning he said was organized by the Russian government. Ever since his return and subsequent sentencing, Mr. Navalny and his associates and supporters have faced increased pressure from the Russian government.

Multiple criminal cases were opened against him and his allies. His anticorruption foundation and his political organization were declared extremist and banned. Many of his allies had to flee Russia. Some were arrested and remain in custody. "I insulted your dark lord Putin by not only surviving, but by returning," Mr. Navalny said in his statement to the judge and prosecutors. "Now, he will increase my prison terms forever," he added, referring to Mr. Putin. "But I believe that the worst real crime I could commit is if I get afraid of you and who stands behind you," he said addressing the judge and prosecutors.

The next hearing in his case is scheduled for Monday.



Administering a Covid test in Beijing last month. As European countries have flirted with living with the virus, China has continued its "zero Covid" policy.



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Racist Conspiracy Theory Seeps Into France's Mainstream

By NORIMITSU ONISHI

PARIS — Until a couple of years ago, the “great replacement” — a racist conspiracy theory that white Christian populations are being intentionally replaced by nonwhite immigrants — was so toxic in France that even Marine Le Pen, the longtime leader of the country’s far right, pointedly refused to use it.

But in a presidential race that has widened the boundaries of political acceptability in France, Valérie Pécresse, the candidate of the mainstream center-right party in the coming election, used the phrase over the weekend in a speech punctuated with coded attacks against immigrants and Muslims.

The use of the slogan — in what had been billed as the most important speech so far by Ms. Pécresse, a top rival of President Emmanuel Macron — has fueled intense criticism from her opponents as well as allies within her party. It also underscored France’s further shift to the right, especially among middle-class voters, and the overwhelming influence of right-wing ideas and candidates in this campaign, political experts said.

The “great replacement,” a conspiracy theory adopted by many white supremacists worldwide, has inspired mass killings in the United States and New Zealand.

Eric Zemmour, a far-right author, television pundit and now presidential candidate, was the leading figure to popularize the concept in France in the past decade, describing it as a civilizational threat against the country and the rest of Europe.

In a 75-minute speech before 7,000 supporters in Paris — intended to introduce Ms. Pécresse, 54, the current leader of the Paris region and a former national minister of the budget and then higher education, to voters nationwide — Ms. Pécresse adopted Mr. Zemmour’s themes, saying the election would determine whether France is a “united nation or a divided nation.”

She said that France was not doomed to the “great replacement” and called on her supporters “to rise up.” In the same speech, she drew a distinction between “French of the heart” and “French of papers” — an expression used by the extreme right to point to naturalized citizens. Vowing not to let France be subjugated, she said of the symbol of France, “Marianne is not a veiled



In a speech, Valérie Pécresse, a mainstream center-right candidate, referred to the “great replacement,” a racist conspiracy theory.

woman” — referring to the Muslim veil.

“By using the ‘great replacement,’ she gave it legitimacy and put the ideas of the extreme right at the heart of the debate of the presidential race,” said Philippe Corcuff, an expert on the far right who teaches at the Institute of Political Studies in Lyon. “When she talks of ‘French of papers,’ she’s saying that distinctions will be made between French people according to ethnic criteria. Her stigmatization of the Muslim veil is in the same logic of the extreme right.”

The use of the term, once limited to the extreme right, by Ms. Pécresse — who is the candidate of the Republicans, the party of former Presidents Nicolas Sarkozy and Jacques Chirac — marked a “Rubicon,” said Anne Hidalgo, the Socialist presidential candidate and current mayor of Paris.

But it also made uneasy people inside her own party, who still want to draw clear lines between it

and the extreme right. Xavier Bertrand, a party heavyweight, said, “The great replacement, that’s not us,” according to French news media.

Polls show Ms. Pécresse, Ms. Le Pen and Mr. Zemmour neck and neck for second place behind Mr. Macron in the first round of voting, scheduled for April 10. In the second round, on April 24, one of them would face off against Mr. Macron, who has also shifted to the right, especially in the past two years of his presidency.

The sudden rise of Mr. Zemmour as a candidate has injected the “great replacement” and other explosive issues into the election, forcing other candidates on the right to fine-tune their positions at the risk of losing support to him.

Ms. Le Pen had expressly rejected the slogan, criticizing it as a conspiracy theory. While she has kept her distance from the term, her party’s president, Jordan Bardella, has started referring to it in recent months.

Facing criticism, Ms. Pécresse backpedaled a little, saying her use of the expression had been misconstrued.

But Nicolas Lebourg, a political scientist specializing in the right and far right, said that her use of the term simply reflected a political calculation: the center right’s traditional middle-class supporters have also shifted rightward in recent years.

“Since 2010, there’s been a significant hardening by upper-middle-class voters against immigration and Islam, but we hadn’t seen its political effects yet,” Mr. Lebourg said. “So what we’re experiencing now is a tipping over of part of the middle-class and upper middle-class.”

These voters are worried about issues like “wokisme” — the supposed contamination of France by “woke” American ideas on social justice that they see as overwrought political correctness.

“It’s middle-class voters who care about ‘wokisme,’ while Le

Pen’s working-class supporters are completely uninterested in that,” Mr. Lebourg said.

The “great replacement” was conjured up by a French writer named Renaud Camus in 2010. In an interview in 2019, Mr. Camus bemoaned the fact that leading politicians had rejected the slogan. The slogan and his embrace of the far right had turned him into a pariah in France’s literary and media circles, forcing him to publish his own books.

But in recent months, Mr. Camus has been invited back on television talk shows.

In an email exchange on Tuesday, he said, “I can only be delighted by the use of the expression ‘great replacement’ during this presidential campaign.”

Other campaign issues, like the pandemic and consumer purchasing power, were minor next to the reality described by the slogan, he said.

“The rest is of no importance by comparison,” he said.

Ex-President Of Honduras Is Detained In Drug Case

By JOAN SUAZO and ANATOLY KURMANAEV

TEGUCIGALPA, Honduras — Honduran authorities detained former Honduran President Juan Orlando Hernández on Tuesday to potentially face extradition and drug charges in the United States, capping a spectacular downfall for one of Central America’s most powerful men.

Mr. Hernández, who led the country for eight years and stepped down less than a month ago, was escorted by security officers from his home, wearing a bulletproof vest and shackles that bound his hand and foot.

“It’s not an easy moment, I don’t wish it on anybody,” Mr. Hernández said in an audio message posted on his Twitter profile at 5 a.m. on Tuesday.

“I’m ready to present myself voluntarily and defend myself in accordance with the law,” he said in a separate message on Facebook, shortly after.

Fireworks exploded around the Honduran capital of Tegucigalpa almost immediately after Mr. Hernández was led away from his home, and about a hundred protesters gathered around his residence to celebrate his detention. The former president is deeply unpopular, accused of allowing organized crime and corruption to penetrate the highest echelons of power, keeping Honduras one of the poorest and most violent countries in Latin America.

An arrest quickly follows an extradition request from the U.S.

“Justice has been served for Honduras,” said Ana María Torres, a university student who came to revel in Mr. Hernández’s arrest. “He left the country in ruins and now the gringos are going to take him so that he pays the price of being a narco.”

Police trucks and black sports utility vehicles with tinted windows surrounded his home in an upmarket gated community on Monday night, just minutes after the country’s Foreign Ministry revealed that it had received an extradition request from the United States for a politician. On Tuesday morning, he opened his door to the authorities, who took him away.

The extradition request, presented to Honduras’s Supreme Court and seen by The New York Times, claims Mr. Hernández participated in a “violent drug-trafficking conspiracy” that since 2004 has transported 500 tons of cocaine from Venezuela and Colombia to the United States via Honduras. The document claims that Mr. Hernández received millions of dollars in bribes for facilitating the shipments and shielding traffickers from prosecution.

The former president’s brother, Juan Antonio Hernández, is serving a life sentence in the United States for cocaine trafficking. Another convicted cocaine trafficker who implicated the former president, Geovanny Fuentes, received the same sentence last week.

Mr. Hernández is expected to be presented in court on Wednesday. In the past, he has repeatedly denied all drug-related accusations, claiming that unspecified voice recordings made by the Drug Enforcement Administration show his innocence.

It is not clear if, or when, Mr. Hernández may be extradited to the United States and whether he will be accused of crimes at home. Honduras’s Supreme Court is expected to rule on whether to grant the extradition request.

A Supreme Court judge who was named on Tuesday to hear Mr. Hernández’s case is affiliated with the former president’s party and has a history of absolving suspects in corruption cases, said Gabriela Castellanos, the head of National Anti-Corruption Council, an independent body created by congress.

Honduras, which relies heavily on American aid, has never denied a U.S. extradition request, said Marlon Duarte, a Tegucigalpa-based lawyer who has participated in five extradition cases. But a case against a recent president has no precedent, and Mr. Hernández retains support in the judicial system, he said.

Honduras’s new president, Xiomara Castro, has accused Mr. Hernández of turning the country into a “narco-dictatorship.” She was elected in November after promising to overhaul the system of corruption and impunity that flourished under Mr. Hernández, contributing to a mass exodus of its citizens to the United States.

Joan Suazo reported from Tegucigalpa, and Anatoly KurmanaeV from Oaxaca, Mexico. Oscar Lopez contributed reporting from Mexico City.

The Group Trying to Steer Ottawa's Restive Protesters

By SARAH MASLIN NIR and NATALIE KITROEFF

OTTAWA — Since the big rigs entrenched in the core of Canada’s capital first pulled in nearly three weeks ago, they have arranged themselves in a semblance of order, parking in evenly spaced rows. Their drivers have stayed warm and are fed by a corps of marshaled volunteers, and though they have varying personal beliefs, they appear carefully on-message: “Freedom!” has been the repeated refrain for the past 20 days.

It is no accident: High above the clot of trucks on Ottawa’s Parliament Hill, in hotel rooms just out of the fray, are the war rooms behind the operation. From them, a team of self-appointed leaders, some with military and right-wing organizing backgrounds, have orchestrated a disciplined and highly coordinated occupation.

They have spent the weeks huddling in conference rooms and streaming their own news conferences on social media platforms from hotel lobbies. It is a crew that includes former law enforcement officers, military veterans and conservative organizers, a sometimes fractious collaboration that has nonetheless helped to coalesce a demonstration against vaccine mandates into a force that has destabilized the city and sent shock waves throughout Canada.

And while the main blockade that had crippled trade and stalled commercial traffic for nearly a week at the main border crossing between Canada and the United States reopened this week, the protesters in Ottawa largely haven’t budged.

Canadian officials, who do not have authority to tell the police how to operate, have become increasingly frustrated with the occupation and see the coordination not as a polished demonstration, but a dangerous threat.

“What is driving this movement is a very small, organized group that is driven by an ideology to overthrow the government,” Marco Mendicino, the public safety minister, said in remarks on Tuesday. “Through whatever means they may wish to use.”

The protesters’ efforts seemed to be rewarded on Tuesday by the resignation of Ottawa’s police chief, who had faced mounting criticism for the tepid response to



Ottawa to strategize.

“We had a number of discussions about staying on message, about the need in this modern-day world of politics to have a very clearly defined message that is understandable and simple, a message that people can grasp hold of and run with,” he said. “Tamara clearly understands that.”

Ms. Lich played a leading role in organizing a GoFundMe campaign for the protests that raised \$7.8 million before the crowdfunding site shut it down after receiving “police reports of violence and other unlawful activity,” GoFundMe said.

Previously, Ms. Lich worked as a personal trainer in Medicine Hat, Alberta, a town once dubbed “Hell’s Basement,” by Rudyard Kipling for its location on top of huge natural gas field.

Ms. Lich did not respond to a call and text message requesting an interview.

B.J. Dichter, an official spokesman for the convoy, said he joined the effort after Ms. Lich sought help managing the swell of donations flowing into a GoFundMe page. Mr. Dichter has a history of spouting anti-Islamist views and once said that “political Islam” is

rotting away at our society like syphilis. He has rejected claims of racism.

“I’m Jewish,” he told the journalist Rupa Subramanya. “I have family in mass graves in Europe. And apparently I’m a white supremacist.”

Within the occupiers’ tightly managed ground operations, there are military hallmarks, outlined and executed by the several higher-ups who have backgrounds in the armed forces and law enforcement, according to Mr. Marazzo. He said he spent 25 years in the military, and with his measured tones he is frequently deployed as the spokesman for the group.

“This was a grass-roots convoy that just left their homes and headed for Ottawa,” said Mr. Marazzo, a former instructor at Georgian College in Ontario who added that he was fired because of his anti-vaccine beliefs. “They’ve deployed to the field without really knowing who our commanding officers were, who were the platoon commander, and who were the captains — That was a team effort.”

On the ground, the organizers have established a sophisticated infrastructure that includes oversight of each occupied street by a so-called road captain, with sections divided and overseen by block captains who operate below them. The captains check in on the drivers ensconced in their cabs, delivering things like hot breakfasts — doling out so much food that some protesters said they

have to turn it away.

The protesters’ coordinated responses seek to outfox law enforcement. After the police threatened to arrest people refueling the trucks last week, demonstrators filled red and yellow jerrycans with water to provide cover to those who were in fact supplying gasoline.

Now the protesters appear to operate in impunity: Every few hours, phalanxes of volunteers tow garden trolleys bearing half-dozen 20-liter gas cans to top up the drivers.

“This is what you can attribute the longevity of this movement to, it’s sheer dedication,” said Dagny Pawlak, an spokeswoman for the group.

But while the organizers have spearheaded much of the logistics of sustaining an occupation now in its third week, it is unclear how much power they have over the demonstrators — who share a wide range of motivations and beliefs — if and when it comes time to negotiate their departure.

“They will generally speak for everybody, but everybody has their own thoughts,” said Guy Meister, a trucker from Nova Scotia who was camped outside the Senate. That fracture became clear when word recently got out that organizers were negotiating with Ottawa’s mayor to relocate some trucks, infuriating some of the convoy.

“I have faith in them, but I’m my own person,” Mr. Meister said. “The only person that’s going to decide when I leave is me.”

Far From Ukraine, Putin Steps Up Russia's Wooing of Latin America

By JACK NICAS
and ANTON TROIANOVSKI

RIO DE JANEIRO — In the midst of his brinkmanship over neighboring Ukraine in recent weeks, President Vladimir V. Putin has also been busy trying to expand Russia's influence thousands of miles away: in Latin America.

He spoke to Daniel Ortega, Nicaragua's strongman president, for the first time since 2014. He also called the leaders of Venezuela and Cuba. He hosted the president of Argentina, Alberto Fernández, who vowed during a Kremlin visit to reduce his country's reliance on the United States.

And on Wednesday — the same day that American officials have said could be the start of a Russian invasion — Mr. Putin is scheduled to meet with President Jair Bolsonaro of Brazil. Mr. Bolsonaro is flying to Moscow despite repeated entreaties from American officials in recent weeks that he postpone his trip as the West scrambles to pressure Mr. Putin over Ukraine.

The flurry of personal diplomacy directed at Latin America by Mr. Putin during the most high-stakes period of his tenure often builds on ties that go back to the Cold War and sheds light on the global nature of his ambitions: to exert influence even on faraway regions. He is stepping up engagement and building ties to an expanding swath of the Western Hemisphere — including to countries, like Brazil and Argentina, that have traditionally been close to Washington.

The intensified outreach has come as Mr. Putin has threatened to take unspecified "military-technical measures" if he does not get the Eastern European security guarantees he is demanding from the United States and NATO. Kremlin officials have dropped hints that such measures could involve military deployments in the Western Hemisphere, prompting analysts and the state-controlled media to indulge in feverish speculation that the moves could include audacious steps, not ruled out by Russian officials, like deploying nuclear missiles to friendly countries in Latin America.

As usual, Mr. Putin's true intentions are hard to read. His outreach to Latin America could be a feint, a way to complicate the West's response to his threatened invasion of Ukraine. At the same time, Latin American leaders have their own political agendas, and may be using Mr. Putin to gain leverage with the United States, which, along with China, still wields much greater influence in the region overall.

But the recent Latin American diplomacy is a reminder that to Mr. Putin, a broader goal is paramount in his foreign policy: to return Russia to the status of a great power capable of challenging the United States.

Building ties to allies of the U.S. like Brazil and Argentina.

"Vladimir Putin views Latin America as still an important area for the United States," said Vladimir Rouvinski, a professor at Icesi University in Cali, Colombia, who studies Russia's relationship with Latin America. "So this is reciprocity for what is happening in Ukraine."

Mr. Putin's courtship of Latin America has been years in the making. He has been able to take advantage of ties dating to the Soviet era, local resentments against the United States and the whims of particular leaders. During the pandemic, as rich nations hoarded Covid-19 vaccines, the Kremlin grabbed another opening: In at least five Latin American countries — Argentina, Venezuela, Nicaragua, Bolivia and Paraguay — Russia's Sputnik V vaccine was the first to arrive.

"You were there," Mr. Fernández told Mr. Putin at the Kremlin last month, "when the rest of the world wasn't."

The Russian Foreign Ministry, in a written response to questions, said Latin America "was and remains for us a region of political good will, economic opportunity, cultural closeness and a similar mentality."

"Russia never participated in colonizing the region, in exploiting the peoples that populate it, or in any conflicts, wars or other uses of force," the ministry said.

Despite Russia's efforts, the U.S. and China have far larger economic ties to the region. In 2019, for example, South America exported \$5 billion to Russia, compared with \$66 billion to the United States and \$119 billion to China, according to data compiled by Harvard University.

Jack Nicas reported from Rio de Janeiro, and Anton Troianovski from Moscow. Reporting was contributed by Michael Crowley, Flávia Milhorance, Daniel Politi, Isayen Herrera and Yubelka Mendoza.



SPUTNIK, VIA REUTERS

President Alberto Fernández, left, thanked President Vladimir V. Putin for providing Argentina with a Covid vaccine.

dition to using the country for intelligence operations and money laundering, according to a senior U.S. official.

The U.S. is also concerned about Russian efforts to interfere in Colombia's election in May, possibly to aid the leftist front-runner, who could be a more friendly negotiating partner for Mr. Putin than the current right-wing administration. U.S. officials have previously observed Russian online influence operations trying to sow unrest in South America.

But in the near term, analysts said, Russia's most important benefit from Latin America will likely be diplomatic support.

Earlier this month, Argentina's president, Mr. Fernández, visited Moscow and China on a tour partly intended to seek new benefactors. Argentina owes the International Monetary Fund more than \$40 billion and has been shut off from international capital markets. Ahead of his visit, Mr. Fernández granted an exclusive interview to the Spanish-language arm of RT, the Kremlin-funded television network, which now reaches about 20 million viewers in Latin America a week.

"I'm determined that Argentina must stop being so dependent on the Fund and the United States," Mr. Fernández told Mr. Putin. "That is where it seems to me Russia has a very important place."

China's influence, in particular, has grown thanks to its financing of tens of billions of dollars in infrastructure projects across Latin America, from an elevated metro in Colombia to a space station in Argentina. That economic leverage has put its diplomatic might in the region arguably on par with the United States.

Russia's specialty in the region has been political support for countries that are becoming isolated on the global stage. Mr. Putin has been a diplomatic lifeline for the authoritarian leaders of Venezuela, Cuba and Nicaragua. And for Mr. Bolsonaro of Brazil, who has sharply criticized China and questioned President Biden's electoral victory, Mr. Putin extended an invitation when it appeared many other countries wouldn't.

During Mr. Trump's presidency, the United States and Brazil were as close as they had been in decades. But when President Biden arrived in the White House, he did not reach out to Mr. Bolsonaro, who had publicly questioned whether Mr. Biden won the 2020 election and was making his own efforts to undermine the upcoming Brazilian vote.

Eventually, Mr. Bolsonaro began asking U.S. officials for an invitation to Washington or at least a phone call from the new president, according to two senior U.S. officials who insisted on anonymity because they were not authorized to speak publicly. Mr. Bolsonaro warned that if he did not hear from President Biden, he would seek a summit with another world power, the officials said.

Mr. Putin at the time was making more intense overtures to Mr. Bolsonaro. The two presidents discussed a potential expansion of trade and agreements on science and security, the U.S. officials said.

Then, in December, with no phone call from Mr. Biden and increasing tensions in Eastern Europe, Mr. Bolsonaro accepted Mr. Putin's invitation to Moscow. The White House was not happy. Senior U.S. officials twice contacted Mr. Bolsonaro's administration to convey their concern that it was a bad time to travel to Moscow given the ongoing negotiations over Ukraine.

When asked recently about the lack of contact between Mr. Biden and Mr. Bolsonaro, Jen Psaki, the White House press secretary, pointed to conversations between Secretary of State Antony Blinken and his Brazilian counterpart in which he stressed "the need for a strong united response against further Russian aggression against Ukraine."

Mr. Bolsonaro told the Brazilian press that the Russian summit was important for his administration and that he would not bring up Ukraine. In a statement, his government said that given Brazil and Russia's relationship, continued dialogue "is more than just expected — it's necessary."

Still, Mr. Bolsonaro has faced intense criticism over the trip, including from some allies.

"I think it's wrong in many ways," said Ernesto Araújo, Mr. Bolsonaro's foreign minister until last year. "In other circumstances, it's OK. But with the looming crisis, it's not."

The most inflammatory step Mr. Putin could take would be providing military support or deploying weapons in the region. When asked in mid-January about the possibility that Russia could put military infrastructure in Venezuela or Cuba, a Russian deputy foreign minister said he would not rule anything out. Within days, Mr. Putin held calls with the leaders of Venezuela, Cuba and Nicaragua — conversations, the Kremlin said, that affirmed the countries' "strategic partnership" with Russia.

The State Department dismissed the talk of potential Russian deployments as "bluster."

"If we do see any movement in

that direction, we will respond swiftly and decisively," the department's spokesman, Ned Price, told reporters.

Analysts in Latin America are skeptical that Mr. Putin would deploy weaponry to the region, in

part because doing so could wreck much of the good will Russia has worked to create across Latin America.

Still, Russia has been instrumental in arming its closest allies in Latin America. Russia has sold

weapons and tanks to Cuba and Nicaragua, and aircraft and antimissile systems to Venezuela. It also held bilateral military exercises with Venezuela.

U.S. officials believe Russia is aiding Venezuela's military, in ad-

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Tensions in Europe

U.S. Arms Could Help Ukraine Blunt, but Not Stop, a Russian Invasion

By ERIC SCHMITT and JOHN ISMAY

WASHINGTON — President Biden has ruled out sending U.S. troops to fight in Ukraine, but American-made weapons are already there in force and more will be on the way. How effective they would be in turning back a Russian invasion is another question.

Since 2014, the United States has committed more than \$2.7 billion in security assistance to Ukraine, according to the Pentagon, including a \$200 million package in December comprising equipment like Javelin and other anti-armor systems, grenade launchers, large quantities of artillery, mortars and small-arms ammunition.

But military experts say that with 150,000 troops on three sides of Ukraine, the Russian Army could quickly overwhelm the Ukrainian military, even one that is backed by the United States and its European allies. Ukrainian forces stretched thin by defending multiple borders would have to prioritize which units received advanced weaponry and extra ammunition.

Ukrainian troops — trained in recent years by U.S. Army Green Berets and other NATO special forces, and better equipped than in Russia's last invasion in 2014 — would likely bloody advancing Russian troops. But a long-term Ukrainian strategy, American officials said, would be to mount a guerrilla insurgency supported by the West that could bog down the Russian military for years.

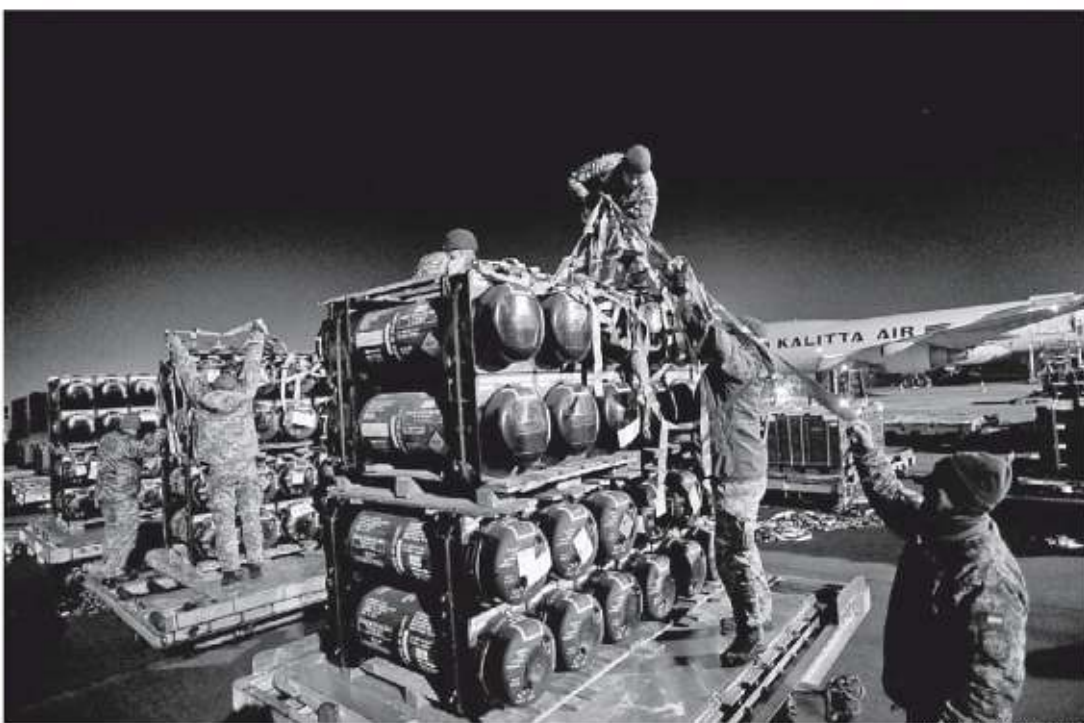
"We have supplied the Ukrainian military with equipment to help them defend themselves," Mr. Biden said on Tuesday. "We provided training and advice and intelligence for the same purpose."

Sending weapons to Ukraine is important, said James G. Stavridis, a retired four-star Navy admiral who was the supreme allied commander at NATO, but even more pivotal may be less visible countermeasures: American intelligence to help pinpoint Russian forces and new tools to defend against crippling cyberattacks and to counterattack Russian military communications.

The effectiveness of the American military aid will largely hinge on what President Vladimir V. Putin of Russia orders his forces to do, military analysts said.

If Russia launches mostly air and missile strikes, the equipment does not help that much, said Rob Lee, a former U.S. Marine officer and Russian military specialist at the Foreign Policy Research Institute in Philadelphia.

Catie Edmondson contributed reporting.



Ukrainian soldiers unpacking Javelin missiles from the U.S., which has been documenting the transfer of weapons on social media.

phila. Absent in the influx of American military aid are advanced air defenses, like Patriot anti-aircraft missile systems.

If Russian forces invade but do not intend to occupy the country, the weaponry also might not be that significant, Mr. Lee said. But if Russian forces seek to occupy the country or go into major urban areas, the weapons — and any future supplies from the United States — could help sustain an insurgency.

To underscore the potential consequences for Russia, the chairman of the Joint Chiefs of Staff, Gen. Mark A. Milley, delivered a stark message to his Russian counterpart when they spoke in late December: Yes, General Milley said, the Ukrainian military stands little chance of repelling the larger, better armed Russian force.

But a swift victory would be followed, General Milley told Gen. Valery Gerasimov, by a bloody insurgency, similar to the one that led the Soviet Union to leave Afghanistan in 1989, according to officials familiar with the discussion.

General Milley did not detail to General Gerasimov the planning underway in Washington to support an insurgency, a so-called "porcupine strategy" to make invading Ukraine hard for the Russians to swallow.

That includes the advance positioning of arms for Ukrainian insurgents, including Stinger anti-aircraft missiles, that could be used against Russian forces.

The United States began using social media to highlight the transfers of weapons to the government in Kyiv shortly after it first became clear that Mr. Putin was amassing a potential invasion force along his country's border with Ukraine. The messaging from the United States has not

The effectiveness of American aid hinges on the type of attack.

been subtle, with the government releasing photographs of plane-loads of weapons and equipment.

Additional aid could be on the way. On Capitol Hill, senators in both parties have coalesced behind legislation that would authorize Mr. Biden to use the Lend-Lease Act of 1941, last used in World War II, to lend military equipment to Ukraine.

The bill, led by Senators John Cornyn, Republican of Texas, and

Jeanne Shaheen, Democrat of New Hampshire, is part of a package of bipartisan sanctions targeting Moscow that lawmakers are negotiating, though a spokesman for Mr. Cornyn said that senators were also exploring other avenues for passing the bill given its broad support in the Senate.

"The circumstances today are not those of March 1941," Mr. Cornyn said. "There is no mistake about that." But he added that the historical parallels were "chilling" and that "the lessons of the past must inform the present."

Since becoming an independent country, Ukraine has largely stuck with the family of weapons designed by the Soviet Union. That can be seen in the Ukrainian Army's use of Kalashnikov-type assault rifles instead of the M16s and M4 carbines used by the United States and many other Western militaries.

That began to change after Russia's annexation of Crimea in 2014, with the United States providing hundreds of antitank missiles and other weapons to Ukraine. "The number of Javelins given to Ukraine numbered in the many hundreds before these recent shipments were made," said Alexander Vindman, a retired Army lieutenant colonel who oversaw European affairs on the National Security Council from 2018 to 2020.

"And now that number has increased by hundreds and up to several thousand when including advanced anti-armor capability provided by NATO allies," he added.

"Alone, they won't drive Russia's decisions for military offensive, but will affect the calculus around the costs and benefits of military action," Colonel Vindman said. "Javelins would be highly effective in ambushes and Russia would have to account for them in certain ways, including forcing Russia to employ air power against soldiers using them."

Although the Pentagon has not specifically said it was sending NATO-standard firearms like machine guns to Ukraine, it has shared photos of ammunition it has shipped to Kyiv. On Feb. 3, the Pentagon tweeted photos of an arms shipment to Ukraine that included dozens of crates, each containing 800 rounds of belted 7.62-mm ammunition chambered for NATO machine guns like the Belgian-designed M240 commonly carried by Western infantry troops and mounted in vehicle turrets.

Another important weapon is the Javelin, a relatively lightweight guided missile developed specifically to destroy Soviet armored personnel carriers and tanks. But unlike previous gener-

ations of American portable anti-tank weapons like the TOW missiles supplied to Syrian rebels, which require the operator to stay in place after firing and optically guide the missile to its target, the Javelin locks onto its targets so that soldiers using it can move as soon as the missile is fired — limiting their exposure to any return fire.

The Javelin has two other features that make it attractive to militaries: a single missile contains two explosive warheads — one behind the other — that can defeat modern types of advanced armor typically found on the front and sides of Russian tanks. It can also be set to fly upward and then descend nearly straight down on the top of a vehicle, where its armor is thinnest. Soldiers require little formal training to use the Javelin launcher effectively.

Other American-made weapons are flowing in from NATO allies. In a series of Twitter messages last weekend, the State Department posted photos of American-made Stinger anti-aircraft missiles coming from Lithuania to Kyiv. In the 1980s, the C.I.A. covertly supplied less-advanced versions of these Stingers to mujahedeen fighters in Afghanistan that were used to shoot down low-flying Russian helicopters and airplanes.

To be sure the message was not lost on its intended audience, the State Department tweeted the Stinger photos with accompanying messages in Russian as well as in Ukrainian and English.

Ukraine is tapping other sources for advanced weaponry. President Recep Tayyip Erdogan of Turkey agreed this month to supply one of the Ukrainian Army's most sophisticated weapons — a long-range, Turkish-made armed drone whose use in combat for the first time in Ukraine last fall infuriated Russian officials.

When governments covertly supply arms to another country or to a fighting group, they may grind serial numbers off firearms or paint over the markings on munitions crates that identify the weapons and their country of origin.

That, however, has not been the Defense Department's recent approach to Ukraine.

In many of the military's tweets, the accompanying photos showed coded markings painted on crates or shipping tubes that were clear enough to discern not only their contents but even the month and year they were made and the factory they came from, such as one showing a stack of Javelin missile tubes made in October 2003 at Lockheed Martin's nearly 4,000-acre manufacturing facility in Troy, Ala.

Two Rivals Playing an Ever-Riskier Game of Signaling to Achieve Their Ends

As their standoff over Ukraine continues, Moscow and Washington are playing an increasingly high-stakes, increasingly complex game of signaling to try to secure their aims without firing a shot.

Traditional diplomacy is just one component of this dance. Troop movements, sanctions warnings and legislation, embassy closures, leader summits, and intelligence leaks are all aimed, in part, at proving each country's willingness to carry out certain threats or accept certain risks.

It is a form of high-stakes negotiation, conducted in actions as much as words, meant to settle the future of Europe just as conclusively as if decided by war, by telegraphing how a conflict would play out rather than waging it directly.

Russia, by shifting thousands of troops from its far east to Ukraine's border, hopes to convince Washington and Kyiv that it is willing to endure a major war to secure its demands by force, so those countries are better off meeting Russian demands peacefully.

The Biden administration, by stating that a Russian invasion may be imminent, even closing its embassy in Kyiv, and vowing economic retaliation, signals that Moscow cannot expect desperate American concessions, making further escalation less worthwhile.

There have been a flurry of such gestures. Russia held Black Sea naval exercises, implying it could close off trade waters. President Biden issued joint statements with European leaders, conveying that they are not balking at American sanctions threats that would harm Europe, too.

But the more both sides try to make their threats credible, for example by relocating troops, the more they heighten the risk of a miscalculation that could careen out of control.

Each side also cultivates ambiguity about what it will or will not accept, and will or will not do, in hopes of forcing its adversary to prepare for all eventualities, spreading its energies thin.

The White House has said that President Vladimir V. Putin of Russia could decide this week whether to invade, deflating Moscow's careful murkiness, while also demonstrating, especially to cautious Europeans, that any invasion would be driven by Russia, rather than in response to some outside provocation.

On Tuesday, Moscow moved to recreate confusion, withdrawing a handful of forces even as it continued nearby war games and as Mr. Putin accused Ukraine of genocide against its native Russian-speaking minority. By feinting simultaneously toward de-escalation and invasion on Tuesday, Moscow builds pressure on the West to prepare for both.

"This dynamic is very volatile," said Kerem Yarli-Milo, a Columbia University political scientist who studies how countries signal and maneuver amid crises.

A range of factors particular to this crisis, she added — differing political cultures, multiple audiences, rising uncertainty — "makes the signaling in this case very, very difficult."

The result is a diplomatic cacophony nearly as difficult to navigate as war itself, with stakes just as high.

Persuasion Games

With their positioning, Moscow and Washington are struggling to resolve two outstanding questions about a possible conflict, each to their benefit.

Would a Russian invasion bring Moscow more reward than downside?

And, would the West have less tolerance than Russia for the pain of Mr. Biden's proposed sanctions, and abandon them?

If Moscow can convince Washington that the answer to both is "yes," then Mr. Biden and his



U.S. soldiers deploying to Eastern Europe from Fort Bragg, N.C. Troop movements are part of a form of high-stakes negotiation.

allies would, in theory, be forced to conclude that they are better off delivering whatever concessions will keep Russia from launching a war.

But if Washington can persuade Moscow that both answers are "no," then Mr. Putin will have every incentive to cut his losses and step back from the brink.

Mr. Putin has been ambiguous about what he would consider a successful invasion of Ukraine. And moves like his recent visit to China or his ambassadors' bluster, shrugging off sanctions, signal that he is ready and able to bear the foreseeable costs.

Of course, if war were really so advantageous, it could have already begun, one of many hints that Mr. Putin may be partly bluffing, although by how much is impossible to say.

Mr. Biden, for his part, has sent weapons to Ukraine, a message that he would make any conflict more painful for Russia, and has laid out retaliatory sanctions in detail. He has implied Western unity over sanctions that may be just as much a bluff as Mr. Putin's war talk.

His administration has also publicized what it says are Russian plans to fake a justification

for war, implying that any such ploy would be quickly unmasked, making it less attractive.

But threats and bluffs work best when they are backed up by action, increasing the risk of a war that neither side may truly want.

And these efforts are complicated by each side's need to persuade multiple audiences of contradictory things.

Mr. Biden must persuade Mr. Putin that Western sanctions would be automatic and severe, while also convincing Europeans, who would bear much of the cost, that sanctions would not hit them too hard or be carried out without their consent.

Similarly, Mr. Putin is seeking to position himself to Western leaders as ready for war, while convincing war-averse Russian citizens that he is being dragged into one, for example with false claims of American and Ukrainian aggression.

But Western leaders often struggle to differentiate which statements Mr. Putin intends them to take seriously and which he expects them to ignore as bluster for domestic consumption. Christopher Bort, a former U.S. intelligence official, warned

in an essay for the Carnegie Endowment for International Peace.

The Kremlin's "torrent of falsehoods" over Ukraine, Mr. Bort added, risks persuading Western leaders that Moscow's diplomatic entrees can be ignored as cover for an invasion it has already decided to launch — potentially foreclosing an off-ramp from war.

Lost in Translation

"Your system is much more open than ours," said Alexander Gabuev, a senior fellow at the Carnegie Moscow Center. "That produces a lot of misunderstanding."

Because Kremlin decision-making is dominated by a handful of intelligence and military officials, Mr. Gabuev said, there is a tendency to assume that Washington operates the same way.

Offhand comments by American military officers are given special weight in Moscow, while lawmakers who drive much of Washington's politics are ignored.

Such cultural misunderstandings, Mr. Gabuev added, have become considerably worse in recent years, as Washington and Moscow have expelled one another's diplomats and ended many unofficial exchanges, hampering their visibility into one another's politics.

This is not always dangerous. Many in Moscow, assuming that Mr. Biden operates like Mr. Putin, believe that Washington has ginned up the appearance of conflict with the intention of declaring a false American victory when the more reasonable Mr. Putin rolls back the deployments he has insisted are defensive, Mr. Gabuev said.

That misunderstanding significantly eases Mr. Putin's option to withdraw. And many in Russia view the West as the aggressor, and so would take an averted conflict as Mr. Putin triumphing, not surrendering.

Still, the less Washington and

Moscow understand one another, the harder it will be for them to decipher each other's signals and anticipate each other's reactions.

"The Russian president's circle of trust has consolidated over time, insulating him from information that does not fit with his prior beliefs," the scholars Adam E. Casey and Seva Gunitzky wrote in Foreign Affairs.

As Mr. Putin's inner circle has shrunk, they wrote, it has grown dominated by yes-men who tell him what they think he wants to hear and by security service leaders who tend to be hawkish and distrustful toward the West.

He would hardly be alone in this: Research finds that strongmen leaders like him are, for just this reason, likelier to start wars and likelier to lose them.

So what Washington takes as Russian brinkmanship or bluffing, for example shrugging off sanctions threats or implying that some Ukrainians would welcome Russian liberators, may reflect sincere belief due to political dysfunction.

"Information flows to Putin are choppy at best, and sanctions are a highly technical topic that aren't even well understood in Washington," said Eddie Fishman, a top sanctions policy official in the Obama administration.

So far, both sides have avoided any obvious misreadings of each other. This may stem in part from the length of the crisis, which has allowed each capital to repeatedly telegraph its intentions and capabilities.

But that same factor — time — also creates more opportunities for a mistake as each side escalates.

"Every day that we're not resolving it, we are increasing the percentage chance that something will go wrong," said Dr. Yarhi-Milo, the international relations scholar.

"We're testing the nerves of a lot of people at the same time," she added. "It can take a really bad turn very quickly."

Tensions in Europe

For U.S. Spy Agencies, Decoding Putin's Moves Is a Special Challenge

This article is by David E. Sanger, Julian E. Barnes and Eric Schmitt.

WASHINGTON — At the height of the Russian effort in 2016 to manipulate the U.S. presidential election, the C.I.A. had a secret weapon: a mole with some access to the inner circle of Russia's president, Vladimir V. Putin, who was able to inform Washington about how the master tactician was thinking about his next move.

That agent was extracted from Russia in 2017, leaving the United States largely blind, for a while, to Mr. Putin's thinking. Now, after five years of slowly rebuilding access to the highest ranks of the Kremlin, America's intelligence agencies face a crucial test: deciphering whether Mr. Putin will use the more than 150,000 troops he has amassed near the Ukrainian border to invade, or merely to give him leverage as he dangles the prospect of a diplomatic settlement.

In interviews with officials from the United States and its closest allies, it is clear the United States and Britain once again have windows into Mr. Putin's thinking. Some intelligence conclusions are reached through electronic intercepts, others bolstered by his periodic conversations with President Biden, which officials say have proven helpful in understanding Mr. Putin's worldview — and his transactional nature.

Mr. Putin's calculus, according to a U.S. official, is likely shifting as he weighs the changing costs of an invasion and he assesses what he could get from negotiations. Several officials note that Mr. Putin has a history of waiting until the last possible moment to make a decision, constantly re-evaluating his options.

Not surprisingly, American officials will not say how they know what Mr. Putin is thinking, anxious to preserve their current sources.

Knowing the intention of any leader is difficult, but Mr. Putin, who began his career as a K.G.B. officer, is a particular challenge.



"Putin's not a good sharer," an ex-U.S. intelligence official said of the Russian president.

Because he avoids electronic devices, oftentimes bans note-takers, and tells his aides little, there is a limit to how much an intelligence agency can learn about his intentions and thinking.

"We do not understand fundamentally, none of us do, what is inside President Putin's head, and so we cannot make any guess about where all of this is headed," Julianne Smith, the U.S. ambassador to NATO, told reporters on Tuesday.

One senior official who has met with Russian counterparts in an effort to defuse the current crisis said recently that the U.S. delegation came away with the sense that Mr. Putin's representatives were taking a hard line because they did not know what their boss wanted to do.

American officials are poring over intelligence — both analytic reports and raw material — trying to answer a critical question: how Mr. Putin assesses his likelihood of success.

Both American and British officials say that a key element of their analyses is a shared conclusion that something has changed in Mr. Putin's assessment of Russia's relative status in the world. After spending heavily on his military, he now believes Russia is in the strongest position to coerce Ukraine — and the rest of Europe — since the fall of the Soviet Union. His financial reserves have greatly improved Moscow's ability to withstand sanctions.

More recently, he has benefited from high gas and oil prices — and discovered that the more he threatens war, the higher those prices go.

And as Germany and other nations have looked at the wildly high cost of replacing Russian energy sources should they be cut off, it has made some European leaders more eager to negotiate a solution that would avoid needing

to impose sanctions. It is extortion, one European negotiator said, while noting that Mr. Putin thinks like an extortionist.

Mr. Putin also has the benefit of time. He does not face voters for another two and a half years, potentially allowing him to recover from any domestic criticism that could arise from a punishing conflict — or the sanctions that might follow.

While there is broad agreement of that analysis in intelligence circles, former intelligence officials warn that those trying to predict the moves of a leader like Mr. Putin need to proceed with humility about how much they do not know.

"Analysts understand how Putin thinks, his grievances and his anger at the West and the United States," said John Sipher, a former C.I.A. officer who served in Moscow. "Now, does that mean we know what he's going to do and when he's going to do it? No, because to do that you have to get in his head."

The United States has clearly developed intelligence on the Russian military's war planning, predicting the buildup of troops weeks before it happened, exposing what officials said were Russian sabotage plots and operations meant to create a pretext for invasion.

But the United States has long found itself caught by surprise by Mr. Putin, from his decision to annex Crimea to his deployment of forces to Syria.

Interestingly, one source of insight to Mr. Putin has been conversations with the Russian president himself.

So, like a hostage negotiator, they are determined to keep him talking. Not long after William J. Burns, the C.I.A. director, visited Moscow in November to warn against an invasion of Ukraine, Mr. Biden's aides came up with a plan of constant engagement, setting up a series of negotiations — in Brussels and Geneva, at many different levels — on the theory that while Russia was talking with the West, airing its grievances and making its demands, it was unlikely to invade.

Paul Kolbe, who oversaw collection of Russian intelligence for the C.I.A. for many years, noted recently that "you keep them talking to try to figure out what they really want, to find another way out." But Mr. Kolbe, now the director of Harvard's intelligence project, added, "it made sense — unless what the gunman really wants is to shoot the hostages."

Mr. Putin wields information as a weapon, keeping his own counsel and withholding details of his planning from close aides.

When Mr. Burns visited Moscow to warn against an invasion of Ukraine, he offered details of what the United States had learned about the military planning. The disclosures appeared to catch some Russian officials off guard, as if they were less privy to Mr. Putin's planning, according to an American official briefed on the meeting.

"I like to say, Putin's not a good sharer, he didn't pass that kindergarten class," said Beth Sanner, a former top intelligence official who regularly briefed President Donald J. Trump. "He was a spy. So he's trained not to be a sharer, he's trained to elicit and manipulate."

But former intelligence officials said that the Russia bench within the C.I.A. remained strong, with numerous analysts and case officers who have devoted their careers to studying Mr. Putin. The long reign of an autocrat, said former officials, has certain advantages.

There are limits to what a government should ask its intelligence to do, said Marc E. Polymopoulos, a former senior C.I.A. officer who oversaw operations in Europe and Russia. Intelligence agencies can provide warning, which is what they have done in recent months. Anything more can be fraught.

"Intelligence is not necessarily predictive of time and date. The intelligence community has done a pretty damn good job of providing policymakers with excellent situational awareness for them to develop policies if Russia goes one way or the other way," he said. "That's what intelligence does. Asking more of that is going to be very difficult."

Even situational awareness may be harder to come by at a moment when the Russians claim to be de-escalating while military exercises are still underway. The basic jobs of tracking Russian moves in Ukraine have been disrupted. On Tuesday, the C.I.A. closed, at least temporarily, its station in Ukraine's capital, Kyiv, a day after U.S. diplomatic personnel relocated to the western Ukrainian city of Lviv.



A Ukrainian Army front-line position near Syz in eastern Ukraine. Many of Russia's forces bordering Ukraine remained in place.

Putin Offering Troop Pullback and Diplomacy

From Page A1

have not yet verified that."

The Biden administration has threatened severe economic sanctions in the event of an invasion, while offering negotiations on some of Russia's security concerns.

The carrot-and-stick approach, and the mixed signals from Moscow, illustrated the gamesmanship and the high-stakes rhetorical tactics that have marked the crisis over Russia's troop buildup. The United States has been declassifying intelligence on Russia's plans and sounding urgent warnings about a looming attack, in what American officials describe as a strategy meant to deter Mr. Putin from going through with an invasion.

Mr. Putin, by contrast, has kept his intentions a mystery, mixing threats and military moves with optimistic appraisals about the potential for diplomacy — statements that have grown louder in recent days. Foreign Minister Sergey V. Lavrov spoke with Secretary of State Antony J. Blinken on Tuesday and said the West had "responded positively" to Russia's initiatives.

At the same time, the Russian leader and other senior officials on Tuesday made it clear that they saw the military threat as a tool for forcing the West to recognize a Russian sphere of influence in Eastern Europe — and that they were prepared to continue to keep the pressure on as negotiations continued.

Mr. Lavrov said he was open to American proposals such as negotiations over the placement of missiles in Europe; the outcome, he said, could be a "very decent, comprehensive package result."

Asked on Tuesday how Russia would act next, Mr. Putin responded with a slight smile: "According to the plan."

He said Russia would seek to achieve its key aims — centered on halting NATO expansion and forcing the alliance to draw down its military presence in Eastern

Anton Troianovski reported from Moscow, and Michael D. Shear from Washington. Reporting was contributed by Valerie Hopkins and Andrew E. Kramer from Kyiv, Ukraine; Michael Schwartz from Kherson, Ukraine; Steven Erlanger from Brussels; and Katrin Bennhold from Berlin.



Among cyberattacks that hit Ukraine was one that caused problems for customers seeking to withdraw cash from a state bank.

Europe — peacefully, but that the outcome of the process "does not only depend on us."

American officials have dismissed those demands as non-starters, and speaking from the East Room of the White House, Mr. Biden promised not to "sacrifice basic principles" that accord countries a right to choose their own alliances.

The president also reached out to the Russian people, after warning that a war would cause great human suffering. "The United States and NATO are not a threat to Russia," he said, adding, "You are not our enemy."

Despite the optimism on Tuesday, the diplomatic path ahead was far from clear. Russia's Foreign Ministry said it would soon send, and make public, a 10-page response to security proposals that the United States and NATO submitted last month. Italy's foreign minister was scheduled to visit Moscow on Wednesday.

But beyond that, after a flurry of high-level Western phone calls and meetings with Mr. Putin and Mr. Lavrov, the diplomatic calendar appeared empty. Russia has said it will skip the Munich Security Conference this weekend, which had been a marquee annual event for Western officials to sit down with their Russian counterparts.

"We don't know what happens next and how things will continue," Mr. Scholz said after meeting for three hours with Mr. Putin. "But we can definitely say, there are enough starting points for things to develop well."

Russia is demanding a guaran-

tee that Ukraine will never join NATO, which leaders of the alliance describe as no more than a far-off prospect that is not currently under consideration. Ukrainian officials suggested this week that their country's constitutionally enshrined aspiration to join NATO could be up for negotiation in order to avert war.

Mr. Scholz, who took over as chancellor in December, hinted that finding agreement among Russia, Ukraine and NATO on that issue could be a way out of the crisis.

"Everyone must step back a bit here and make it clear to themselves that we just can't have a possible military conflict over a question that is not on the agenda," Mr. Scholz told German reporters in Moscow after leaving the Kremlin. "It's now our task to find a path that is OK for everyone in terms of their own positions and views."

The White House warned last week that a Russian invasion of Ukraine could happen "any time," including before the Winter Olympics end on Feb. 20.

On Tuesday, Russia appeared to relish an opportunity to prove the U.S. wrong. A Defense Ministry spokesman delivered a statement saying that some troops near Ukraine had "completed their tasks" and were heading back to their bases; state television showed footage of tanks being loaded onto rail cars.

Soon after, Mr. Lavrov predicted that the West would soon be taking credit for staving off an invasion that Russia in fact never planned, and Mr. Putin's spokes-

man said the president had started jokingly asking "whether the exact time the war will start has been published somewhere."

Western officials said it was too soon to tell whether the announced pullback would reduce the menace on Ukraine's borders, but in Brussels, Jens Stoltenberg, the secretary-general of NATO, said signals from Moscow gave grounds for "cautious optimism."

But it was also clear that Mr. Putin could maintain pressure on the West and on Ukraine without firing a shot — including by new military moves or other means like cyberattacks. On Tuesday night, Ukraine's defense ministry and army, as well as the interfaces of the country's two largest banks, were hit by cyberattacks that caused some websites to go down and caused problems for customers seeking to withdraw cash.

And in Moscow, the Kremlin-controlled lower house of Parliament, the State Duma, gave Mr. Putin another bargaining chip by voting to ask him to recognize the Russian-backed separatist territories in Ukraine's east as independent states. Such a move would open the door for Russia to officially move its troops into the region, and could spark new fighting because those unrecognized states claim more territory as rightfully theirs than they control.

In his news conference with Mr. Scholz, Mr. Putin repeated unfounded claims that Ukraine was carrying out a "genocide" against Russian speakers in the region, known as the Donbas, but indicated that he would not immediately recognize the territories' independence.

Instead, Mr. Putin said he would keep pushing for implementation of the Minsk peace accords negotiated by Russia, Ukraine, Germany and France in 2015. In their Russian interpretation, the accords would in effect rule out NATO membership for Ukraine by allowing Russian-backed proxies in eastern Ukraine to veto foreign-policy decisions.

In Ukraine, worries about a possible Russian invasion remained. "When we see the withdrawal, we will believe in de-escalation," the foreign minister, Dmytro Kuleba, told reporters.

Western officials and analysts said that the threat to Ukraine remained significant, and that it was too early to make firm conclusions about a possible drawdown without more information about which units were being sent back to their bases. The Russian Defense Ministry only announced a withdrawal of units from the country's Western and Southern Military Districts, whose usual bases are the closest to Ukraine, so the units could easily return to the border region.

Units from the Central and Eastern districts, which are some of Russia's most advanced, remain deployed and in recent days have arrayed themselves in attack formations in positions within a few dozen miles of the Ukraine border, according to satellite imagery.

"I wouldn't read too much into this yet," Rob Lee, an expert on Russia's military, said of Moscow's declaration that it was pulling back troops.

Mr. Lee, a U.S. Marine Corps veteran and Ph.D. candidate at King's College in London, and others noted that Russia has in the past announced troop withdrawals only to leave weaponry and equipment in place for easy redeployment. It did this after a similar buildup near Ukraine last April as well as after large military exercises in late summer.



Source: Rothen Consulting / Notes: Russia invaded and annexed the Crimean Peninsula in 2014. The action was widely condemned under international law, and the territory remains disputed. The dotted line in eastern Ukraine is the approximate dividing line between the Ukrainian military and Russian-backed separatists who have been fighting since 2014. On the eastern edge of Moldova is Transnistria, a Russian-backed breakaway region. Circles are sized by the number of troops where estimates were available.

SCOTT REESE/ARND BRONKHORST FOR THE NEW YORK TIMES

Adam Goldman contributed reporting.

Inquiry Sought in Italy Into Clerical Sex Abuse

Church's 'Sense of Being Untouchable'

By ELISABETTA POVOLEDO

ROME — Catholic groups and abuse survivors on Tuesday called on the Roman Catholic Church in Italy, which has yet to reckon with the scourge of sexual abuse by priests, to create an independent commission to investigate how the crisis has been handled.

In a number of countries — including Australia, France, Ireland and the United States — the church has allowed some scrutiny of its actions. But so far, the church in Italy has resisted calls for an independent inquiry, even after Pope Francis in 2019 held a landmark meeting on clerical sexual abuse and called “for an all-out battle against the abuse of minors.”

“Italy is an anomaly,” said Francesco Zanardi, a clerical abuse survivor and president of Rete l’Abuso, the country’s most outspoken victims’ rights group, which has independently tracked more than 350 cases of pedophile priests in the Italian justice system.

An investigation would be “the first step toward justice to which the victims and families are entitled,” said Ludovica Eugenio, a journalist for a Catholic weekly magazine who is part of the newly formed group, which doesn’t have a name yet but is using the hashtag #ItalyChurchToo.

Speaking at a news conference Tuesday, Ms. Eugenio said the consortium wanted the church in Italy to “assume responsibility for the abuses, the cover-ups and the abandonment of the victims” who

were not heard or given compensation. It also called on the Italian Parliament to improve existing legislation and draft new laws to make it easier for cases of abuse by priests to be reported and tried.

The Rev. Hans Zollner, one of the Vatican’s top experts in safeguarding minors, said in an interview last week that even in Italy, where the church still had “a sense of being untouchable,” the tide was turning.

“The church doesn’t have any choice anymore. The public expects it,” Father Zollner said.

The calls by advocates and survivors — which include the opening of private church archives — follow recent revelations about clerical abuse in other countries. In Germany, a report issued last month put the retired Pope Benedict XVI into the spotlight. The report said Benedict had mishandled four cases of sexual abuse of minors while he was an archbishop in Germany, prompting Benedict to ask for forgiveness, while also denying any wrongdoing.

In 2019, the United Nations Committee on the Rights of the Child criticized Italy for not sufficiently protecting minors from sexual exploitation. In particular, the committee expressed concern “about the numerous cases of children having been sexually abused by religious personnel of the Catholic Church” and the “low number of investigations and criminal prosecutions” of those crimes.

Any investigation should include cases of abuse of nuns and other forms of violence, said Paola



The Roman Catholic Church in Italy has been slow to heed Pope Francis’ call “for an all-out battle against the abuse of minors.” Under pressure from survivors and others, that may be changing.

Cavallari, a theologian and member of the fledgling group.

Paola Lazzarini, president of the group Women for the Church, said an investigation had to establish — and make public — individual responsibilities.

“The Catholic Church is a hierarchical church, in which the chain of command is very clear, yet when it comes to abuse, personal responsibilities become vague. This should no longer happen,” she said.

Church officials did not immediately respond to Tuesday’s calls for action. But the president of the Italian bishops conference, Cardinal Gualtiero Bassetti, said in a recent interview with an Italian newspaper that the church in Italy was “reflecting on launching an in-depth and serious survey of the Italian situation.” He did not offer

details on what form the survey might take, and his mandate as head of the bishops conference ends in May.

Msgr. Lorenzo Ghizzoni, the Italian church’s top official responsible for protecting minors, said in a telephone interview last week that bishops in Italy had so far focused on education to prevent sexual abuse and on creating a network of people that victims could turn to. Listening centers where complaints could be received were also being established, he said.

“It’s not enough to do an investigation on numbers, statistics. We have to make available places where victims can go,” Monsignor Ghizzoni said.

Several abuse survivors who spoke at Tuesday’s news conference said that at least in the past,

church officials had not listened to their complaints.

“The truth is that I realized that the church really isn’t able to handle this kind of problem,” said Antonio Messina, who said he had been abused for four years when he was a minor.

He said that when he tried to bring his abuser to justice, in 2014, the prelates he turned to for help either didn’t believe him or tried to bribe him to keep quiet.

He is still glad he went public, he said.

“No amount of compensation can restore what has been taken away,” he said. “But if we can ensure that this does not happen to others, these bad stories can at least serve to change something in the church and in society, especially in Italy where the church is strongly rooted.”

Rape Scandal Ends in Prison For Teacher In Indonesia

By RICHARD C. PADDOCK and DERA MENRA SJABAT

The owner of an Islamic boarding school in Indonesia was convicted Tuesday of raping 13 of his underage students — fathering nine children with his victims — and was sentenced to life in prison.

A court in the city of Bandung on the island of Java found Herry Wirawan, 36, guilty of raping the girls, ages 11 to 16, repeatedly and systematically over a period of five years.

The allegations against Mr. Herry outraged Indonesians and focused national attention on the issue of child protection at privately run religious schools, which number in the tens of thousands. Officials said President Joko Widodo had been following the case closely.

The three-judge panel decided against imposing the death penalty and chemical castration, as the prosecution had sought. President Joko signed a regulation in 2020 allowing for the chemical castration of convicted child rapists.

Mr. Herry, who had taught Arabic at an elementary school, founded the all-girl Madani Boarding School, or pesantren, in Bandung in 2016 and attracted students from poor families by offering scholarships.

The rapes came to light last year after one of the victims returned home and her family discovered she was pregnant.

Eight of the girls became pregnant — one of them twice — and gave birth to nine children. The babies were delivered at a local clinic or the homes of midwives and then cared for by Mr. Herry’s parents and sisters, said his attorney, Ira Margaretha Mambou.

The oldest of the children is not yet 5, she said.

Mr. Herry pleaded with the court for leniency as the sole provider for his wife and their two children.

In their verdict, the judges concluded that Mr. Herry, who also taught religion at the school, had brainwashed the students so effectively that “they couldn’t even distinguish right from wrong.”

Mr. Herry groomed his victims, the court found, by isolating them from their families, making them depend on him as their provider and giving them security and comfort.

“They are too young to understand the process of what they were getting,” the judges concluded. “The girls even seem to feel they owe him a debt of gratitude.”

In seducing the girls, the judges said, Mr. Herry would start by asking for a massage and then tell his victim that he could not have sex with his wife because she did not want to have many children.

He also told the girls that their teacher must be “obeyed and respected,” the judges found. If his victims resisted, he would tear off their clothes.

When one student told Mr. Herry she was pregnant, he told her she did not need an abortion because he would take responsibility for the baby.

He promised other girls that he would pay for their education and, in at least one case, he told a victim he would marry her.

The judges said the life sentence was not intended as revenge against the defendant but was aimed at protecting the public from similar crimes in the future.

The case, which highlighted the widespread problem of sexual harassment and abuse of women in Indonesia, has renewed calls for passage of legislation aimed at reducing sexual violence and the harassment of women. Women’s rights activists say that Indonesia’s existing laws don’t adequately protect women, and they have pushed for nearly a decade to win passage of the measure.

In 2019, a school bookkeeper who recorded her boss’s lewd phone call as proof she was being harassed was ordered by Indonesia’s Supreme Court to serve at least six months in prison for distributing obscene material. Her boss, the school principal, went unpunished and instead was promoted repeatedly. President Joko later granted her amnesty.



Herry Wirawan, 36, received a life sentence for raping 13 girls.

Israel Leader Hopes for Progress With Bahrain on ‘Substance’

By PATRICK KINGSLEY

MANAMA, Bahrain — Prime Minister Naftali Bennett of Israel met Tuesday in Bahrain with the Bahraini king and crown prince, part of a warm welcome that provided the latest evidence of the rapid realignment of Middle Eastern politics.

The first visit by an Israeli prime minister to Bahrain, a tiny but strategically located Gulf state, Mr. Bennett’s trip underscored the speed at which Israel has cemented ties with several Arab governments since the country formalized diplomatic relations with Bahrain and the United Arab Emirates, re-established relations with Morocco, and improved them with Sudan, all in 2020.

But the delicate dynamics of the visit also highlighted how Israel’s new relationships largely remain government-level agreements that are still far from becoming society-wide compacts between Israeli and Arab publics.

Mr. Bennett acknowledged as much in his comments to Crown Prince Salman bin Hamad al-Khalifa, the Bahraini prime minister, at the start of their meeting.

“Our goal in this visit is to turn it from a government-to-government to a people-to-people peace,” he said, “and to convert it from ceremonies to substance.”

“To substance, exactly,” Prince Salman replied, describing the meeting as “cousins getting together.”

On that score, the visit was only a start.

Mr. Bennett shared warm exchanges with Prince Salman, was treated to a guard of honor that played the Israeli national anthem and held a lighthearted question-and-answer session with a group of young Bahrainis — a rare exchange between Arab civilians and an Israeli leader.

“When can we visit?” asked Saud al-Hadi, an employee at the Bahraini Central Bank.

Mr. Bennett replied: “You want to come on my plane?”

But these interactions were carefully managed.

Mr. Bennett’s meetings with the prince and King Hamad bin Isa al-Khalifa were held away from the journalists who traveled with his entourage. The young Bahrainis were handpicked members of the country’s upper middle class — mainly bankers and businesspeople whose questions were vetted in advance.

The visit was featured prominently in the local news media, which are tightly controlled by the Bahraini government.

Opposition leaders and rights activists condemned the visit, which occurred on the 11th anniversary of a failed uprising against the Bahraini royal family, a Sunni Muslim dynasty that has ruled Bahrain’s mainly Shiite population since 1783.

An opposition group posted video and images of small protests against the decision to invite Mr. Bennett.

Still, Mr. Bennett said he had been moved by the meetings.

“As someone who’s fought in many wars throughout the years, to be in the capital of an Arab



Crown Prince Salman bin Hamad al-Khalifa of Bahrain, right, with Prime Minister Naftali Bennett of Israel in Manama on Tuesday.

country and to hear Hatikva” — the Israeli national anthem — “it’s touching,” he said in a briefing with journalists shortly before he returned to Israel. “For a typical Israeli who came of age in the 80s, this is big stuff.”

While that change was undeniable, the broader change he was seeking was not likely to happen overnight.

“The tectonic plates of the region are shifting,” said Anshel Pfeffer, an Israeli political commentator who traveled with Mr. Bennett. “While the direction of that shift is clear, these are causing tremors, not earthquakes.”

A diplomatic thaw draws criticism from some rights activists.

The visit itself highlighted how priorities have changed for some countries in the region.

For years, the vast majority of the Arab world refused to normalize relations with Israel as long as the Israeli-Palestinian conflict remained unresolved.

But for Bahrain and the Emirates, the containment of Iran and its armed proxies throughout the region — a goal shared with Israel — now appears to be of greater importance than an immediate resolution to the Israeli-Palestinian conflict, particularly as Iran accelerates its nuclear enrichment.

Bahrain will for the first time host an Israeli military officer as part of a regional alliance, an Israeli official confirmed Tuesday. It

will be the first time an Israeli officer is posted in a Persian Gulf country, the Israeli military said.

The goal is to ensure freedom of navigation and international trade in the Persian Gulf, following several attacks by Iran and its proxies on ships in the area.

Bahrain’s invitation to Mr. Bennett also hinted at growing acceptance of Israel’s role in the region by Saudi Arabia, the most influential state in the Arab world and a major Iranian rival.

Officially, Saudi officials deny that the kingdom plans to follow Bahrain by normalizing ties with Israel.

But Saudi support is crucial for Bahrain — Saudi troops rushed to Bahrain in 2011 to help its government crush an uprising, and the Saudi government bailed out the Bahraini economy in 2018 — and analysts say that Bahrain, as a Saudi proxy, does little without its agreement.

“Bahrain is always looking up to Saudi Arabia as their big brother that always stands by them in times of difficulties,” said Abdulkhaleq Abdulla, an Emirati political scientist and expert on Gulf politics.

Mr. Abdulla added, “There is more coordination than many people would assume between Bahrain, Saudi Arabia and other Gulf States.”

Leading Saudis have also made statements about Israel and the Palestinians that would have been unthinkable until only recently. In 2018, the crown prince, Mohammed bin Salman, made headlines by asserting that Israelis had a right to their own land. Two years later, another Saudi prince, Bandar bin Sultan, criticized the Palestinian leadership as failing ordi-

nary Palestinians.

Saudi movie theaters are currently showing a feature film, “Death on the Nile,” that stars an Israeli actress, Gal Gadot, who was widely criticized in the Arab world for her public support of Israeli military action in Gaza.

A group of Saudi journalists also attended Mr. Bennett’s chat with young Bahrainis, in a sign of growing Saudi interest in Israel.

Mr. Bennett also met with Vice Admiral Brad Cooper, the commander of the U.S. Navy’s Fifth Fleet, which is based in Bahrain; several Bahraini ministers; and members of Bahrain’s Jewish community, to whom he gave a shofar, a Jewish ceremonial horn.

Both governments said they had made real progress in terms of economic and business cooperation. The Israeli government announced an agreement with Bahrain to finance joint business projects in the fields of climate-related technology, manufacturing and e-commerce.

Mr. Bennett said that an Israeli airline, Israir, would soon begin bi-weekly flights to Bahrain. Two Israeli businesses are close to completing two major investments in the Bahraini logistics and health care sectors, said Khalid Humaidan, the chief executive of a state-run Bahraini investment agency.

Ties are also warming between Israel and the two Arab countries with which it had previously forged an uneasy peace, Egypt and Jordan.

President Abdul Fatah al-Sisi of Egypt drew notice in Israel on Monday when he made a show of publicly greeting a visiting Israeli government minister, Karine Elharrar, in front of hundreds of other Arab dignitaries.

But if bonds between governments are strengthening, the sentiment among the Arab public is lagging.

Polling suggests a majority of Arabs across the region do not support the recent diplomatic thaw with Israel, though there is no polling data available for Bahrain. Exiled Bahraini rights activists called Mr. Bennett’s visit a betrayal of the Palestinian national movement and an endorsement of Israel’s policies toward it.

“It feels like a damning insult,” said Sayed Ahmed Alwadaei, advocacy director at the Bahrain Institute for Rights and Democracy, a London-based campaign group. “This is the most important date in Bahrain’s recent history, when Bahrainis stood up against an autocracy — and 11 years later they have invited the head of an apartheid state.”

And Mr. Bennett’s enthusiasm for the diplomatic thaw with distant countries like Bahrain was offset by mounting tensions with between Israelis and Palestinians back home, where a resolution between the two appeared more distant than ever.

Palestinians, Israeli settlers and the police have clashed for several days in Sheikh Jarrah, the East Jerusalem neighborhood that was at the heart of tensions that led to a war in Gaza last year.

Given this backdrop, some Palestinians said they were particularly hurt by the timing of Bahrain’s invitation to Mr. Bennett.

“We do not expect you to start a war with Israel,” said Maher Salah Najjar, a 59-year-old retiree in Nablus, West Bank. “But at least make sure that you do not hurt our feelings.”

Rushed Across the Border, and Now Lost in a Bureaucratic Maze

Policy to Ease Crush Of Migrants Has Left Many Adrift in System

By EILEEN SULLIVAN

WASHINGTON — A Haitian couple and their young son were among thousands of undocumented immigrants whom U.S. officials decided to allow entry through the southwest border last summer — part of a record-setting surge in unauthorized crossings over the past year.

Beginning last spring, immigration officials were so overwhelmed that they admitted tens of thousands of migrants while issuing them a new document that did not include the typical hearing dates or identification numbers recognized in the immigration court system. The change sped up the process of releasing them into the country, but also made it much harder for the new arrivals to start applying for asylum — and for the government to track them.

Months later, the government has not been able to complete the processing started at the border, showing how ill prepared the system was for the surge and creating a practical and political quagmire for the Biden administration.

President Biden pledged as a candidate to fix the country's broken immigration system, a campaign mantra that resonated with many voters after the harsh policies of President Donald J. Trump. But over Mr. Biden's first year in office, his administration's response to the surge in migration has consisted largely of crisis-driven reactions — including the faster entry process.

Migrants were caught crossing the southwest border illegally more than two million times between December 2020 and December 2021, the largest number since at least 1960. They came not just from Central America and the Caribbean but from around the world, many fleeing persecution and economic hardship with the expectation that Mr. Biden would be more welcoming than Mr. Trump.

Although migrants were expelled in a little more than half the cases, more than 400,000 of them were released into the country for a variety of reasons during Mr. Biden's first year in office.

Of those, more than 94,000 were released through the sped-up process — a streamlined version of a longtime practice that critics call catch and release, in which those who are apprehended at the border are released from custody pending their immigration court proceedings.

These migrants were instructed to register with Immigration and Customs Enforcement within 60 days to complete the process the border officials started. But in some parts of the country, local ICE offices were overwhelmed and unable to give them appointments. So the Haitian family and other new arrivals have spent months trying in vain to check in with ICE and initiate their court cases.

"It was a quick fix — 'Deal with them later,'" said Evangeline Chan, an immigration lawyer in New York. "But they have not been able to."

Human rights advocates say the change has made it harder for those seeking asylum to get by while they wait to be officially recognized in the immigration system. Republicans, in the meantime, have pounced on the Biden administration for releasing undocumented immigrants into the country with even less ability to keep track of them.

"Those who cross our border illegally should be detained and deported, not released into the interior of our country on an unenforceable promise to reappear," 80 Republican House members wrote in a letter to Immigration and Customs Enforcement this month. "It is nothing short of reckless."

A 'Huge Mess'

Mr. Trump's policy was to restrict the flow of asylum seekers at the southwest border by making it harder to qualify and by making some people wait in Mexico before they could enter the country to apply. In some cases, applicants had to stay in Mexico until U.S. immigration judges ruled on their cases.

The most restrictive policy, however, came at the beginning of the pandemic when the federal government started using an obscure public health rule known as Title 42 to turn migrants away at the border, including those seeking asylum.

Even so, hundreds of thousands have been allowed into the country for a variety of reasons, including a lack of detention space because of pandemic precautions. The Biden administration has also made exceptions for humanitarian reasons, particularly for families and children.

Mr. Biden's stated goal is to reverse Mr. Trump's harshest immigration policies and be more welcoming to immigrants. But so far, immigration and human rights advocates say he has not come through, in large part because he has kept the public health order in place. Without it, Mr. Biden would have to make the tough choice of releasing even more undocumented immigrants into the country to await proceedings or detaining them.

Toward the end of last year, the government started issuing a different docu-



SCOTT MONTRE FOR THE NEW YORK TIMES

A Haitian migrant, above, in North Miami. Below, crossing the Rio Grande last fall in Del Rio, Texas. A new document issued to tens of thousands of migrants last year did not include hearing dates or identification numbers, complicating the process of applying for asylum and making recent arrivals difficult to track.



VERONICA G. CARDENAS FOR THE NEW YORK TIMES

ment to many of the migrants it allowed in, instructing them to report to an ICE office within 15 days instead of 60. But that, too, did not provide a court date or official identification number.

As of the end of January, nearly 33,000 immigrants who were issued documents without court dates and the typical identification number had missed their deadline to check in and start their proceedings in immigration court, according to an ICE official speaking on condition of anonymity. It is impossible to know how many have tried to check in with ICE to get court cases started and how many

have chosen not to.

Hopeful that immigration will prove a potent campaign issue, Republicans are blaming Mr. Biden for the sharp increase in migrants at the border because of his campaign promise that his administration would be more welcoming than the last. His response to the surge, they say, has only made things worse.

"D.H.S. was forced to deal with an unmitigated disaster, and notices to report was one of the desperate policies it implemented trying to cope," Senator Ron Johnson, Republican of Wisconsin, said in a statement. The streamlined docu-

ment, known as a notice to report, he added, "just exacerbated the problem."

Some immigration advocates agree. "This N.T.R. situation is a huge mess that everyone is trying to navigate right now," Emily Haverkamp, an immigration lawyer and expert on asylum policies, said.

The potential for complications with the expedited processing was not lost on some members of the Biden administration, according to several current and former administration officials who spoke on condition of anonymity to discuss the internal debate. But some officials in the Department of Homeland Security argued that border officials could not have handled the surge of migrants without the expedited option to release them into the country.

The department has begun an operation to mail those who were processed at the border the faster way a summons to appear in immigration court, but it has not reached all of them.

A 'Vicious Cycle'

After setting off last June on a treacherous journey from Chile — where they had relocated years earlier — the Haitian family made it to Texas in August, where border officials released them without a court summons and told them to report to an immigration office once they reached Miami, their destination.

When they did so, the office was closed, operating on a reduced schedule because of the pandemic. When they tried to register online, they were told they would not get an appointment to finish their paperwork and receive official identification numbers, known as alien numbers, until 2032. When they wrote to an ICE email address, the automated response said the agency needed the family's alien numbers.

"It's a vicious cycle," the husband said through a translator.

The delays have been felt most acutely in Miami, New York, Houston and Los Angeles, where many of the recent immigrants have settled. Miami appears to have the biggest backlog, and the Homeland Security Department said it is in the



SCOTT MONTRE FOR THE NEW YORK TIMES

'They are in this state of limbo. We at social service agencies — we just don't know what to do.'

LEONIE HERMANTIN, above, the director of development, communications and strategic planning at the Sant La Haitian Community Center in North Miami.

process of sending more staff to there to help address it.

Once people are officially entered into the immigration court system — now facing its greatest backlog in history — the average wait for an initial court appearance is nearly five years, according to data collected by the Transactional Records Access Clearinghouse (TRAC) at Syracuse University.

The Haitian couple, like most new immigrants, are not authorized to work, making it impossible to earn an honest living; they are residing with other Haitian immigrants in the Miami region. They tried for months to enroll their son in kindergarten, facing bureaucratic roadblocks at every turn. They cannot afford a lawyer to help them find a way to comply with the government.

Some of their challenges are standard for people stuck in the broken immigration system; other challenges are new, resulting from the fact that they were released without being enrolled in immigration court proceedings.

"You're more under the radar and you're more in the shadows," Ruby Powers, an immigration lawyer in Texas, said.

Stuck in this gray area, immigrants have to wait even longer to apply for a work permit. Once they have the work permit, immigrants can apply for a Social Security number, which makes it possible to start settling in. With a Social Security number, an asylum-seeking immigrant can apply for a driver's license in many states, open a bank account, enter a contract for a cellular phone and more.

In the past, families willing to house new immigrants could count on them eventually getting permission to work, said Leonie Hermantin, the director of development, communications and strategic planning at the Sant La Haitian Community Center in North Miami.

"Now you have people who are stuck staying at people's houses who are getting increasingly inhospitable," she said, adding that some will soon face homelessness. "They are in this state of limbo. We at social service agencies — we just don't know what to do."



OLIVER CONTRERAS FOR THE NEW YORK TIMES

President Biden vowed to fix the immigration system when he was running for office, but a crisis-driven policy to speed up entry has caused a quagmire.

2 Million

The number of times migrants were caught crossing the southwest border illegally between December 2020 and December 2021, the largest figure since at least 1960.

400,000

The number of migrants released into the United States for a variety of reasons during President Biden's first year in office, despite a little more than half of the cases resulting in expulsion.

94,000

The number of migrants released through a sped-up process in which those who are apprehended at the border are freed from custody pending court proceedings.

Before CNN Chief’s Sudden Exit, Walls Were Slowly Closing In

From Page A1

The letter described it as an “abuse of power at CNN to attempt to silence my client.”

While a spokesman for Mr. Cuomo denied the allegations in the letter, it set in motion a chain of events that would quickly upend one of the world’s most powerful news networks.

By week’s end, Mr. Zucker had fired Mr. Cuomo, telling him that a drumbeat of scandals had become “too much for us.”

Two months later, Mr. Zucker was forced to resign. On Tuesday, CNN announced that Ms. Gollust, too, was leaving the network.

Publicly, Mr. Zucker blamed the failure to disclose his relationship with Ms. Gollust. But other forces had set the stage for his downfall.

CNN had skidded into third place in cable news ratings. A key investor had criticized the network’s opinionated, personality-driven programming. Mr. Zucker had clashed with a top executive at CNN’s parent company, WarnerMedia. And he had made powerful enemies out of Mr. Cuomo and his brother, the former New York governor.

By the time of Mr. Cuomo’s ouster, the law firm hired to investigate his behavior had turned its attention to Mr. Zucker and his management of a network where his intimacy with sources and employees had been both his calling card and his Achilles’ heel.

Mr. Zucker’s abrupt departure has thrown the future of CNN into chaos, just as it was poised to introduce a highly anticipated streaming service and to come under new corporate ownership.

Mr. Cuomo is hoping to extract tens of millions of dollars from CNN. Star anchors are revolting. Employees are wondering whether, without Mr. Zucker at the helm, the network’s soon-to-be owners at Discovery Inc. will fundamentally change CNN’s sprawling news operations.

In a memo on Tuesday evening announcing Ms. Gollust’s resignation, Jason Kilar, the chief executive of WarnerMedia, said an internal investigation “found violations of company policies,” including CNN’s news standards and practices, by Mr. Cuomo, Mr. Zucker and Ms. Gollust. “I realize this news is troubling, disappointing, and frankly, painful to read,” Mr. Kilar wrote.

Risa Heller, a spokeswoman for Mr. Zucker, said, “Jeff was never

Around then, Governor Cuomo was planning to throw a birthday party for his girlfriend, the lifestyle impresario Sandra Lee. He asked Ms. Lee to recommend someone to organize the event. She suggested Ms. Gollust.

The resulting party — a clam-bake on a Hamptons beach — was such a resounding success that Mr. Cuomo decided Ms. Gollust should work for him. In 2012 she became the governor’s communications director.

A few months later, in January 2013, CNN hired Mr. Zucker. The next month, Ms. Gollust left Mr. Cuomo and Albany and rejoined her former boss as the network’s head of communications.

Following a Playbook

CNN was struggling. Once the leader in 24/7 news, its ratings had fallen, its programming seen as stale. Mr. Zucker’s mission was to rejuvenate the network.

At NBC, he had turned around the moribund “Today” show by embracing feel-good news and nurturing stars like Katie Couric. More triumphs followed for Mr. Zucker, as shows like “The Apprentice” and “Fear Factor” were hits with viewers and helped elevate Donald J. Trump and Joe Rogan into cultural touchstones.

At CNN, one of Mr. Zucker’s first creations was a peppy morning show called “New Day.” To co-host the show, Mr. Zucker recruited Chris Cuomo, an ABC News correspondent who had shined in reporting from war and disaster zones.

Within months of his arrival, Mr. Cuomo began pushing ethical boundaries.

In December 2013, he interviewed Governor Cuomo about a train crash in the Bronx. Media critics objected that it was impossible for someone to impartially report on a sibling.

Afterward, Mr. Zucker barred Chris from interviewing or covering Andrew.

“New Day” was a modest hit. But Mr. Cuomo was polarizing. Some colleagues said he could go from charming to bullying in a flash. More than once, he sent emails and text messages that colleagues considered rude and even threatening.

Yet Mr. Zucker was loyal. In 2018 he awarded Mr. Cuomo his own show in the coveted 9 p.m. slot, competing with stars like Rachel Maddow at MSNBC and Sean Hannity at Fox News.

Mr. Cuomo’s combative style made him an ideal on-air foil for President Donald J. Trump. “Cuomo Prime Time” quickly became CNN’s highest-rated show. The success only strengthened Mr. Cuomo’s bond with Mr. Zucker.

After Mr. Zucker underwent heart surgery in 2018, he and Mr. Cuomo spent hours talking during long walks in Central Park.

Mr. Zucker soon signed off on a multiyear contract that paid Mr. Cuomo over \$6 million annually.

An Eye for Spectacle

The onset of the pandemic stoked Mr. Zucker’s hypercompetitive instincts, on display since his days as a high school tennis champion. During the Trump years, he had led CNN to record-high ratings and roughly \$1 billion in annual profit.

Now, in the Cuomo brothers, he saw a singular opportunity.

Governor Cuomo was having a moment. His televised briefings were calm and filled with data, a stark contrast to the often baffling pronouncements from the Trump administration. There was talk of him running for president.

Then Chris Cuomo contracted Covid. He quarantined in and broadcast from the basement of his 6,000-square-foot home in East Hampton, N.Y. His ratings soared.

With his eye for spectacle, Mr. Zucker lifted the ban on Chris Cuomo interviewing his brother. Beginning in April 2020, the Cuomos ruminated on air about how the virus had disrupted lives.

Mr. Zucker loved it. “Authenticity and relatability and vulnerability — that’s what the brothers Cuomo are giving us right now,” he gushed to The New York Times in April 2020.

But their on-air bonding looked less charming after The Washington Post reported that Governor Cuomo had helped his brother get preferential access to scarce Covid tests, with state troopers escorting his nasal swabs to a lab.

CNN defended its anchor, saying he had “turned to anyone he could for advice and assistance, as any human being would.”

Watching in Disbelief

One evening in March 2021, Chris Cuomo made a remark on live television that helped precipitate his downfall — and eventually Mr. Zucker’s.

The New York attorney general had just announced that her office was investigating sexual harassment allegations against Andrew Cuomo. With the governor in trouble, Mr. Zucker reimposed the ban on Chris Cuomo covering him.

As Mr. Cuomo explained to his viewers that he would be stepping away from the story, he gazed into the camera and denounced sexual



Jeff Zucker’s departure has thrown the future of CNN into chaos. It was poised to introduce a highly anticipated streaming service.

‘Authenticity and relatability and vulnerability — that’s what the brothers Cuomo are giving us right now.’

JEFF ZUCKER, in April 2020.



Gov. Andrew M. Cuomo on air with his brother, Chris Cuomo, the CNN host, in April 2020.

harassment. “I have always cared very deeply about these issues and profoundly so,” he declared.

The woman who had worked with him at ABC News watched in disbelief.

She said in an interview with The Times that she was haunted by the similarities between her experience and those of the governor’s accusers. She wanted to protect other women but didn’t want to go public, fearing retaliation and the loss of her privacy. Soon, though, she would hire a lawyer.

A Chauffeured Commute

The governor’s rise had fueled his brother’s. Now, as Andrew Cuomo’s position worsened, so did Chris’s.

In May 2021, The Washington Post reported that Chris Cuomo had been advising the governor’s staff on how to fend off the harassment scandal. CNN — whose parent company had just announced plans to merge the network with Discovery — said the conversations were “inappropriate” but didn’t discipline him.

Some CNN employees were aghast. An anchor, Jake Tapper, told The Times that Mr. Cuomo “put us in a bad spot.”

Then, on Aug. 3, the New York attorney general, Letitia James, released a damning report about Andrew Cuomo’s sexual harassment. The news was covered throughout the day on CNN — until 9 p.m., when Chris Cuomo came on air. He didn’t mention it.

A week later, the governor resigned.

Complaints soon began surfacing about the younger Mr. Cuomo. Shelley Ross, Mr. Cuomo’s former boss at ABC, wrote in a Times opinion piece in September that Mr. Cuomo had groped her at a 2005 party. (Mr. Cuomo apologized.) Around the same time, The New York Post reported that Mr.

Cuomo’s former producer, Melanie Buck, had asked to be removed from “Cuomo Prime Time” because she found his conduct to be threatening.

CNN executives grew concerned. They asked the network’s longtime law firm, Cravath Swaine & Moore, to look into the matter, according to a person familiar with the investigation.

In late November, Ms. James’s office released a fresh crop of emails and text messages that revealed how Chris Cuomo had collected information about coming articles on his brother and tried to undermine the credibility of one of his brother’s accusers.

The next day, Nov. 30, Mr. Cuomo was chauffeured to CNN’s Manhattan headquarters to sketch out that evening’s show. Mr. Zucker asked him to come to a meeting.

The network president had spent years standing by his anchor. Now, feeling that Mr. Cuomo had misled him, Mr. Zucker was losing patience. He had initially planned to fire Mr. Cuomo, before deciding to hold off.

Mr. Zucker tried to be diplomatic as he broke the news that Mr. Cuomo was suspended. He suggested there was a chance he could return after the network’s investigation ran its course, according to people familiar with the conversation.

CNN went back to Cravath and asked the firm to examine the new information about the interactions between the brothers.

The next morning, Dec. 1, the CNN reporter Brian Stelter said on-air that Mr. Cuomo could “be back in January.”

An Office Encounter

That night, the fateful letter arrived at CNN. It was from Debra S. Katz, a prominent sexual harassment lawyer, and it was ad-

ressed to David Vigilante, CNN’s general counsel.

The letter was on behalf of the woman who had worked with Mr. Cuomo at ABC News.

It relayed a story that had begun in 2011 when the woman, who was referred to as Jane Doe, was a young temporary ABC employee hoping for a full-time job. One day, after Mr. Cuomo, an anchor, had offered her career advice, he invited her to lunch in his office, according to the letter, interviews with the woman and emails between her and Mr. Cuomo.

When she arrived, there was no food. Instead, Mr. Cuomo badgered her for sex, and after she declined, he assaulted her, she said. She ran out of the room.

Later that day, the woman, who was still seeking a job, tried to smooth things over by writing Mr. Cuomo friendly emails.

The Times interviewed five friends and former colleagues who said the woman told them Mr. Cuomo had made unwelcome sexual requests. She said that only in the past year did she begin to tell people that Mr. Cuomo had also assaulted her, which she hadn’t previously divulged because it was private and painful.

The encounter in Mr. Cuomo’s office at ABC was not the end of her story.

Ms. Katz’s letter said that at the height of the #MeToo uprising, after TV personalities like Charlie Rose and Matt Lauer were felled by misconduct allegations, Mr. Cuomo contacted the woman, seemingly out of the blue.

Mr. Cuomo proposed arranging a CNN segment about the company where she worked doing public relations. The woman tried to avoid any contact with Mr. Cuomo, but CNN ultimately broadcast a segment anyway.

“After years without any substantive communication from Mr.



MIKE GROLL/ASSOCIATED PRESS

Allison Gollust, a CNN executive and Mr. Zucker’s romantic partner, is leaving the network.

aware of the full extent of what Chris Cuomo was doing for his brother, which is why Chris was fired.”

Steven Goldberg, a spokesman for Chris Cuomo, said, “Mr. Cuomo felt very close personally and professionally to Mr. Zucker, which is part of what makes this so difficult and hurtful.”

In a release on Tuesday evening, Ms. Gollust said, “WarnerMedia’s statement tonight is an attempt to retaliate against me and change the media narrative in the wake of their disastrous handling of the last two weeks. It is deeply disappointing that after spending the past nine years defending and upholding CNN’s highest standards of journalistic integrity, I would be treated this way as I leave.”

Ms. Heller had no immediate comment on Mr. Kilar’s memo. Mr. Goldberg declined to comment.

More than 30 people familiar with the recent tumult — including the woman on whose behalf the letter was written to CNN — described the events and ethical violations that led to a leadership collapse at “the most trusted name in news.”

A Hamptons Clambake

The ties between Mr. Zucker, Ms. Gollust and Mr. Cuomo — as well as Andrew M. Cuomo, who resigned as governor last August — ran deep.

Mr. Zucker had met Ms. Gollust at NBC, when she was a young publicist for the “Today” show and he was its 26-year-old executive producer. As he climbed the ranks, eventually becoming NBCUniversal’s chief executive, the pair continued to work closely together. Ms. Gollust even moved her family to the floor above Mr. Zucker’s in an Upper East Side building.

Then, in 2011, NBC’s new parent company forced Mr. Zucker out.

Ben Smith contributed reporting. Sheelagh McNeill and Susan Beachy contributed research.

Prince Andrew Settles Abuse Suit With Prominent Accuser of Epstein

By BENJAMIN WEISER

Prince Andrew, the disgraced second son of Queen Elizabeth II, has settled a lawsuit brought by Virginia Giuffre, a woman who had accused him of raping her when she was a teenage victim of Andrew's friend, the notorious sex offender Jeffrey Epstein, according to a new court filing in Manhattan on Tuesday.

The amount that Andrew, 61, will pay Ms. Giuffre is confidential, the parties said in a joint statement attached to the filing.

Andrew also "intends to make a substantial donation" to a charity "in support of victims' rights," the statement says.

The deal comes just weeks before Andrew was scheduled to sit for a deposition, in which he would have been questioned under oath by Ms. Giuffre's lawyers. Andrew did not admit to any of Ms. Giuffre's accusations against him in the statement announcing the settlement.

The lawsuit by Ms. Giuffre, one of the most prominent of Mr. Epstein's accusers, had cast a shadow over the royals at a time when Queen Elizabeth, the 95-year-old British monarch, was marking her 70th year on the throne. Andrew was forced to relinquish his military titles and royal charities, no longer was to use the title "His Royal Highness," and was "not to undertake any public duties," Buckingham Palace said in a statement last month.

In her lawsuit, Ms. Giuffre claimed that Andrew, known as the Duke of York, sexually abused her when she was under 18 at Mr. Epstein's mansion in Manhattan and on his private island, Little St. James, in the U.S. Virgin Islands.

The suit also claimed that Andrew, Mr. Epstein and his long-time companion, Ghislaine Maxwell, had forced Ms. Giuffre to have sexual intercourse with Andrew at Ms. Maxwell's home in London. Ms. Giuffre had feared repercussions if she disobeyed the three because of "their powerful connections, wealth and authority," the lawsuit said.

Mr. Epstein, 66, was found dead in August 2019 in a Manhattan jail cell while awaiting trial on sex-trafficking charges. Ms. Maxwell, 60, was convicted of sex trafficking and other counts in a trial in December.

Mark Landler contributed reporting from London. Sheelagh McNeill contributed research.



ROYAL PHOTO BY CHRIS JACKSON

A suit by Virginia Giuffre accused Prince Andrew, a son of Queen Elizabeth II, of raping her when she was 17.

The settlement may serve as a capstone to the years of investigations and litigation that has surrounded Mr. Epstein and his associates. The Epstein saga implicated or involved people at the highest levels of celebrity and politics — including Andrew — on both sides of the ocean, spawning court cases and conspiracy theories.

Buckingham Palace declined to comment on the settlement, saying it was a matter for the Duke and his legal team. A spokesman for Andrew declined to comment on the source of funds for the settlement.

Andrew B. Brettler, a lawyer who has represented Andrew in the lawsuit, did not respond to a request for comment.

Although Andrew never faced criminal charges, his efforts to put an end to the lingering questions about his links to Mr. Epstein backfired. An interview he gave to the BBC in November 2019, several months after Mr. Epstein's death, drew a storm of negative reaction and led him to step down from public duties.

After he issued a statement saying he was ready to help "any appropriate law enforcement agency with their investigation, if required," Geoffrey S. Berman, then the U.S. attorney in Manhattan, who was overseeing the sex-trafficking investigation, repeatedly called out Andrew for failing to live up to that pledge.

"To date, Prince Andrew has provided zero cooperation," Mr. Berman said in January 2020, and two months later, he said Andrew had "completely shut the

door on voluntary cooperation." A spokesman for the U.S. attorney's office declined to comment on Tuesday when asked whether Andrew was under investigation by the office.

David Boies, a lawyer for Ms. Giuffre, said the settlement with Andrew "does not in any way insulate him from any criminal liability that would otherwise exist."

In the joint statement on Tuesday, Andrew said it was "known that Jeffrey Epstein trafficked countless young girls over many years," and that he "regrets his association with Epstein" and commends the bravery of Ms. Giuffre and other survivors standing up for themselves and others.

Most of the settlement reached by accusers of Mr. Epstein have been kept confidential, although the four women who testified at Ms. Maxwell's trial each said they had received payouts, as high as \$5 million before legal fees, from a victim compensation fund drawn from Mr. Epstein's estate.

Mr. Boies said the entire amount of Ms. Giuffre's settlement with Andrew, as well as any charitable contribution Andrew makes, will go to her and the charity, noting that his firm had represented her without a fee.

The joint statement's depiction of Ms. Giuffre as courageous contrasts sharply with the way Andrew's lawyers described her in October, when they asked Judge Lewis A. Kaplan of Federal District Court to dismiss her lawsuit.

Andrew's lawyers claimed the time that the lawsuit was paid of a longstanding effort by Ms. Giuffre to profit from allegations she had made against Mr. Epstein and others. They also claimed that Ms. Giuffre had sold articles and photographs to news outlets and reached secret deals to resolve abuse claims.

"Giuffre has initiated this baseless lawsuit against Prince Andrew to achieve another payday at his expense and at the expense of those closest to him," Andrew's lawyers wrote. "Most people could only dream of obtaining the sums of money that Giuffre has secured for herself over the years."

In the statement on Tuesday, Andrew said that he had never intended "to malign Ms. Giuffre's character and he accepts that she has suffered both as an established victim of abuse and as a result of unfair public attacks."

No Admission of Guilt, and Many Questions

By MARK LANDLER

LONDON — The British royal family will try to put one of the most vexing scandals it faces behind it, with the announcement on Tuesday that Prince Andrew, the second son of Queen Elizabeth II, had settled a lawsuit brought by a woman who accused him of raping her when she was a teenager.

But questions linger, not least who is paying the undisclosed settlement, given Andrew's well-publicized, if mysterious, financial ups and downs.

For the queen, who marked the 70th anniversary of her accession to the throne this month, the settlement removes the prospect of embarrassing details emerging about Andrew's contacts with his accuser, Virginia Giuffre, whom he met through his friend, the financier and convicted sex offender Jeffrey Epstein.

"There are still a lot of questions," said Penny Junor, a royal historian. "We will never know which of the people in this sorry tale was telling the truth. But we won't get a daily diet of revelations that will embarrass the family."

While Andrew did not admit guilt in a statement announcing the settlement, he said he "regrets his association with Epstein and commends the bravery of Ms. Giuffre and other survivors in standing up for themselves and others."

A trial would almost certainly have cast a long shadow over the queen's Platinum Jubilee celebrations, which are scheduled for June. The anniversary year has already kicked off on an anxious note, with news that the queen's eldest son and heir, Prince Charles, was found to be infected by the coronavirus, two days after he had been in contact with his 95-year-old mother.

Buckingham Palace declined to say whether the queen had contracted Covid or even been tested for the virus. But on Tuesday, fears about her health eased somewhat after the palace posted photos of her conducting virtual audiences with ambassadors from Spain and Estonia, who were presenting their credentials.

Charles, who is 73, was reported to be experiencing mild symptoms. He last had Covid in early 2020 as the virus was first engulfing Britain. On Monday,

his wife, Camilla, 74, also tested positive, according to their household. These latest health concerns came after the queen missed multiple engagements last fall because of illness.

With the monarchy in transition, the queen has moved swiftly recently to put her family's affairs in order. On the anniversary of her accession, she issued a statement saying she hoped that Camilla would be known as queen after Charles ascends to the throne, settling an issue that long dogged the couple.

Last month, after a federal judge in Manhattan dismissed Andrew's effort to get Ms. Giuffre's lawsuit dismissed, the queen moved to distance him

Who will pay for a settlement: Is it the queen? Taxpayers?

from the family, even though royal experts often describe him as her favorite son. He was stripped of his honorary military titles and instructed no longer to use the honorific "His Royal Highness." The palace said he would defend himself "as a private citizen."

Whether that means Andrew is on the hook for the settlement is not clear. Both sides agreed not to disclose the amount and Buckingham Palace declined to comment, saying it was a matter for the duke and his lawyers. A spokeswoman for Andrew's lawyers would not discuss the source of the funds.

How the 61-year-old prince affords his lifestyle, not to mention his legal bills, has long fueled speculation in British papers. Andrew receives an annual stipend of 250,000 pounds, or about \$338,000, from the queen, according to an analysis of his finances by The Times of London, as well as an annual pension of 20,000 pounds from the Royal Navy, in which he served as a helicopter pilot.

But Andrew, who is also known as the Duke of York, runs up expenses for security at his main residence, Royal Lodge, in Windsor, as well as for the staff and upkeep of the 30-room house (the crown estate owns the property).

Since he stepped back from official duties as a member of the royal family after the furor over his ties to Mr. Epstein, it is not clear who pays for his security.

Andrew also owns a ski lodge in the chic Swiss resort Verbier, for which he paid \$22 million in 2014. That transaction, with French socialite, Isabelle de Rouvre, ended in litigation when Ms. de Rouvre sued Andrew for failing to pay the last installment of the purchase.

The prince also has a fondness for expensive Swiss watches and is often photographed in luxury cars.

Last year, the Times of London reported, a prominent Conservative Party donor, David Rowland, paid off a loan of \$2 million the prince owed a Luxembourg bank. Andrew's former wife, Sarah, has also had her share of financial problems. But much about the couple's finances remains cloaked in mystery.

Several British papers have reported that the queen has covered Andrew's legal expenses and may pay his settlement. She draws more than \$27 million a year in private income from the duchy of Lancaster, a far-flung collection of properties she owns in London and the north of England.

By sending Andrew into internal exile, the royal family may hope to put such questions to rest. By giving up his official duties, he is no longer entitled to receive money from the public purse. But critics are still likely to question whether taxpayer money is being used to pay the settlement with Ms. Giuffre.

Royal experts said there was welcome, if overdue, show of contribution in the statement issued by lawyers for the prince. In a calamitous interview with the BBC in November 2019, he offered little regret for his association with Mr. Epstein or sympathy for his victims.

"The fact that he has finally expressed regret about his relationship with Epstein and sympathy for the girls who were trafficked by Epstein was much needed," Ms. Junor said.

Despite that, Andrew's future as a member of the House of Windsor looks bleak. Buckingham Palace made clear last month that there was no way his honorary titles or perquisites would be restored, even if he prevailed in a trial.



MIKE COPPOLA/GETTY IMAGES FOR WARNERMEDIA



After Mr. Zucker's heart surgery, he and Chris Cuomo drew closer.

Cuomo whatsoever. Ms. Doe suspected he was concerned about her coming forward publicly with her allegations and wanted to use the proposed segment as an opportunity to "test the waters" and discourage her from going on the record about his sexual misconduct," Ms. Katz wrote.

The Times reviewed Mr. Cuomo's messages to the woman and the segment and spoke with her boss at the time. Her boss said that after the segment aired, the woman shared some of the details of the encounter and Mr. Cuomo's subsequent outreach.

Ms. Katz said the woman, who has been "deeply traumatized," didn't want to become "a pawn in an internecine war between Zucker, Chris Cuomo and CNN" and won't be saying anything further. She "deserves and requests privacy," Ms. Katz said.

A Clear Signal

On Friday, Dec. 3, two days after Ms. Katz sent the letter, she and a lawyer for CNN made plans for her to hand over evidence to substantiate the woman's claims. Before that happened, Mr. Zucker fired Mr. Cuomo.

From Mr. Cuomo's perspective, Mr. Zucker had fired him without due process, fearful that the woman's allegations might appear in the media, according to a person familiar with his thinking.

Mr. Goldberg, the spokesman for Mr. Cuomo, said the allegations in Ms. Katz's letter "are false."

"He was never asked about the allegations prior to being terminated or given an opportunity to respond," Mr. Goldman said, refusing to elaborate.

The day after he was fired, Mr. Cuomo hired Bryan Freedman, a Hollywood litigator known for tough negotiating tactics and for securing multimillion-dollar settlements for aggrieved television

stars. (In Mr. Cuomo's case, he planned to seek money owed under the anchor's contract and compensation for future lost earnings.)

On Dec. 5, Mr. Freedman sent a letter to CNN demanding that the network preserve all documents related to any dealings between any CNN employee and anyone in the governor's office.

It was a clear signal that a key element of Mr. Cuomo's defense would be that Mr. Zucker and others at CNN had, like Mr. Cuomo, communicated with the governor, but without repercussions.

People in Mr. Cuomo's camp soon began whispering to reporters that Mr. Zucker had coached Governor Cuomo on how to use his televised briefings to go after Mr. Trump. Ms. Heller, the spokeswoman for Mr. Zucker, said he only spoke to the governor about appearing on CNN. "He never gave Andrew Cuomo advice," she said.

Soon, an article appeared on the gossip site Radar. It asserted that Mr. Zucker and Ms. Gollust had been engaged in a yearslong romantic relationship. The CNN president's career was about to unravel.

Skiping a 'Town Hall'

Mr. Zucker commanded loyalty from star anchors, and he had won the respect of many CNN journalists for standing up to Mr. Trump, who repeatedly attacked the network.

But by late last year, his standing with his corporate superiors had wavered. The ugly situation with Mr. Cuomo was only the latest blow.

In mid-November, John Malone, a leading shareholder in Discovery, appeared on CNBC. "I would like to see CNN evolve back to the kind of journalism that it started with and actually have journalists, which would be unique and re-

freshing," Mr. Malone said.

The barb raised questions about whether the network's future owners would seek major editorial changes.

Plus, the network's ratings were down. And Mr. Zucker had a testy relationship with Mr. Kilar, the WarnerMedia chief executive.

In August 2020, Mr. Kilar announced changes to CNN's corporate structure without consulting Mr. Zucker. Days later, Mr. Zucker was noticeably absent from a virtual "town hall" meeting that Mr. Kilar hosted.

Instead, the CNN president attended a 50th birthday party for Chris Cuomo in the Hamptons, according to two people familiar with the matter.

'I Was Wrong'

By early January, Cravath's investigation was moving forward, and the tenor of its questions had begun to shift.

What had started with a focus on Mr. Cuomo's behavior was morphing into a broader look at Mr. Zucker's handling of the anchor and his interactions with the Cuomos.

Among other things, the lawyers asked CNN employees about how Mr. Zucker had handled Mr. Cuomo's suspension and firing, what he knew about Chris Cuomo's interactions with his brother — and whether any employees were aware of communications between Mr. Zucker and Andrew Cuomo.

When the lawyers questioned Mr. Zucker and Ms. Gollust, they asked about their romance. Mr. Zucker told them the relationship had turned sexual during the pandemic.

Mr. Zucker didn't disclose it to anyone in human resources or his superiors at WarnerMedia, including Mr. Kilar.

The affair violated the company's code of conduct, which prohibited employees from supervising anyone with whom they have a personal relationship.

On Monday, Jan. 31, Mr. Zucker was absent from his usual role leading CNN's daily 9 a.m. news meeting. He didn't show up on Tuesday or Wednesday morning, either.

At 11 a.m. Wednesday, Mr. Zucker emailed CNN staff with shocking news: He was resigning. Mr. Zucker said he was leaving because he hadn't disclosed the romantic relationship when it began. "I was wrong," he wrote.

Mr. Kilar had approached Mr. Zucker a few days earlier, shortly after he was interviewed by the Cravath lawyers, and told him he had to go. Mr. Zucker asked to stay until the Discovery merger was complete in a few months.

Mr. Kilar said no.

Critics Attack Harvard's Release of Therapy Records in Suit

By ANEMONA HARTOCOLLIS

In 2020, after Lila Kilburn, a graduate student, filed a formal complaint notifying Harvard University that an anthropology professor was sexually harassing her, an investigation was opened, as required by federal law.

What happened next stunned Ms. Kilburn, according to her lawyers.

In the course of that investigation, Harvard obtained notes from her psychotherapy sessions, according to a federal lawsuit filed last week in Boston, and gave them to John Comaroff — the professor she had accused of kissing, hugging and groping her — who then used them to try to undermine her credibility, according to the lawsuit.

In the wide-ranging lawsuit by Ms. Kilburn and two other graduate students, Ms. Kilburn accuses Harvard of obtaining her confidential therapy records without her consent and then giving them to Dr. Comaroff, as well as to other Harvard officials.

In reaction to a storm of criticism, Harvard said that it would not seek such documents without the consent of the patient, but that any documents it acquired would be shared with both sides during an investigation.

Dr. Comaroff, through his lawyers, denied any misconduct. Harvard found that Dr. Comaroff had engaged in verbal conduct that violated policies on sexual and gender-based harassment and professional conduct.

In this tangle of charges and claims — with so many facts in dispute — lies a messy reality: The very act of making a sexual harassment claim can set off a convoluted legal procedure, in which the accusers may not fully understand the rules or the repercussions of any decision, like releasing medical records. And because so many accusers make claims without a lawyer, as Ms. Kilburn initially did, they rely on universities to guide them through the thicket.

In this case, experts in sexual harassment proceedings questioned not only whether Harvard acted legally to obtain Ms. Kilburn's medical records, but whether it acted ethically.

University officials "are often thinking about protecting the school, not protecting the client," said Arthur Caplan, a professor of medical ethics at New York University's Grossman School of Medicine.

The chain of events was set off when Harvard asked Ms. Kilburn for the names of people who had information that would be relevant to her case, her lawyers said. She gave Harvard's Office for Dispute Resolution the name of her psychotherapist, according to her lawyers, a fact that was not in the lawsuit.

"But Ms. Kilburn did not intend that her records be released to Harvard, nor that they be shared with Professor Comaroff," one of her lawyers, Russell Kornblith, said in an email.

Yet Harvard, the lawsuit said, contacted Ms. Kilburn's psychotherapist, who was not affiliated with the university. The complaint suggests that Harvard somehow persuaded the therapist to dis-



A walkout on Monday organized by students in support of a lawsuit over Harvard's handling of sexual harassment allegations.

PHOTOGRAPHS BY M. SCOTT BRAUER FOR THE NEW YORK TIMES

Asking whether a university's actions were legal or ethical.

close information without authorization.

Harvard then gave the notes to Dr. Comaroff, according to the lawsuit.

Dr. Comaroff "deployed the notes to gaslight Ms. Kilburn, claiming that she must have imagined that he sexually harassed her because she was experiencing post-traumatic stress disorder — a condition that she developed as a direct result of his conduct," the complaint says.

The lawsuit says that under Massachusetts law, it is a breach of fiduciary duty and an invasion of privacy for a health care provider to disclose confidential medical information without consent.

Harvard disputed Ms. Kilburn's accusations, which it said in a statement were "in no way a fair or accurate representation of the thoughtful steps taken by the university in response to concerns that were brought forward, the thorough reviews conducted, and the results of those reviews."

But the university said it could not discuss her case specifically without breaching confidentiality, and only provided background information on what it does typically in such cases. Harvard said it would only contact a therapist if a patient said the therapist had relevant information — and then only with consent.

But whether Harvard should have pursued the confidential records is another matter, according to Dr. Caplan, the ethicist.

"That's very murky in terms of consent, because she's pressured,

she's vulnerable," he said. "Does she really know what she's turning over? It's a very fraught situation."

He added: "I'm not even sure if you said it was OK to share it, that it would be OK to do it anyway."

Neither side would release the name of the therapist.

Harvard also said that the parties to a dispute were told that information would be shared with both sides, and that if they were not willing to share it, they should not submit it. This is standard practice under Title IX, the federal education law that mandates investigations into sexual harassment claims, said Brett Sokolow, a lawyer and president of the Association of Title IX Administrators, who is unconnected to the case.

Harvard said that all parties were notified — during interviews and in writing — of the requirement to share documents, and that it was also included in a list of Frequently Asked Questions on its website.

One of Dr. Comaroff's lawyers,

Ruth O'Meara-Costello, denied that he had gaslighted Ms. Kilburn. She said in an email that she had worked with the same investigator in other Title IX cases, and that "she is scrupulous about communicating to both parties that information and documents they share with the investigators will also be provided to the other party."

At many universities, if a complainant, like Ms. Kilburn, offers a therapist's records as corroboration, the university will hand the accuser a consent form to fill out and sign, including the name of the therapist, Mr. Sokolow said.

"We then take that form to the therapist and ask for the records to be released," Mr. Sokolow said. "We usually clarify with the complainant whether we are asking for full release or a redacted range. And we say, please understand that if these records are released to us and are relevant, they'll be incorporated in the investigation file, which is shared among everyone involved."

The plaintiffs say that there is

no record of a signed consent form.

In its background statement, Harvard says that it is up to the therapist to get consent from the patient to release records — not up to Harvard.

That may be legal, but it is probably not in line with the practices of most other schools, Mr. Sokolow said.

"They seem to have shifted the responsibility onto the person who was treating Ms. Kilburn," Mr. Sokolow said, adding, "In my experience, that's something almost always orchestrated by the institution and its investigators."

Someone like Ms. Kilburn may be naive and vulnerable, and not able to act in her own best interests, Dr. Caplan, the medical ethicist, said.

She did not have a lawyer when she made her complaint or when she gave Harvard her therapist's name, Mr. Kornblith said. She hired his firm, Sanford Heisler Sharp, last year.

The firm brought the issue of the records to Harvard's attention in September 2021, and asked Harvard to prevent further distribution or viewing of the records, but according to the complaint, Harvard refused.

The lawsuit goes on to say that Harvard disseminated the records to many people involved in addressing the complaint, including several faculty members, deans, members of the Office for Gender Equity and Title IX coordinators.

Mr. Kornblith said that whatever Harvard's written policies, Ms. Kilburn had been caught unaware. "If their message is essentially caveat emptor," he said, "then our client is really doing a service by warning people that this is how they treat mental health records."

Pick to Run Universities Draws Outcry In Georgia

By GIULIA HEYWARD

Georgia's public university system said on Tuesday that former Gov. Sonny Perdue was its sole finalist to become chancellor, a choice that has outraged some professors and led a regional agency to threaten the accreditation of the 26-school system.

The likely appointment of Mr. Perdue, a Republican, comes during a volatile time in Georgia politics, with the State Legislature considering several bills that would ban, or limit, how race and activism are taught in the classroom.

"A chancellor's job is to defend the system against such bills," said Matthew Boedy, a rhetoric and composition professor at the University of North Georgia and the president of the Georgia conference of the American Association of University Professors. "I can't imagine Sonny Perdue doing that."

The association has publicly condemned how the university system selected Mr. Perdue, a process that largely occurred in meetings without faculty input and closed to the public.

Mr. Perdue served two terms as governor from 2003 to 2011, and later became Secretary of Agriculture under President Donald J. Trump. He would not be the first governor to move into academia: Former Gov. Janet Napolitano of



Former Gov. Sonny Perdue is the finalist for chancellor.

Arizona, a Democrat, later ran the University of California system, and former Gov. Mitch Daniels of Indiana has led Purdue University since 2012.

"Governor Perdue stood out for his impressive experience and leadership in public service as well as a vast understanding not only of Georgia and its communities but of the issues facing the university system as we move forward," Harold Reynolds, the chair of the Board of Regents, said in a statement on Monday.

Mr. Perdue, a graduate of the University of Georgia, said he considered the opportunity to lead the university system, which has more than 340,000 students, as the capstone to a career of public service.

"Higher education is where I wanted to have a real impact as governor, only to be stymied by twin recessions," he said in the board-issued statement.

In April, before the Board of Regents selected Mr. Perdue, the Southern Association of Colleges and Schools Commission on Colleges sent it a warning letter stating that the appointment of a former governor could "place the accreditation of the institution(s) they govern in jeopardy."

If a college loses accreditation, warned the agency's president, Belle S. Wheelan, it could cause enrollment declines, lead to bad publicity and revoke the school's access to federal money.

Revoking accreditation to schools including the University of Georgia, Fort Valley State and Georgia Southern would be a monumental step. But the threat is part of the latest controversy for the Board of Regents, which in October approved a new policy where universities can fire tenured professors with little to no faculty input.

The policy, according to the American Association of University Professors, is the only one of its kind in the country.

That decision and the selection of Mr. Perdue are both intrusions on academic freedom, Mr. Boedy, the University of North Georgia professor, said. It's "another death, wound, stab in the heart for anybody that works in the university system to have someone like this," he said.

Mr. Perdue's appointment as chancellor would also limit his contributions to the campaign of David Perdue, his cousin and a former senator who is running against Gov. Brian Kemp in May's Republican primary.

Mr. Kemp had received Mr. Trump's endorsement in 2018, but their relationship deteriorated following the Kemp administration's refusal to undermine Georgia's presidential election results in 2020.

Stephanie Saul contributed reporting.

Jury Rejects Palin's Libel Claim a Day After the Judge Did the Same

From Page A1

ential to decisions made by juries. Even if she does not succeed, those who want to revisit the current standard of libel, which was set by the 1964 case *The New York Times Company v. Sullivan*, will continue their push to find a case to challenge the established precedent, legal experts said.

It requires the votes of four justices for the Supreme Court to take a case. Given critical comments that justices like Clarence Thomas and Neil M. Gorsuch have made about the *Sullivan* ruling, that may be easier to do if the court is presented with the right case than legal scholars would have expected just a short time ago.

"I don't think it's a big effort to come up with the three or four extra votes here to revisit," said David A. Logan, a professor at Roger Williams University School of Law who has argued that the *Sullivan* standard is too broad.

The fact that this bedrock principle of First Amendment law could be up for review is a surprising development, Mr. Logan added. The skepticism about *Sullivan* has come mostly, but not exclusively, from the political right. "Two years ago, we would not be having this conversation," Mr. Logan said.

The *Palin* suit set up a high-stakes test of the law involving press freedoms. Lawyers for Ms.

Palin, the former governor of Alaska and the 2008 Republican vice-presidential nominee, argued that the legal protections in place for half a century to shield journalists from liability are overly broad relics of a pre-Internet era. Under the *Sullivan* standards, a public figure like Ms. Palin has to prove that a news outlet acted with "actual malice" in publishing false information, meaning it displayed a reckless disregard for the truth or knew the information was false.

The *Times*, which acknowledged and corrected the error in question soon after it was published, has not lost a libel case in an American courtroom in at least 50 years.

Meredith Kopit Levien, the chief executive of the *Times* Company, said on Tuesday that the verdict marked "a good day for journalism" and "a good day for the free press."

Ms. Palin told reporters outside the courthouse that she was "disappointed" in the verdict. Asked if she had a message for *The Times*, she said: "Tell the truth. It's as simple as that."

The jurors made no immediate comment after the verdict.

Ms. Palin's lawyers may get another chance to make their case for why press protections should be pared back. Legal experts said one avenue for asking an appeals court to reconsider the case was to argue that the courts should revisit the broad definition of a public figure in current law, which makes it extremely difficult for people who have even modest public profiles to successfully sue. But ultimately, her appeal may never reach the Supreme Court.

First Amendment scholars said the appeals court may view her case skeptically given that both the judge and the jury decided she had not met her burden of proof. And the justices may find it more palatable to take a case involving a less politically charged public figure.

"There is unease on the court about *The New York Times v. Sullivan* test," said Eugene Volokh, who teaches First Amendment

A test of a First Amendment principle may not be the last.

law at the University of California, Los Angeles. But Mr. Volokh said he believed there was little chance that Ms. Palin's case would end up being the vehicle for any effort to roll it back because the jury did not believe her argument that Mr. Bennet was so blinded by his disgust for her that he knew the editorial contained material that was likely false and overlooked evidence to the contrary.

"It sounds like the jury didn't buy that," Mr. Volokh said. "And it becomes very difficult to argue to the court, 'Well, they thought it was an innocent mistake, but they were wrong.'"

Ms. Palin's suit claimed that *The Times* defamed her with an editorial that incorrectly asserted a link between her political rhetoric and a mass shooting near Tucson, Ariz., in 2011 that left six people dead and 14 wounded, including Gabrielle Giffords, then a

Democratic member of Congress. Ms. Giffords's district had been one of 20 singled out underneath digitized cross hairs on a map circulated by Ms. Palin's political action committee. There was no evidence the shooter had seen or was motivated by the map.

The editorial was published on June 14, 2017, the same day a gunman opened fire at a baseball field in Virginia where Republican congressmen were practicing, injuring several people, including Representative Steve Scalise of Louisiana. The headline was "America's Lethal Politics," and the editorial asked whether the Virginia shooting was evidence of how vicious American politics had become. The *Times* corrected the editorial the morning after it was published after readers pointed out the mistake.

On the witness stand, Mr. Bennet, who inserted the erroneous wording into the article, testified that the incident had left him racked with guilt and that he had thought about it almost every day since. "It was just a terrible mistake," he said.

Throughout the trial, Ms. Palin's lawyers attempted to convince the jury that Mr. Bennet had acted out of animus toward her and, regardless of any contrition he later showed, made the error through a combination of carelessness and a willful overlooking of facts. Often, the evidence they produced in internal *Times* emails and the answers they elicited during a week of testimony painted an unflattering picture of the inner workings of the news organization.

The *Times* journalists involved in writing, editing and fact-check-

ing the editorial testified about lapses and oversights they regretted. The original writer of the article said on the witness stand, for example, that she had not read very carefully the version Mr. Bennet rewrote. A fact checker said she had overlooked the line about political incitement that triggered Ms. Palin's suit.

Times lawyers pointed to a series of steps taken by Mr. Bennet and others that they said demonstrated how seriously *The Times* had taken the issue upon learning about the mistake — including an email Mr. Bennet sent at 5 a.m. the morning after the editorial was published seeking to resolve the issue as soon as possible and the fact that once *The Times* published a correction it drew attention to it on social media.

The ruling on Monday by the judge, Jed S. Rakoff, came in response to a routine procedural motion by Times lawyers to rule in its favor, which defendants have a right to do after the plaintiff has presented all of its evidence to the jury. He found those claims by *The Times* convincing but also criticized the newspaper's error as an example of "very unfortunate editorializing."

His ruling also set up an awkward dynamic, coming as jurors were deliberating just down the hall from the courtroom. Though the judge instructed them not to read any media coverage of the trial, some legal experts criticized him for making public a decision that could have influenced their verdict if they had learned of it.

There were no immediate signs that had happened. The jury deliberated for roughly five hours on Tuesday before announcing its verdict just after 2:30 p.m.



Lila Kilburn said Harvard obtained her therapy records without her consent and gave them to the professor she had accused.

Other points of view on the Opinion pages seven days a week. The New York Times

In Setback to Industry, Families Settle Gunmaker Suit for \$73 Million

From Page A1

central aim of the lawsuit was to pry open the industry and expose it to more scrutiny. Remington had resisted turning over any internal documents.

Even in a country where mass shootings had become a painfully common occurrence, the Sandy Hook massacre was a gut-wrenching moment because so many of the victims were so young. President Barack Obama, in a powerful speech at a memorial, blended words of bereavement with a promise to curb the spread of firearms, though in the end his vow yielded little legislative action.

President Biden, in a statement on Tuesday night, praised the settlement, saying, "While this settlement does not erase the pain of that tragic day, it does begin the necessary work of holding gun manufacturers accountable for manufacturing weapons of war and irresponsibly marketing these firearms."

Legal experts stressed that not only have most federal gun control efforts failed, but federal immunity for gunmakers remains a formidable barrier to litigation. Still, the outcome in this case has shown that it is possible to circumvent the federal shield.

Like Connecticut, New York has adopted a consumer protection measure that could be used against gunmakers; a similar bill has been introduced in California, and elected officials in other states, including New Jersey, are also considering introducing proposals that could offer a template to families of victims in mass shootings.

The families contended that Remington violated state law by promoting the weapon with an approach appealing to so-called couch commandos and troubled young men like the gunman in the Sandy Hook massacre.

Nicole Hockley, whose 6-year-old son Dylan was killed, said the documents included in the settlement were crucial — and "paint a picture of a company that lost its way, choosing more aggressive marketing campaigns for profit."

Lawyers for the company did not immediately return calls for comment. The agreement was disclosed in documents filed in Connecticut Superior Court on Tuesday, but it did not divulge details of the settlement, including the amount the families would receive.

The financial settlement is being paid by insurance companies that had represented Remington, which is in bankruptcy. As a result, gun industry officials said that Remington Outdoor Company "effectively no longer exists," and the decision to settle "was not made by a member of the firearms industry."

Gun industry representatives said the settlement would not set a pattern. "This settlement orchestrated by insurance companies has no impact on the strength and efficacy" of federal law, Mark Oliva, spokesman for the National Shooting Sports Foundation, a firearm trade association, said in a statement.

The association remained confident that the company "would have prevailed if this case proceeded to trial," Mr. Oliva said.

Still, the agreement is believed to be the largest and most significant settlement since the gun lobby, led by the National Rifle Association and congressional Republicans, enacted the Protection of Lawful Commerce in Arms Act in 2005, providing a potent legal shield to gun manufacturers and dealers. When President George W. Bush signed the legislation, he praised it as a necessary safeguard

Kristin Hussey, Glenn Thrush and Michael D. Shear contributed reporting. Susan C. Beachy contributed research.



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JESSICA HILL/ASSOCIATED PRESS

Clockwise from above: Mary D'Avino and a picture of her daughter Rachel D'Avino; Veronique De La Rosa, mother of Noah Pozner; a Connecticut State Police detective in 2013 with a Bushmaster AR-15 rifle, the same type of gun used in the shooting.



BETH WENIG/ASSOCIATED PRESS

to "stem frivolous lawsuits."

One of the biggest previous settlements had come a year earlier, in 2004, when Bushmaster and a weapons dealer agreed to pay \$2.5 million to the families of people killed in sniper attacks in 2001 in Washington, Maryland and Virginia, after they were sued by the Brady Center to Prevent Gun Violence, a leading gun control group. But the task has become much more difficult since the passage of the liability shield, which one top gun industry executive called the "only reason we have a firearms industry anymore." In recent years, lawyers for anti-violence groups have increasingly turned to state-level laws to try to make their cases.

"This is an important win for victims of gun violence and the movement to hold the gun industry accountable," said Jonathan Lowy, chief counsel for Brady, as the organization is now known. "It sends a powerful message to these executives — even with your special protections, you can and will be held accountable for gun violence," he said.

Remington had proposed set-

ting with the families for \$33 million last year, as a trial date loomed. In July, Mr. Koskoff said the families turned the offer down because of its "glaring inadequacy."

At the outset, legal experts said the case had little chance of succeeding, believing that the claims ran headlong into the federal protections, which have cut short other similar legal claims.

J. Adam Skaggs, the chief counsel for the Giffords Law Center to Prevent Gun Violence, recalled expressing his doubts to Mr. Koskoff, telling him, "You're going to have a really hard time getting around the immunity law."

In reference to that law, he said on Tuesday: "This case says that it may be a hard needle to thread, but it can be threaded."

The lawsuit seized upon an exception built into the law that allows for litigation over sales and marketing practices that violate state and federal law. The families said that Remington, the gunmaker, violated a state consumer law by marketing and promoting its products in a way that encouraged illegal behavior.

The families pointed to the way the company portrayed the AR-15-style Bushmaster rifle as a weapon of war, with the use of slogans and product placement in video games that invoked combat violence. The lawsuit contended that hypermasculine themes — including an advertisement with a photograph of the weapon and the slogan "Consider your man card reissued" — specifically appealed to troubled young men, like the Sandy Hook gunman, who was 20.

The lawsuit was originally filed in Connecticut state court in 2014, and it meandered its way through the court system for years without making much progress.

An appeal brought by the families elevated the case to the State Supreme Court.

The state attorney general, gun violence prevention groups and a statewide association of school superintendents wrote in support of the families' case. But the National Shooting Sports Foundation argued that the lawsuit was trying to achieve "regulation through litigation."

Remington's lawyers echoed the position in oral arguments.

"No matter how tragic," James B. Vogts, a lawyer for the company, told the justices, "no matter how much we wish those children and their teachers were not lost and those damages not suffered, the law needs to be applied dispassionately."

In a 4-4-3 ruling, the justices ruled that the case could move ahead based on a state law regarding unfair trade practices. Several months later, the U.S. Supreme Court cleared the way for the case to continue, denying an appeal brought by Remington.

Over years of recurring episodes of mass violence — including deadly shootings last year at a Colorado grocery store and a spree in which eight people were killed in massage parlors in and around Atlanta — those broad protections faced renewed scrutiny.

In New York, lawmakers passed legislation in June that would classify the illegal or improper marketing or sale of guns as a nuisance, a technical distinction that supporters said would bolster litigation against gun companies.

But Timothy D. Lytton, a law professor and expert on the fire-

arms industry at Georgia State University, said that such state-level legislation is unlikely to be widespread.

Some efforts have been made in a handful of states like California to pass laws circumventing protections for gun manufacturers, but they remain rare. "Most of the country — or at least half the country — is not looking for ways to liberalize or open the door to litigation," he said. "They're looking for ways to expand gun rights and clamp down anything that would restrict supply."

He and other legal experts cautioned that it was unclear if the settlement would open the floodgates to more litigation.

For families involved in the case, though, the agreement felt like a measure of justice.

"David and I will never have true justice," said Francine Wheeler, whose son Ben was killed, speaking for herself and her husband at a news conference on Tuesday. "True justice would be our 15-year-old, healthy and standing next to us right now. But Benny will never be 15. He will be 6 forever, because he is gone forever."

Prosecutors Center Argument on Arbery Killers' Failure to Help as He Lay Dying

By TARIRO MZEZEWA and RICHARD FASSETT

BRUNSWICK, Ga. — Prosecutors in the hate crimes trial of Ahmaud Arbery's pursuers on Tuesday focused on showing the ways in which the government believes that the defendants' racism manifested itself on the day Mr. Arbery was murdered — including the fact that they did not try to help him as he lay dying in the street.

During the second day of the federal trial, lawyers from the U.S. Justice Department showed body camera footage from one of the first police officers to arrive on the scene. On the witness stand, Richard Dial of the Georgia Bureau of Investigation, noted that Mr. Arbery's head and right leg could be seen moving on the video as he lay in the street after being shot by Travis McMichael, 36.

The three white men who chased Mr. Arbery, a 25-year-old Black man, were close by at the time the body camera video footage was recorded, and they appear on the videos, cooperating with officers and describing what happened. But Mr. Dial noted that none of them administered aid to Mr. Arbery. Mr. McMichael's father, Gregory McMichael, 66, told police officers on the scene that he had moved Mr. Arbery's arm after

he was shot to try to determine whether he was armed. He was not.

At about the same time, Gregory McMichael called Mr. Arbery an "asshole" in a conversation with the police.

Some of these details were divulged in a recent state trial, in which the men were found guilty of murder and sentenced to life in prison. But the details took on a different importance in the federal trial, which centers on whether the McMichaels and their neighbor, William Bryan, 52, deprived Mr. Arbery of his right to use the public streets because he was Black.

The men could face additional life sentences for the federal charges they face, which include attempted kidnapping and weapons charges for the McMichaels. In opening statements on Monday, Bobbi Bernstein, a Justice Department lawyer, told jurors about ugly and explicit expressions of racism the men had used at other times in their lives. She said evidence would show that two of the men, Mr. Bryan and the younger Mr. McMichael, used racist slurs and compared Black people to animals.

On Tuesday, prosecutors put Mr. Dial, the state's lead investigator in the murder case, on the



PHOTO BY STEPHEN B. MORTON

stand as they walked the jury through the events of Feb. 23, 2020. That afternoon, Mr. Arbery had jogged into Satilla Shores, the South Georgia neighborhood where the three men lived, Mr. Dial said. The defendants, who thought Mr. Arbery was a possible crime suspect, used a pair of trucks to chase him for more than five minutes, until the younger Mr. McMichael shot him three times at close range with a 12-gauge shotgun.

Mr. Dial noted on Tuesday that no emergency calls to the police had been made by the men during the chase until moments before Mr. Arbery was shot, when Gregory McMichael used his son's phone to call 911.

Prosecutors, who argue that the men assumed Mr. Arbery might have been a criminal because he was Black, also played a recording of Mr. McMichael telling the police that Mr. Arbery had "broken into a house" in the neighborhood on nu-

merous occasions.

Video surveillance footage shows Mr. Arbery visiting a house under construction several times in the weeks leading up to his death, including one visit in the moments before he was chased. But in none of the surveillance footage is he seen taking or damaging property from the house, which had no door or walls at the time. Ms. Bernstein repeatedly asked Mr. Dial if Mr. Arbery took anything from the house on any of his visits. Mr. Dial said no. She also noted that Mr. Arbery did not have a wallet, a backpack or anything else with him when he was killed.

Mr. Dial said that these visits did not amount to a crime under Georgia law. During cross-examination, A.J. Balbo, a lawyer for Gregory McMichael, asked the agent if he would find it suspicious if someone was repeatedly entering a construction site at night. Mr. Dial said that in his experience, curious people visit construction sites all the time.

Lawyers for the defendants also emphasized that their clients had cooperated with investigators, offering to make statements and accede to search requests.

The prosecution also called neighbors of the defendants to the stand, including Daniel Allcott,

who said he was in his house when he and his wife heard three loud bangs — the shotgun blasts that killed Mr. Arbery. From their garage window they could see Mr. Arbery's body right outside his house.

Mr. Allcott outlined what he saw in the ensuing hours: a police officer kneeling over Mr. Arbery's body, Travis McMichael sitting on the raised flower bed in Mr. Allcott's yard, Gregory McMichael speaking on the phone.

He remembered a day when Mr. Arbery's parents came to the house with a wreath and a cross in hand, hoping to create a memorial for their son. He allowed them to do so, he said, holding back tears.

"What do you say to a family that's lost their son?" he said.

Jurors appeared attentive throughout Mr. Allcott's testimony. Many took notes and some grew emotional, particularly as Mr. Allcott described Mr. Arbery's parents visiting the site of the killing. One Black woman on the jury wiped tears from her eyes, first with her hands then with a tissue.

Mr. Allcott said he and his family have since moved away from their house in Satilla Shores. It never felt like home after Mr. Arbery was killed there, he said.

How a Candidate for Senate Became Trump's 'No. 1 Ally' in Ohio

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"drain the swamp" for his announcement video.

Mr. Mandel had not looked back. As he runs for the U.S. Senate in Ohio, the 44-year-old politician has become one of the nation's most strident crusaders for Trumpism, melding conspiracy theories and white grievance politics to amass a following that has made him a leading contender for the G.O.P. nomination in this Republican-leaning state.

His political evolution — from a son of suburban Cleveland to warrior for the Make America Great Again movement — isn't unique. Across the country, rising stars of the pre-Trump era have shed the traditional Republicanism of their past to follow Mr. Trump's far-right brand of politics, cementing the former president's influence over the next generation of the party's leaders.

But Mr. Mandel's transformation has been particularly striking. Friends, strategists and supporters who powered his start in public life say that Mr. Mandel has so thoroughly rejected his political roots in Cleveland's liberal-leaning suburbs that he is nearly unrecognizable to them. Some are convinced that his shift began as a clear political calculation — following his party to the right. But with his recent entrenchment on the fringe, many now wonder if it is not just Mr. Mandel's public identity that has changed, but also his beliefs.

"He's twisting himself into something he wasn't, just to win an election," said Mr. Cox, who is not a Trump supporter and has donated to Mr. Mandel's opponents. "Telling obvious lies," he said, "is not part of the game. It's intentional. And you have to believe that, if you say it that often."

Mr. Mandel has burned protective masks and blamed the "deep state" for the pandemic and has claimed that former President Barack Obama runs the current White House. He has rejected the separation of church and state and said that he wants to "shut down government schools and put schools in churches and synagogues." The grandson of Holocaust survivors who were aided by resettlement organizations, he has compared a federal vaccine-or-testing mandate to the actions of the Gestapo, and today's Afghan refugees to "alligators."

And he denies that President Biden was legitimately elected. "He is my president," Mr. Mandel said recently in a video, pointing to a Trump sign in an Ohio cornfield.

"I want to believe that this is a character he is playing," said Rob Zimmerman, a Democrat and former city councilman from Shaker Heights, Ohio. Mr. Zimmerman spent hours advising and fundraising for Mr. Mandel, viewing him as a politician who could bridge partisan divides. "It is jaw-droppingly different. The Josh Mandel of 2003 — of 2016, even — would not recognize the Josh Mandel of 2021."

"This," Mr. Zimmerman added, "has broken my heart."

Mr. Mandel declined to be interviewed for this article. Since launching this campaign, his third for the Senate, he has largely spoken through conservative media outlets and his active Twitter feed, which was restricted last year for violating the platform's rules on "hateful conduct." (Mr. Mandel created a poll asking which "ill-gals" — either "Muslim Terrorists" or "Mexican Gangbangers"

Kevin Williams contributed reporting from Troy, Ohio. Susan C. Beachy contributed research.



MAZOE MCGARVEY FOR THE NEW YORK TIMES

The U.S. Senate candidate Josh Mandel, above center, has morphed into a crusader for the right. Friends and supporters who helped him get his start as a moderate Republican say he is nearly unrecognizable. Left, with Sen. Marco Rubio in 2015.



ANDREW HARNIK ASSOCIATED PRESS

— would commit more crimes.)

When a reporter for The New York Times attended a campaign event on Jan. 25 at a church in Troy, Ohio, Mr. Mandel singled him out and denounced the newspaper in Trump-like terms, calling it "the enemy of the people" and "evil."

Elsewhere, Mr. Mandel has disputed that his politics have changed, arguing instead that he is in sync with the people he hopes to represent. "The voters in Ohio in the past two presidential elections have made it very clear, they don't want a moderate running Ohio or running America," he told a local cable news station after announcing his candidacy last year. "I'm the opposite of a moderate."

Other Republicans challenge Mr. Mandel's assessment of what most Ohio voters want. Brad Kastan, a Republican donor who has known Mr. Mandel for two decades, said he worried that the candidate was "painting himself into a corner so far out that he can't win" in a general election.

In a state that has moved to the right, backing Mr. Trump by eight percentage points in 2020, Mr. Mandel has been polling ahead of his primary rivals, including Jane Timken, a former head of the Ohio Republican Party, and J.D. Vance, an author made famous by his memoir "Hillbilly Elegy." Much of the primary has revolved around winning Mr. Trump's endorsement.

Last spring, when summoned along with other candidates to Mar-a-Lago to jockey for Mr. Trump's support, Mr. Mandel promised to hold nothing back to

win the seat, according to a person with knowledge of the meeting who asked for anonymity to reveal a private conversation.

Mr. Mandel's stridency has surprised some in Beachwood, an affluent, predominantly Democratic suburb dotted with synagogues, where Mr. Mandel was a quarterback for his high school football team and then married into a wealthy Cleveland family.

Mr. Mandel showed an early talent for standing out in a crowd at Ohio State, where he erected a 30-

foot inflatable King Kong on the campus green to draw attention to his run for student government and won the presidency, twice.

Shortly after graduating from the School of Law at Case Western Reserve, he won a City Council seat in Lyndhurst, a Cleveland suburb, drawing on support from his tight-knit community. When Albert Ratner, a major real estate developer and Ohio power broker, hosted a fund-raiser for Mr. Mandel, the candidate made a point of downplaying his Republican affiliation: "I really don't care about partisanship," he said, according to several people who recounted the gathering.

Mr. Mandel attended just one City Council meeting before deploying to Iraq as an intelligence specialist in the Marine Corps Reserve. On his return trip home, his re-entry into U.S. airspace was announced at a high school football game to a cheering crowd.

At 29, he won a seat in the Ohio Legislature, where he showed a keen understanding of the conser-

vative causes that energized party activists. At one point, he took on the State House speaker, a fellow Republican, over a policy requiring ministers who led prayers in the chamber to submit their remarks in advance. The rationale was to avoid proselytizing in the Legislature. Mr. Mandel declared it an affront to religious liberty.

"You know who fought the battle for our religious freedom? A 28-year-old Jewish guy," said Lori Viars, an abortion-rights opponent who supports Mr. Mandel's Senate bid. "I was so pleased to see him standing up when really no others did."

Running for state treasurer in 2010, Mr. Mandel was accused of trafficking in Muslim stereotypes after a campaign ad falsely implied that Kevin Boyce, the Democratic incumbent and a Black man, was a Muslim.

But Mr. Mandel's reaction to the criticism cuts a contrast with the "fighter" image that he projects today. His campaign pulled the ad and he expressed regret, both



MAZOE MCGARVEY FOR THE NEW YORK TIMES

Mr. Mandel with a supporter in January. Mr. Mandel is a leading contender in Ohio for the Senate.

publicly and privately to Mr. Boyce.

"I think he had a sense of what's right and what's wrong, and I think he knew that wasn't a right ad," said Mr. Boyce, whom Mr. Mandel defeated. "He had a very strong reputation then as a moderate Republican and he seemed a little more reasonable."

Mr. Mandel had pledged to serve a full four-year term as treasurer. But he took the first steps toward a Senate campaign five months after winning the job.

He won the 2012 primary by courting Tea Party activists, but ran in the general election against Senator Sherrod Brown, the incumbent Democrat, as a business-friendly Republican. Campaigning that year for Mitt Romney, the G.O.P. presidential nominee, Mr. Mandel said he believed that Ohio voters rejected "hyperpartisanship" and wanted leaders who would "rise above it all to do the right thing."

(Mr. Mandel's appraisal of Mr. Romney, now a senator and Trump critic, has curdled. "Mitt Romney is a loser," he said last year.)

Mr. Mandel's sharpest political pivot came after the 2016 presidential race. He had endorsed Marco Rubio, then fell in behind Mr. Trump after he captured the nomination, though he privately expressed doubts about Mr. Trump's credibility and business acumen and sometimes gave excuses when asked to stump for him, according to friends and former Trump campaign aides.

After the October release of the "Access Hollywood" tape, in which Mr. Trump was heard making vulgar comments about women, Mr. Mandel condemned the remarks but affirmed his support for Trump, saying he would be better than Democrats on issues like gun rights, religious liberty and the Supreme Court.

Within weeks after Mr. Trump's victory, Mr. Mandel was matching Mr. Trump in rhetoric and tone.

At the postelection Trump rally in Cincinnati, he said Ohio's cities would become so-called sanctuary cities "over my dead body," over chants of "Build the wall!"

Today, he calls himself Mr. Trump's "No. 1 ally" in Ohio.

Mr. Mandel's second Senate campaign ended in his withdrawal from the race in January 2018, citing his wife's health. The two later divorced. The Cincinnati Enquirer is suing to unseal his divorce records. A campaign worker now involved in a relationship with Mr. Mandel has been cited in local news reports as having driven other employees to quit.

In Beachwood, discussions of Mr. Mandel's politics can be as emotionally intense as a family feud. More than a dozen people approached in the affluent suburb declined to be interviewed, some saying they did not want to have to avert their eyes when they saw his relatives at the local coffee shop or the Beechmont Country Club.

Some friends and former supporters said that in more recent encounters with Mr. Mandel they had searched for signs of the young man they once supported or even pleaded with him to cease his drift into far-right-wing politics.

The criticism, they said, didn't seem to register.

"He made the decision that 'My path here is to be all-in on Trump,'" said Alan Melamed, a Democratic political consultant who first met Mr. Mandel decades ago. "Since then, he has been going down the path of 'How far to the right can I go, and how outrageous can I be?'"

"People can change," Mr. Melamed added. "And he did."

Democrats, With Eye on Midterms, Search for Ways to Bring Down Rising Prices

By EMILY COCHRANE
and MICHAEL D. SHEAR

WASHINGTON — The White House and congressional Democrats, concerned about rapidly rising prices across the nation that could sour voters ahead of looming midterm elections, are discussing temporarily suspending the federal gas tax and revamping their marquee domestic policy package to include an effort to reduce the budget deficit.

The discussions are aimed at addressing widespread economic anxiety and salvaging whatever they can of President Biden's sprawling social safety net, climate and tax increase bill, known as the Build Back Better Act, before members of Congress face voters in November.

During a private party lunch on Tuesday, Democrats batted around an array of legislation to help reduce costs on food and other essentials, according to senators and aides briefed on the private discussion, including a plan, proposed last week, to suspend the gas tax of 18.4 cents per gallon through Jan. 1.

"We're going to focus like a laser on reducing costs — the new proposals and new ideas keep coming," said Senator Chuck Schumer of New York, the majority leader, who pointedly pri-

oritized questions about "cutting costs" at his weekly news conference. "We're going to propose legislation and we're going to move forward, and we're going to go back to our states and start talking about these things."

Many of the Democratic senators facing tough re-election fights this year have rallied behind the idea of a gas tax holiday, billing it as an easy way to provide economic relief. Senator Mark Kelly, Democrat of Arizona and a leading proponent of the legislation, described it on Tuesday as "something that directly helps people right now when they need it."

White House officials have not rejected the idea as a way to temporarily lessen high gas prices. But it appeared unlikely to secure enough support to pass the Senate, where a supermajority of 60 votes is needed to advance most legislation, and lawmakers in both parties raised concerns about how effective it would be in lowering prices for consumers and how it would be reinstated.

Senator Joe Manchin III of West Virginia, a key Democratic centrist, bluntly declared on Tuesday that the plan "doesn't make sense."

Democrats are also quietly floating ways to revive Mr. Biden's domestic policy plan, including scaling it back extensively from

the \$2.2 trillion version that passed the House last fall, which Mr. Manchin has called unacceptable, particularly in light of rising inflation.

They have floated ways to narrow the measure's scope, prioritizing \$500 billion to address climate change, expanded Affordable Care Act subsidies and a measure to lower the cost of prescription drugs, according to officials involved in preliminary discussions who spoke on the condition of anonymity to discuss them. Privately, Mr. Biden's economic team has talked for weeks about including a deficit reduction measure in the package, to address Mr. Manchin's concerns about the national debt.

Mr. Biden's economic advisers are also keenly aware of the need for him to aggressively confront rising prices, which are contributing to the feeling among many Americans that the economy is getting worse, despite record growth in jobs.

Privately, his top aides say they recognize the importance of confronting the economic pain that many Americans feel, and are hopeful that Congress may pass some legislation to help. The Consumer Price Index data for January exceeded forecasts, showing prices jumped 7.5 percent over the year and 0.6 percent over the past

month.

On Capitol Hill, lawmakers have stepped up efforts to find a solution.

"It's more than trying — I think it's important we do something about it," said Senator Jon Tester, Democrat of Montana, who spoke during Tuesday's lunch about his bipartisan proposal to address

Seeking a rebound after the failure of their marquee bill.

anti-competitiveness in the meat-packing industry as a way to lower prices, according to an aide.

Senator Debbie Stabenow of Michigan, a member of Democratic leadership and a co-sponsor of the gas tax legislation, said, "There's more to do, and that's what we're focused on for the coming year, as it relates to the costs that families are feeling every single day."

White House officials have also sought to focus attention on a series of actions aimed at reining in prices, including efforts to increase competition in the meat-packing industry, eliminate bottle-

necks at ports and address the global shortage of semiconductors, which is driving up the cost of cars.

Republicans, who have gleefully hammered Democrats for their failure to address inflation, scoffed at a gas tax holiday, arguing that it would do little to address the country's economic problems and instead was a gambit to provide political cover.

"I think it's a desperate cry for help," said Senator John Thune of South Dakota, the No. 2 Republican and among the senators running for re-election this year. "I think they realize that they're on the wrong side of the energy issue and the wrong side of the inflation issue, and that, you know, the American people are going to want answers."

In remarks on Tuesday to the National Association of Counties, Mr. Biden made the case for his broader social spending measure, arguing that providing money for child care, prescription drugs and home health care workers could help bring down costs for millions of Americans.

"There is real inflation, and if you're in a working-class family, it hurts. That's why my Build Back Better plan — what's it all about," he said. "Look, families are getting clobbered by the cost of everyday things."

But senior aides to Mr. Biden are eager to keep him away from a public back-and-forth with lawmakers. They have said they believe the endless negotiations with members of his own party last year made him look weak and helped drag down his approval ratings.

And on Capitol Hill, senators and aides cautioned that conversations remained preliminary.

"We're having lots of discussions with individual senators to get Build Back Better moving again," Mr. Schumer said on Tuesday. "We're sitting down and discussing things with Senator Manchin, and we want to hear what he has to say."

While they initially aimed for a multitrillion-dollar domestic policy initiative, some Democrats said they would be willing to include deficit-reduction provisions if it meant seeing some of their spending priorities signed into law.

Senator Brian Schatz, Democrat of Hawaii, said he would consider doing so "begrudgingly," if it was the only way of passing any part of Mr. Biden's plan.

But he added, "I don't think there's any doubt that people are irritated and struggling with the increased cost of living, and we have to show a collective determination to focus on that."

Senate Confirms New F.D.A. Commissioner in Tight but Bipartisan Vote

By CHRISTINA JEWETT
and EMILY COCHRANE

The Senate on Tuesday narrowly confirmed Dr. Robert Califf as commissioner of the Food and Drug Administration, a key federal agency that has been without a permanent chief for more than a yearlong stretch of the coronavirus pandemic.

The vote was 50 to 46, with six Republicans crossing the aisle to support him while five senators who caucus with Democrats opposed him. One senator voted present.

Dr. Califf, who is 70, is expected to be sworn in this week. He faces a looming flurry of decisions — including intense scrutiny of a coronavirus vaccine for children under 5 and reviews of e-cigarette applications like Juul's bid to stay on the market.

In recent weeks, Dr. Califf's odds of a second confirmation looked increasingly long as opposition mounted over concerns about how he would respond to the opioid epidemic and the agency's handling of abortion drug rules. The White House responded by trying to rally support in Congress and among other allies, with mainstream medical societies and a bipartisan group of six former F.D.A. commissioners coming to Dr. Califf's defense.

Senator Richard Burr, Republican of North Carolina, was one of a handful of G.O.P. senators who backed Dr. Califf and offset some Democrats' opposition. On Tuesday, Mr. Burr called on other senators to confirm Dr. Califf, saying the F.D.A. had gone 391 days without a permanent leader.

"I urge my colleagues to support Dr. Califf's nomination because he will provide the leadership needed to promote today's biomedical advancements and help to pave the way for tomorrow's innovation," Mr. Burr said.

Despite some Republican support, senators in both parties, ranging from liberal Democrats leery of his ties to the pharmaceutical industry to conservative Republicans in lock step with the anti-abortion movement, posed formidable opposition.

By contrast, Dr. Califf breezed into the commissioner role in 2016 in a vote of 89 to 4, with strong support from both sides of the aisle. Some of the headwinds he has faced since President Biden nominated him in November are from the same Democratic senators who opposed him six years ago. Back then, Senator Joe Manchin



MANUEL BALCE CENETA/ASSOCIATED PRESS

Dr. Robert Califf, above, won the support of Richard Burr, far right, one of six G.O.P. senators to back him. Senator Joe Manchin III, center, a Democrat, voted no.



AL DRAGO FOR THE NEW YORK TIMES

III, Democrat of West Virginia, voiced concerns about Dr. Califf's ties to the pharmaceutical industry amid the opioid epidemic that by 2016 had already killed thousands.

On Friday, Mr. Manchin called on Mr. Biden to withdraw the nomination in an opinion essay, noting that while Dr. Califf pledged to make changes the last time he was commissioner, the F.D.A. approved five new opioids in 2016 and 2017.

"I have never been more profoundly confident of a vote I'm going to cast than I am right now," Mr. Manchin said in a fiery floor speech on Monday, directly placing partial blame for the worsening epidemic on Dr. Califf. Opposition to his nomination, Mr. Manchin added, would "send a message to this administration, to our president, that we need a new direction at the F.D.A."

"We need people who want to protect us," he concluded, "not people who allow drugs to destroy us."

Just before the vote on Tuesday, Senator Edward Markey, Democrat of Massachusetts, denounced the F.D.A.'s role in becoming the "country's biggest pill pusher" and said Dr. Califf did little to address the problem in his previous stint as commissioner.

"There was no real commitment to reforming the F.D.A. or to

learning from the mistakes that enabled this public health crisis," Mr. Markey said.

Dr. Califf also faced pressure from abortion foes over the F.D.A.'s risk-management policies related to abortion medications. The influential Susan B. Anthony List organization, which opposes abortion, has canvassed lawmakers about changes made during Dr. Califf's prior tenure as commissioner that eased access to medication abortion pills.

During a Senate hearing in December, Dr. Califf expressed confidence in the agency's ability to handle decisions about the medications again. Two days after that hearing, the F.D.A. announced that women could receive the pills by mail after a telehealth appointment, eliminating a requirement for an in-person evaluation.

The Susan B. Anthony List announced that it would "score" the vote on Dr. Califf's nomination, meaning it will be considered in the organization's assessments for lawmakers' "pro-life scorecard." Republicans up for re-election often seek the group's endorsement.

Senator Steve Daines, Republican of Montana, spoke in opposition before the vote, criticizing Dr. Califf's role in the abortion medication changes.

"Dr. Califf has refused to distance himself from the F.D.A. deci-

sion to abandon vulnerable pregnant women to the reckless and predatory actions of the abortion industry," Mr. Daines said.

Five senators who caucus with Democrats — Mr. Manchin and Senators Bernie Sanders of Vermont, Maggie Hassan of New

Lawmakers worry about a candidate's ties to Big Pharma.

Hampshire, Mr. Markey of Massachusetts and Richard Blumenthal of Connecticut — opposed the nomination.

Six Republicans — Senators Burr, Lisa Murkowski of Alaska, Susan Collins of Maine, Mitt Romney of Utah, Roy Blunt of Missouri and Pat Toomey of Pennsylvania — tipped the balance for confirmation. Of those Republicans, just one — Ms. Murkowski — is up for re-election and three — Mr. Blunt, Mr. Burr and Mr. Toomey — are retiring.

While Senator Mike Rounds, Republican of South Dakota, was opposed to the confirmation, he was marked as present as part of a pairing with Senator Ben Ray Lujan of New Mexico, who is re-

covering from a stroke and would have voted "yes."

Senator Elizabeth Warren, a Massachusetts Democrat, said in a statement that Dr. Califf secured her vote after agreeing to refrain for four years from seeking employment with or compensation from any drug or device company after his term as commissioner.

The incoming commissioner will have plenty of work to do. The agency is facing an end-run around its tobacco control authority with companies marketing synthetic tobacco in flavors attractive to teenagers. Lawmakers are eager to see changes in how the agency fast-tracks drugs to the market after the controversial approval of the Alzheimer's drug Aduhelm. And the agency has a lengthy backlog of foreign inspections to contend with, as roughly 80 percent of active drug ingredients come from overseas.

Dr. Janet Woodcock, the interim commissioner, issued a statement on Tuesday, saying she will stay on as a principal deputy at the agency. She has been a target of lawmakers who say the agency spurred the opioid epidemic, which could prove relevant as leaders turn to Congress for new authority to tackle a range of issues.

After the confirmation votes, advocates and supporters issued statements urging action on a va-

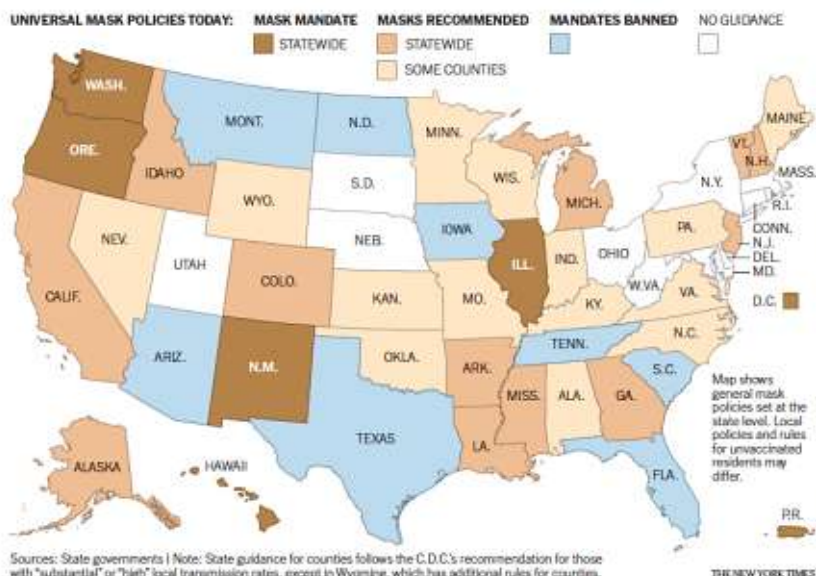
riety of issues. The Environmental Working Group called on Dr. Califf to remove PFAS, known as "forever chemicals" from food packaging and to require companies that sell talc to test their products for asbestos.

Representative Rajna Krishnamoorthi, Democrat of Illinois, called on Dr. Califf to address his House subcommittee's findings of arsenic and lead in baby food. Senator Dick Durbin, Democrat of Illinois, asked Dr. Califf to address "predatory tactics" of vaping companies targeting young people.

Dr. Califf spent most of his career at Duke University, where he served as a professor of medicine and founding director of the Duke Clinical Research Institute. He led numerous clinical trials in cardiology, gained experience working with the pharmaceutical industry and drew widespread respect in the field of medicine.

That standing is crucial, said Dr. David J. Skorton, president of the Association of American Medical Colleges.

"The decisions that are made by an F.D.A. commissioner or the F.D.A. in general are not always going to please everybody," Dr. Skorton said. "They are very, very difficult decisions," he said. Noting that he had followed Dr. Califf's career for decades, Dr. Skorton described him as "the person for the hour."



Mask Mandates Soon Ending in Many States

By ALYSSA LUKPAT

America's patchwork of Covid restrictions has begun to look more like a crazy quilt.

Since a parade of blue-state governors began loosening restrictions last week in response to rapidly declining caseloads, more states and cities have since followed suit. But officials in some cities and school districts are keeping mandates in place, with rules varying county by county in some cases.

In California, state health authorities said Monday that while some pandemic restrictions would be lifted, schoolchildren would still be required to wear masks for at least another two weeks. And a mask mandate remains in effect in Los Angeles County.

In Virginia, Gov. Glenn Youngkin, a Republican, is expected to sign a bill that would make wearing masks in schools voluntary and require schools to offer in-person instruction.

Mask mandates in Rhode Island, Delaware and Nevada ended last week.

Restrictions are loosening despite the United States reporting about 2,400 deaths each day — more than at any point of the pandemic except last winter — and more than 150,000 new cases.

While the movement to ease restrictions began in swing states like Colorado, Pennsylvania and Michigan, its spread to some of

the bluest states reflects a country entering a new political phase in the nearly two-year pandemic. Many indoor mask requirements have evolved, but vaccine mandates have largely remained unchanged.

Federal rules still require masks on all forms of public transportation and in transportation hubs, including in subway stations, bus terminals and airports, at least until March 18.

Dr. Rochelle P. Walensky, the director of the Centers for Disease Control and Prevention, has said that it was too soon for Americans to take their masks off in indoor public places.

"Our hospitalizations are still high, our death rates are still high," she said during a news briefing last week. "So, as we work toward that and as we are encouraged by the current trends, we are not there yet."

As of Tuesday night, the authorities in over a dozen states and Washington, D.C., have changed their mask mandates in the past few weeks, with many of those decisions coming in the past several days.

Here's a look at where other mandates have and haven't changed:

- In Connecticut, the statewide mask mandate will end on Feb. 28, and that extends to schoolchildren. Masks will still be required in New Haven, Conn.
- Masks will no longer be re-

quired indoors in Illinois starting on Feb. 28. On Monday, Mayor Lori Lightfoot of Chicago told reporters that the city's indoor mask requirement would remain in place until caseloads decline.

- In Massachusetts, a statewide school mask mandate will be lifted on Feb. 28. Mayor Michelle Wu of Boston said that public school students there will still be required to wear masks. The Archdiocese of Boston won't require its students to wear masks.

- Beginning the second week of March, New Jersey will stop requiring students and school employees to wear masks. The Camden City School District will still require masks.

- New York State ended its requirement that people entering businesses must wear masks or show proof of full vaccination last week. In New York City, masks are still required at schools and health care facilities. Owners of stores, restaurants, theaters or other public spaces can still require masks.

- Oregon's indoor mask mandate, which includes schools, was set to be lifted by March 31.

- In Washington, D.C., starting Tuesday people no longer have to show proof of vaccination before entering many businesses. On March 1, the city will end its indoor mask mandate in many settings, but not others, including schools.

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Jan. 6 Panel Digs Into Plan To Deploy Bogus Electors

By LUKE BROADWATER

WASHINGTON — The House committee investigating the Jan. 6 attack on the Capitol subpoenaed two of Donald J. Trump's campaign aides and Republican Party officials from battleground states on Tuesday as it dug deeper into a plan to use false slates of electors to help the former president stay in office after he lost the 2020 election.

The use of bogus slates was one of the more audacious gambits employed by allies of Mr. Trump to try to keep the presidency in his hands, and the committee's members and investigators have made it increasingly clear in recent days that they believe the effort — along with proposals to seize voting machines — was a major threat to democracy.

Among those subpoenaed on Tuesday were Michael A. Roman and Gary Michael Brown, who served as the director and the deputy director of Election Day operations for Mr. Trump's campaign. The panel also summoned Douglas V. Mastriano, a Pennsylvania state senator; Laura Cox, the former chairwoman of Michigan's Republican Party; Mark W. Fincham, an Arizona state legislator; and Kelli Ward, the chairwoman of Arizona's Republican Party.

In letters accompanying the subpoenas, the committee said it had obtained communications that showed Mr. Roman's and Mr. Brown's "involvement in a coordinated strategy to contact Republican members of state legislatures in certain states that former President Trump had lost and urge them to 'reclaim' their authority by sending an alternate slate of electors that would support former President Trump."

"It appears that you helped direct the Trump campaign staffers participating in this effort," Representative Bennie Thompson, Democrat of Mississippi and the chairman of the committee, wrote to Mr. Roman.

The committee said that Mr. Fincham, who was on the Capitol grounds on Jan. 6, was in communication with leaders from the "Stop the Steal" movement regarding a rally at the Capitol, and that Mr. Fincham said he was in Washington to "deliver an evidence book and letter to Vice President Pence showing key evidence of fraud in the Arizona presidential election, and asking him to consider postponing the award of electors."

In its letter to Ms. Cox, the panel said it had evidence that she witnessed Rudolph W. Giuliani, Mr. Trump's personal lawyer, pressure state lawmakers to disregard the election results in favor of Joseph R. Biden Jr. in Michigan and say that certifying the results would be a "criminal act."

After the November election was over, Ms. Ward sent a message to an Arizona elections official warning to "stop the counting," according to the committee. She also "apparently spoke with former President Trump and members of his staff about election certification issues in Arizona" and "posted a video advancing unsubstantiated theories of election interference by Dominion Voting Systems along with a link to a donation page to benefit the Arizona Republican Party," the committee said.

Ms. Ward also claimed to be an "alternate" elector for Mr. Trump, even though Mr. Biden won Arizona.

Ms. Ward has already filed a lawsuit to try to block the committee from gaining access to logs of her phone calls.

The committee said Mr. Mastri-

Alan Feuer contributed reporting.

ano had spoken directly with Mr. Trump about his "postelection activities," Mr. Mastriano, a former Army officer, was also on the Capitol grounds on Jan. 6, though he later explained in a statement that "he followed the directions of the Capitol Police and respected all police lines" that day.

The subpoenas instruct the witnesses to produce documents and sit for depositions in March.

"The select committee is seeking information about efforts to send false slates of electors to Washington and change the outcome of the 2020 election," Mr. Thompson said, adding, "The select committee has heard from more than 550 witnesses, and we expect these six individuals to cooperate as well as we work to tell the American people the full story about the violence of Jan. 6 and its causes."

The six did not immediately respond to requests for comment on Tuesday.

The scheme to employ the so-called alternate electors was one of Mr. Trump's most expansive efforts to overturn the election. It began even before some states had finished counting ballots and culminated in the pressure placed on Mr. Pence to throw out legitimate votes for Mr. Biden when he presided over the joint congressional session to certify the election outcome.

At various times, the gambit involved lawyers, state lawmakers and top White House aides.

The New York Times reported this month on legal memos that show some of the earliest known origins of what became the rationale for the use of alternate electors.

The memos — from a lawyer named Kenneth Chesebro to James R. Troupis, a lawyer for the Trump campaign in Wisconsin — show how, just over two weeks after Election Day, Mr. Trump's campaign was seeking to buy itself more time to undo the results. At the heart of the strategy was the idea that their real deadline was not Dec. 14, when official electors would be chosen to reflect the outcome in each state, but Jan. 6, when Congress would meet to certify the results.

The two memos were used by Mr. Trump's top lawyer, Mr. Giuliani, and others like John Eastman as they developed a strategy intended to exploit ambiguities in the Electoral Count Act, according to a person familiar with the matter.

The subpoenas are the latest step the committee has taken to investigate the plans to use electors who falsely attested Mr. Trump had won their states.

Last month, the committee issued 14 subpoenas to people who claimed to be electors for Mr. Trump in states that he lost. Those subpoenas targeted individuals who met and submitted pro-Trump Electoral College certificates in seven states Mr. Biden won: Arizona, Georgia, Michigan, New Mexico, Nevada, Pennsylvania and Wisconsin.

Those who signed on to the fake slates of electors were mostly state-level officials in the Republican Party, G.O.P. political candidates or activists involved with Mr. Trump's re-election campaign.

The subpoenas came after the Justice Department said it was investigating the fake electors.

Ultimately, Mr. Pence rejected plans to throw out the legitimate electoral votes in favor of those false slates for Mr. Trump.

Marc Short, Mr. Pence's chief of staff, recently testified privately before the panel. In a television interview this month, he said Mr. Pence was aware of the so-called alternate electors, but did not believe it was appropriate to accept slates not chosen by the voters.



Halyna Hutchins died when a revolver with a live round went off on the set of "Rust" last year. Alec Baldwin was holding the gun.

Slain Cinematographer's Family Sues Baldwin

By JULIA JACOBS and GRAHAM BOWLEY

The family of Halyna Hutchins, the cinematographer fatally shot by Alec Baldwin on the set of the movie "Rust" last year, filed a wrongful-death lawsuit on Tuesday in New Mexico against crew members and producers, including Mr. Baldwin.

The suit, filed by Ms. Hutchins' widow, Matthew Hutchins; her 9-year-old son; and the personal representative of Ms. Hutchins' estate, accused Mr. Baldwin and the other defendants of reckless conduct and cost-cutting measures that endangered the crew, including failing to follow basic industry standard safety checks and gun safety rules.

"Halyna Hutchins deserved to live, and the defendants had the power to prevent her death if they had only held sacrosanct their duty to protect the safety of every individual on a set where firearms were present," the lawsuit said, "instead of cutting corners on safety procedures where human lives were at stake, rushing to stay on schedule and ignoring numerous complaints of safety violations."

Ms. Hutchins, 42, was shot on Oct. 21 while the production was lining up camera angles for a scene in which Mr. Baldwin draws an old-fashioned revolver from a shoulder holster. Shortly before the gun went off, discharging a bullet that killed Ms. Hutchins and injured Joel Souza, the film's director, the crew had been told that the revolver did not contain live ammunition and was safe to handle.

The lawsuit said Mr. Baldwin "recklessly shot and killed Halyna Hutchins on the set." Mr. Baldwin has said in the past that he was not to blame for her death. "Someone put a live bullet in a gun, a bullet

that wasn't even supposed to be on the property," Mr. Baldwin said in an ABC television interview in December. "Someone is responsible for what happened, and I can't say who that is, but I know it's not me."

Aaron Dyer, a lawyer for Mr. Baldwin and other "Rust" producers, said in a statement that "any claim that Alec was reckless is entirely false," arguing that Mr. Baldwin and other members of the cast and crew were relying on professionals tasked specifically with checking firearms.

"Actors should be able to rely on armors and prop department professionals, as well as assistant directors, rather than deciding on their own when a gun is safe to use," the statement said.

A wrongful-death case that names an actor, producers and others.

He noted that "everyone's hearts and thoughts remain with Halyna's family as they continue to process this unspeakable tragedy."

At a news conference, lawyers for Mr. Hutchins played a video that used animation to recreate what they said happened on the day of the shooting, based on interviews with crew members and at one point including Mr. Baldwin's comments from the ABC interview.

The lawsuit said that the defendants should not have allowed live ammunition onto the set, that Mr. Baldwin should not have pointed a gun at anyone, and accused the production of "aggressive cost-cutting" that it said

had "jeopardized and endangered the safety of the cast and crew." The suit claimed that the producers had hired an "inexperienced" and "unqualified" armorer, and that members of the production had ignored earlier firearms discharges on the set that had led to complaints about a lack of safety.

Brian Panish, a lawyer for Mr. Hutchins, said at a news conference in Los Angeles: "There are many people culpable, but Mr. Baldwin was the person holding the weapon that, but for him shooting it, she would not have died. So clearly he has a significant portion of the liability, but there are others."

Last month, lawyers for the Hutchins family indicated that they were contemplating a lawsuit when they asked a court to appoint a representative in New Mexico for Ms. Hutchins' estate. Under New Mexico law, half of any proceeds from the lawsuit would go to Mr. Hutchins and half would go to her son.

Ms. Hutchins was a rising cinematographer from Ukraine; friends and colleagues described her as fiercely dedicated to the art of filmmaking.

It remains unclear why live bullets were on the film set and how one of them got into the gun that Mr. Baldwin was handling. The sheriff's office in Santa Fe has been investigating that question since the fatal shooting, but officials have made no new public disclosures about the inquiry since last month, when Mr. Baldwin turned his cellphone over to the authorities.

Several other lawsuits have been filed in relation to the shooting. Two crew members filed separate lawsuits in California, alleging that cost-cutting measures by the production contributed to lax adherence to safety protocols and

that Mr. Baldwin should have checked that the gun was safe to handle. Lawyers for Mr. Baldwin and other producers behind "Rust" filed a motion seeking to dismiss one of the lawsuits, arguing that Mr. Baldwin could not have intentionally shot a live bullet from the gun because he had been told it was "cold," meaning it did not contain any live bullets.

Mr. Baldwin has denied responsibility in the shooting, saying in the television interview last year that Ms. Hutchins was instructing him on where to point the gun when it discharged. He said he did not pull the trigger, suggesting that it could have been set off when he pulled back the hammer.

The lawsuit accused him and others of not properly following safety protocols. Other defendants include Hannah Gutierrez-Reed, the film's armorer, whom the lawsuit accuses of being unqualified for the job; Dave Halls, the first assistant director, who told an investigator that he did not check all of the rounds in the gun before handing it to Mr. Baldwin; and Seth Kenney, a supplier of guns and ammunition for the film.

Jason Bowles, a lawyer for Ms. Gutierrez-Reed, said she inspected the gun before handing it over to Mr. Halls that day and asked that she be called back to recheck it later, but the production did not do so. Mr. Kenney and a lawyer for Mr. Halls did not immediately respond to requests for comment.

"Had Defendant Baldwin, the producers, and the Rust Production Companies taken adequate precautions to ensure firearm safety on the set of Rust or if basic firearm safety rules had been followed on the set of Rust on Oct. 21, 2021," the lawsuit said, "Halyna Hutchins would be alive and well, hugging her husband and nine-year-old son."

Rice Announces Retirement, 30th House Democrat to Do So

By ANNIE KARNI

WASHINGTON — Representative Kathleen Rice of New York announced on Tuesday that she would not seek re-election, making her the 30th House Democrat to opt for an exit ahead of what is expected to be a difficult midterm election cycle in which the party appears headed for losses.

Ms. Rice's retirement announcement marked a grim milestone for House Democrats: The number planning to leave Congress is now the biggest since 1992, a sign of the party's lack of confidence that it will be able to hold the majority this fall. Ms. Rice, a moderate, provided no explanation for her unexpected departure. She announced it on her 57th birthday, saying only that she was moving on to the "next chapter" of her life.

"As elected officials, we must give all we have and then know when it is time to allow others to serve," Ms. Rice, a former prosecutor who has represented part of Long Island's Nassau County since 2015, said in a statement.

Of the departing group, 22 House Democrats have said they are retiring, while eight are seeking another office. So far, 13 Republicans have also said they will not seek re-election.

"House Democrats know their majority is doomed and have a choice: retire or lose," said Michael McAdams, communications director for the National Republican Congressional Committee, the party's House campaign arm.

Representative Kevin McCarthy of California, the House Republican leader, has predicted



Representative Kathleen Rice said on Tuesday that she was leaving Congress and moving onto the "next chapter" of her life.

that more than 30 Democrats will announce their retirement "because they see what the future holds."

Some Democrats shrugged off the news of Ms. Rice's retirement as the loss of a safe seat, where she will most likely be replaced by another Democrat. Ms. Rice's district was not affected by the recent redrawing of New York's political map, and in 2020, she won her race against the G.O.P. candidate, Douglas Tuman, by about 56 percent. President Biden won her district by 12 points in the 2020 presidential election.

But optimistic Republicans said that margin put New York's 4th congressional district within reach in the event of a red wave, noting that a G.O.P. candidate won the governor's race last fall in Virginia, a state Mr. Biden won by about 10 points.

Ms. Rice, who made a lasting,

powerful enemy in Speaker Nancy Pelosi after vocally opposing her bid for House Speaker in 2016 and 2018, was viewed as someone who did not enjoy the job.

She had become increasingly marginalized in the ranks of House Democrats, where the loudest voices are typically from a new generation of progressives, and where her history with Ms. Pelosi had cost her opportunities. In 2019, for instance, Ms. Pelosi lobbied for other members to gain a seat on the powerful Judiciary Committee over Ms. Rice, according to Politico, despite Ms. Rice's background as a prosecutor and her seniority.

Representative Josh Gottheimer, a centrist Democrat from New Jersey, called Ms. Rice's retirement "a huge loss for New York, Congress and common-sense, bipartisan governing."

"I imagine the polarization in D.C. has become so poisonous and the dysfunction so deep that more and more members want nothing to do with the absurdity of it all," said Representative Ritchie Torres, a progressive Democrat of New York.

But some liberal Democrats joined Republicans in celebrating the news of her retirement.

"Rep. Kathleen Rice retiring to spend more time with her big pharma lobby family," Leah Greenberg, the co-founder of Indivisible, a grass-roots progressive organization, said in a Twitter post reacting to her announcement.

Ms. Rice, who sits on the Energy and Commerce committee as well as the Homeland Security committee, was a registered Republican until 2005, when she became a Democrat to run for district attorney in Nassau County.

In Congress, she has been best known as one of the few women arguing that the party needed a fresh perspective at the top and that the lack of an obvious candidate to challenge Ms. Pelosi was a "symptom of stagnant leadership." In 2016, she was also the first Democrat to publicly support Representative Tim Ryan's challenge to Ms. Pelosi as House leader. Ms. Rice also voted against Ms. Pelosi in 2018. Both times, Ms. Pelosi was elected despite the efforts to topple her.

Ms. Rice supported Ms. Pelosi's bid for speaker in 2021, but the relationship remained strained.

Ms. Pelosi's office did not immediately respond to a request for comment about Ms. Rice's planned departure.

Corrections

NATIONAL

An article on Sunday about a lawsuit accusing a Pennsylvania police department of misconduct in a murder case misstated, in several instances, the surname of one of the men accusing the police in Allegheny County, Pa., of misconduct. He is Cheron Shelton, not Selton.

SPORTS

An article on Tuesday about Jamie Anderson's failure to advance to the women's big air snowboarding final in the Winter Olympics misidentified the event in which the freestyle skier Marin Hamill was injured. It was the freestyle slopestyle qualifying event, not the snowboard big air qualifying event.

An article on Sunday about the Olympic snowboarders Lindsey Jacobellis and Nick Baumgartner erroneously attributed a distinc-

tion to Jacobellis. She is the oldest American woman to win a gold medal at the Winter Olympics, not the Olympics overall.

ARTS

A film review on Friday of "Minamata" misidentified the actress who plays Aileen Mioko. She is Minami, not Akiko Iwase.

SCIENCE TIMES

Because of an editing error, an article on Tuesday about how exercise may enhance the effects of a Covid or flu vaccine misstated the substance in the blood that can prompt the creation of immune cells. It is interferon alpha, not interferon alfa, a drug form of the substance.

Errors are corrected during the press run whenever possible, so some errors noted here may not have appeared in all editions.

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California Returns as Nation's Climate Leader

By CORAL DAVENPORT

WASHINGTON — The Biden administration is preparing strict new limits on pollution from buses, delivery vans, tractor-trailers and other heavy trucks, the first time tailpipe standards have been tightened for the biggest polluters on the road since 2001.

The new federal regulations are drawn from truck pollution rules recently enacted by California and come as the Biden administration is moving to restore that state's legal authority to set auto emissions limits that are tighter than federal standards, according to two people familiar with the matter, who were not authorized to speak on the record.

The developments represent a revival of California's influence on the nation's climate and clean air policies, following four years in which President Donald J. Trump waged legal, political, and, at times, seemingly personal battles with the state. The Trump administration had stripped away California's authority to institute its own vehicle pollution standards, power that the state had enjoyed for more than 40 years.

Mr. Trump claimed that California's tougher rules made cars more expensive and less safe.

But now, California is reasserting itself as a leader in policies designed to fight pollution and global warming.

Federal regulators are looking to California for inspiration as they draft new national rules designed to meet President Biden's pledge that half of all new cars sold in the United States by 2035 will be electric vehicles. Gov. Gavin Newsom, a Democrat, has signed an executive order to phase out the sale of new gasoline-powered cars in California by 2035 and is proposing to spend \$37 billion next year to cut greenhouse gas emissions from transportation, buildings and the energy sector.

"We are deeply gratified after years of uncertainty, years of sparring with the previous administration," said Governor Newsom, speaking of the restoration of his state's environmental rules.

"We don't imitate, we're a model to the world," Governor Newsom said. "In climate, we want to continue to assert that leadership and continue to raise the bar. Clearly we want to find ways to collaborate with the Biden administration, but I don't ever want to cede California's leadership on this goal."

Governor Newsom said he hoped that as California would set ever more ambitious climate and clean air rules, the federal government would continue to follow. "We want to harmonize again, upward, not downward," he said.

In contrast to bitter clashes on climate change with Mr. Trump, sometimes via attacks on Twitter, Governor Newsom said he has had productive personal conversations with Mr. Biden on climate policy.

At a campaign event for Governor Newsom in September, the president said: "California, you've got to keep Gavin Newsom as governor and send a message to the nation that we have to deal with



PATRICK T. FALLON/AGENCE FRANCE PRESSE — GETTY IMAGES

The White House is moving to restore California's legal authority to set its own emissions limits.

the climate crisis now. We can't wait any longer."

A spokesman for the Environmental Protection Agency, Nick Conger, confirmed that the agency was working on a new rule that "would significantly cut nitrogen dioxide emissions" from trucks but declined to say if they were modeled after California's new rule.

"These standards, currently subject to interagency review, will be rooted in the latest science and the law," Mr. Conger wrote in an email. "As part of any rule-making process, E.P.A.'s proposal will initiate a process to take input from a variety of stakeholders."

The people familiar with the forthcoming federal rule said it had been significantly shaped by the California rule but that some technical details might differ.

Mr. Trump's 2019 decision to end California's authority to set its own limits on auto emissions stood as one of his signature moves to raze climate policies. The regulation of vehicle emissions is central to combating climate change; tailpipes are the largest single source of greenhouse gases produced in the United States.

Under the 1970 Clean Air Act, the E.P.A. had granted California a waiver to set tailpipe standards that were tougher than federal limits to combat its smog problems. As the most populous state, and with the world's fifth-largest economy, California has been able to influence automobile makers and set the pace for the rest of the country. Seventeen other states and the District of Columbia have adopted the California rules, turning them into de facto national standards. Twelve other states are following California's mandate to sell only zero-emissions vehicles after 2035.

In 2009, President Barack Obama set federal emissions standards based on the California rule. Last year, the Biden administration began the legal process to restore the California waiver,

which is expected to be finalized in the coming weeks.

"This is a historic role that California has played since 1970, a role that was interrupted only during the Trump administration," said Richard Revesz, a professor of environmental law at New York University. "This is a hugely important policy but it's also a return to the traditional way of understanding the relationship between the federal government and California with regards to vehicle pollution. It's a moment of return to normalcy."

Mr. Trump's allies see it differently, saying that one state should not be permitted to determine national standards.

"We think that what California is doing is beyond the scope of the law, and we shouldn't be setting federal law based on what California decides to impose on their citizens," said Thomas Pyle, the president of the Institute for Energy Research, an organization that supports the use of fossil fuels.

Meanwhile, the E.P.A. is preparing tighter regulations governing emissions from heavy duty trucks to reduce emissions of nitrogen dioxide, which is linked to lung cancer, heart disease and premature death. The California truck rule, enacted late last year, requires manufacturers to produce progressively cleaner trucks between 2024 and 2031.

The federal government last updated its truck emissions rule in 2001, when the E.P.A. required commercial trucks to cut emissions of nitrogen dioxide by 95 percent over 10 years. The rule con-

tributed to a 40-percent drop in national nitrogen dioxide emissions, the agency said.

Truckers say that the new rules will be onerous and expensive, with the burden of purchasing expensive new filters and other equipment falling particularly hard on independent drivers.

"From the heavy trucking side, the California rules are as strict and stringent as possible and don't really account for practical costs of small business trucks," said Jay Grimes, director of federal affairs for the Owner-Operator Independent Drivers Association, a lobbying group.

It could cost up to \$5,000 to update a truck to meet the new standards, Mr. Grimes said.

"It's coming out of truckers' pockets," he said. "They will have to personally invest and they already have small margins. If the federal standards are aligned with the California standards, that's going to put many small business truckers in a tough spot to keep up."

Both California and the Biden administration are expected to portray the stricter rules as a way to address the heavy burden of pollution on poor and minority communities, which are frequently near highways and ports. Mr. Biden is the first president to elevate the issue of environmental justice, vowing to redress the disproportionate impact of pollution on communities of color.

"Heavy-duty trucks emit the lion's share of air pollution in California, and that is hitting communities that are already overburdened," said Craig Segall, a senior official with the California Air Resources Board, who helped write the state's new truck rule.

The boom in online shopping during the Covid pandemic has significantly worsened the problem, Mr. Segall said. "There's an increase in trucking and trucking pollution and that's what's motivating this," he said.

Woman Cured of H.I.V. Using Novel Treatment: Umbilical Cord Blood

Method May Widen Range of Candidates

By APOORVA MANDAVILLI

A woman of mixed race appears to be the third person ever to be cured of H.I.V., using a new transplant method involving umbilical cord blood that opens up the possibility of curing more people of diverse racial backgrounds than was previously possible, scientists announced on Tuesday.

Cord blood is more widely available than the adult stem cells used in the bone marrow transplants that cured the previous two patients, and it does not need to be matched as closely to the recipient. Most donors in registries are of Caucasian origin, so allowing for only a partial match has the potential to cure dozens of Americans who have both H.I.V. and cancer each year, scientists said.

The woman, who also had leukemia, received cord blood to treat her cancer. It came from a partially matched donor, instead of the typical practice of finding a bone marrow donor of similar race and ethnicity to the patient's. She also received blood from a close relative to give her body temporary immune defenses while the transplant took.

Researchers presented some of the details of the new case on Tuesday at the Conference on Retroviruses and Opportunistic Infections in Denver, Colo.

The sex and racial background of the new case mark a significant step forward in developing a cure for H.I.V., the researchers said.

"The fact that she's mixed race, and that she's a woman, that is really important scientifically and really important in terms of the community impact," said Dr. Steven Deeks, an AIDS expert at the University of California, San Francisco, who was not involved in the work.

Infection with H.I.V. is thought to progress differently in women than in men, but while women account for more than half of H.I.V. cases in the world, they make up only 11 percent of participants in cure trials.

But Dr. Deeks said he did not see the new approach becoming commonplace. "These are stories of providing inspiration to the field and perhaps the road map," he said.

Powerful antiretroviral drugs can control H.I.V., but a cure is key to ending the decades-old pandemic. Worldwide, nearly 38 million people are living with H.I.V., and about 73 percent of them are receiving treatment.

A bone marrow transplant is not a realistic option for most patients. Such transplants are highly invasive and risky, so they are generally offered only to people with cancer who have exhausted all other options.

There have only been two known cases of an H.I.V. cure so far. Referred to as "The Berlin Patient," Timothy Ray Brown stayed virus-free for 12 years, until he died in 2020 of cancer. In 2019, another patient, later identified as Adam Castillejo, was reported to be cured of H.I.V., confirming that Mr. Brown's case was not a fluke.

Both men received bone marrow transplants from donors who carried a mutation that blocks H.I.V. infection. The mutation has been identified in only about 20,000 donors, most of whom are of Northern European descent.

In the previous cases, as the bone marrow transplants replaced all of their immune systems, both men suffered punishing side effects, including graft versus host disease, a condition in which the donor's cells attack the recipient's body. Mr. Brown nearly died after his transplant. Mr. Castillejo's treatment was less intense, but in the year after his

transplant, he lost nearly 70 pounds, developed a hearing loss and survived multiple infections, according to his doctors.

By contrast, the woman in the latest case left the hospital by Day 17 after her transplant and did not develop graft versus host disease, said Dr. Jing Mei Hsu, the patient's physician at Weill Cornell Medicine. The combination of cord blood and her relative's cells might have spared her much of the brutal side effects of a typical bone marrow transplant, Dr. Hsu said.

"It was previously thought that graft versus host disease might be an important reason for an H.I.V. cure in the prior cases," said Dr. Sharon Lewin, president-elect of the International AIDS Society, who was not involved in the work. The new results dispel that idea, Dr. Lewin said.

The woman, who is now past middle age (she did not want to disclose her exact age because of privacy concerns), was diagnosed with H.I.V. in June 2013. Antiretroviral drugs kept her virus levels low. In March 2017, she was diagnosed with acute myelogenous leukemia.

In August of that year, she received cord blood from a donor with the mutation that blocks



An image of H.I.V. particles infecting a host cell. A mutation can block such attacks.

H.I.V.'s entry into cells. But it can take about six weeks for cord blood cells to engraft, so she was also given partially matched blood stem cells from a first-degree relative.

The half-matched "haplo" cells from her relative propped up her immune system until the cord blood cells became dominant, making the transplant much less dangerous, said Dr. Marshall Glesby, an infectious diseases expert at Weill Cornell Medicine of New York and part of the research team.

"The transplant from the relative is like a bridge that got her through to the point of the cord blood being able to take over," he said.

The patient opted to discontinue antiretroviral therapy 37 months after the transplant. More than 14 months later, she now shows no signs of H.I.V. in blood tests, and does not seem to have detectable antibodies to the virus.

It's unclear exactly why stem cells from cord blood seem to work so well, experts said. One possibility is that they are more capable of adapting to a new environment, said Dr. Koen Van Besien, director of the transplant service at Weill Cornell. "These are newborns, they are more adaptable," he said.

Cord blood may also contain elements beyond the stem cells that aid in the transplant.

"Umbilical stem cells are attractive," Dr. Deeks said. "There's something magical about these cells and something magical perhaps about the cord blood in general that provides an extra benefit."

More National news appears on Page A22.

Study Warns Of Foot Rise In Sea Level By 2050

By HENRY FOUNTAIN

Sea levels along the coastal United States will rise by about a foot or more on average by 2050, government scientists said Tuesday, with the result that rising water now considered "nuisance flooding" will become far more damaging.

A report by researchers from the National Oceanic and Atmospheric Administration and other agencies also found that, at the current rate of warming, at least two feet of sea-level rise is expected by the end of the century.

"What we're reporting out is historic," said Rick Spinrad, the NOAA administrator, at a news conference announcing the findings. "The United States is expected to experience as much sea level rise in the next 30 years as we saw over the span of the last century."

Dr. Spinrad said that while cutting greenhouse gas emissions to limit warming was critically important, the projected sea level rise by 2050 "will happen no matter what we do about emissions."

The report is an update of a 2017 study, and is similarly based on data from tide gauges and satellite observations.

But the new study has relatively precise estimates of sea level rise by 2050, a result of improved computer modeling and better understanding of the impact of global warming on the huge Greenland and Antarctic ice sheets.

That is "providing more confidence in our ability to predict" effects by midcentury, said William Sweet, an oceanographer with NOAA's National Ocean Service



JOHN EDLSON/AGENCE FRANCE PRESSE — GETTY IMAGES

Events like this "sunny day" flood in California last month will cause more damage, scientists say.

and an author of the report.

About 40 percent of the United States population, or 130 million people, live within 60 miles of the ocean. But sea level rise will not affect all of them equally, because it is not uniform.

In the United States, land subsidence and compaction of sediments along much of the East and Gulf coasts add to the increase; in those areas sea level rise may exceed one foot in the next three decades, the report said.

On the West Coast, sinking land and compaction are less common, so sea level rise is expected to be at the lower end of projections.

The report said that the calculated rise over the next three decades means that floods related to tides and storm surges will be higher and reach farther inland, increasing the damage.

What the report described as moderate or typically damaging flooding will occur 10 times more often by 2050 than it does today. Major destructive coastal floods,

although still relatively rare, will become more common as well.

For communities on the East and Gulf coasts, the expected sea level rise "will create a profound increase in the frequency of coastal flooding, even in the absence of storms or heavy rainfall," said Nicole LeBoeuf, director of the National Ocean Service.

Currently many communities on those coasts experience regular "nuisance" or "sunny day" flooding, when high tides become even higher because of the influence of the moon, wind or other factors.

But what were once nuisance floods are likely to become damaging, Dr. Sweet said.

"We definitely are predicting a flood regime shift," he said.

The report projects that sea levels will rise an average of 10 to 12 inches by 2050, which is about as much as the increase during the 100 years from 1920 to 2020. Those projections don't change no matter how much greenhouse gas

emissions are cut over that time.

Estimates for sea level rise by 2100 in the report are less certain. But in this case, the worldwide trajectory of emissions will have a significant effect. Allowing emissions to continue unabated could add 1.5 to 5 feet more to sea levels by the end of the century, for a total of up to 7 feet, the report concluded.

The report provides detailed sea level projections for states and territories by decade for the next 100 years. Dr. Spinrad said it was meant to help local officials, planners and engineers make decisions about where to locate or how to protect critical infrastructure like roads, wastewater treatment systems and energy plants, and otherwise adapt to rising waters.

He described the report as a "wake-up call" for the United States. "But it's a wake-up call that comes with a silver lining," he said. "It provides us with information needed to act now to best position ourselves for the future."

NEW YORK CITY DEPARTMENT OF TRANSPORTATION DIVISION OF BRIDGES
INVITATION FOR BIDS
Reconstruction of the Williamsburg Bridge
Miscellaneous Rehabilitation
Boroughs of Manhattan & Brooklyn
Contract No. BRW 253N
Federal Aid Project No. X764263
NYSPIN: X764.26
NYCPIN: 84122B0019
EPIN: 84122B0019

84122B0019-84122B0019 - Reconstruction of the Williamsburg Bridge Miscellaneous Rehabilitation in the Borough of Manhattan and Brooklyn: This Competitive Sealed Bid is released through PASSPort, New York City's online procurement portal. Responses to this Bid must be submitted via PASSPort. To access the Competitive Sealed Bid, vendors should visit the PASSPort public Portal at <https://www1.ny.govonline/mccs/systems/about-go-to-passport> and click on the "Search Funding Opportunities in PASSPort". Doing so will take one to the public portal of all procurements in the PASSPort system.

To locate the Competitive Sealed Bid, insert the EPIN, 84122B0019, into the Keyword search field. In order to respond to the Competitive Sealed Bid, vendors must create an account within the PASSPort system if they have not already done so.

A pre-bid conference via ZOOM is scheduled for 2/25/22 at 2:30 pm. Those wishing to attend must email the authorized agency contact for a link.

The deadline for the submission of questions is 3/15/22 by 4:00 pm.

The bid due date (submission via PASSPort) as well as hard copy is included is due 4/22/22 by 11:00 am.

This Project is federally aided and is subject to the provision of Title 23, U.S. code, as amended, and applicable New York State Statutes. In compliance with these provisions the minimum wages to be paid to laborers and mechanics are included in wage schedules that are set out in the bid proposal.

This procurement is subject to DBE participation goals. The DBE goal for this project is 10%.

As-Built Drawings will be available upon request from the Contractors. Contractors need to sign Confidentiality agreement to view As-built drawings.

Any inquiries concerning this Competitive Sealed Bid should be directed by email, under the subject line "Reconstruction of the Williamsburg Bridge Miscellaneous Rehabilitation" to the email address of the Authorized Agency Contact, Haimaia Vekler, at hvekler@dot.ny.gov.

Eric Adams, Mayor
Yanis Rodriguez, Commissioner

Opinion

The New York Times



ALISSA SCHREIBER FOR THE NEW YORK TIMES

The State of the Union Is Stressed

David Axelrod

RIGHT now, the White House is gearing up for the president's first State of the Union address. His speechwriters are churning out drafts, gathering guidance from strategists and senior aides and contending with fervent pleas from every agency of the federal government for a paragraph in the speech—even a sentence—about their good works.

The speech will command the largest television audience the president is likely to enjoy this year, and the temptation will be, as it always is, to herald his achievements and declare that we have navigated the storm.

But, Mr. President, proceed with caution. Talk about the things you and Congress have done to help meet the challenges Americans are facing, for sure. Lay out your goals for the future, absolutely. Offer realistic hope for better days ahead. We desperately need it. But recognize that we are still in the grips of a national trauma. Polls show that the vast majority of Americans believe we are on the wrong track, and people will have little patience for lavish claims of progress that defy their lived experiences.

Even if we are, objectively, in a stronger position than we were a year ago—closer to the end of this ordeal than the beginning—Americans are not celebrating. Millions have lost loved ones; many continue to struggle with the effects of the virus. Kids lost valuable time in the classroom, and parents have struggled to cope. Health care workers are in crisis. And we all have felt the profound cost of our relative isolation, away from family and friends, offices and colleagues.

Unsurprisingly, incidents of suicide, drug overdose deaths and violence in our homes and on the streets have grown dramatically. Frustrations with masks, mandates and shifting rules have deepened our political divides. Jobs have come roaring back, raising wages. But those wage increases have been eaten up by inflation, the likes of which we have not seen in four decades. And all the while, the rich have gotten richer.

The state of the union is stressed. To claim otherwise—to highlight the progress we have made, without fully acknowledging the hard road we have trav-

eled and the distance we need to go—would seem off-key and out of touch. You simply cannot jawbone Americans into believing that things are better than they feel.

At a news conference on the eve of his first anniversary in office, President Biden tried. He energetically sold a litany of achievements—record job growth; a massive and complex vaccine mobilization; a historic rescue act and a landmark infrastructure bill, forged with bipartisan support. He did acknowledge the trials this country has endured, but only sparingly. He got the emphasis and proportions wrong, spending more time pitching his successes and touting progress than he did recognizing the grinding concerns that have soured the mood of the country.

We learned that lesson in the Obama White House. At the height of the Great Recession—and even when it was tech-

In his annual address to Congress, Biden should show some humility.

nically and demonstrably over—the trauma from that catastrophe ran so deep that gaudy claims of progress met with an angry backlash from Americans still grappling, economically and emotionally, with its effects. We learned to pitch progress delicately, and always with a focus on the continuing struggles of the middle class as they tried to recover their financial footing from the crash and decades of shifting fortunes. Rhetorically and substantively, Barack Obama made the cause of those Americans his focus and set up a deliberate contrast between himself and the Republicans that helped him win a second term in 2012.

Even if the Omicron wave has greatly receded by the time Mr. Biden speaks—which may be what the White House was hoping for when his address to Congress was delayed until March 1—the lingering effects of the pandemic still will be with us. The nation likely will still be in a funk, and its people will want to hear their president recognize why.

It is not that Americans are yearning for a lugubrious speech, freighted with

lamentations about our damaged national spirit, without a sense of direction or hope. Amid an energy crisis that triggered sprawling gas lines in 1979, President Jimmy Carter gave a remarkably introspective televised address in which he discussed the “crisis of confidence” that had gripped the nation and called for sacrifice to change our energy future. It became known as the “malaise speech,” though Mr. Carter never actually used that word. And while it briefly lifted his standing, his stark address, coupled with the firing of several Cabinet members a few days later, ultimately deepened the political crisis he was facing.

There is a balance to be struck.

What Americans want to hear is genuine understanding of what we have been through together and a clear path forward—less about Mr. Biden's accomplishments than about the heroic, unsung sacrifices so many have made to see their families and communities through. They will want to hear less about his “transformative” legislation than the specific, practical steps Mr. Biden has taken, and is recommending, to help reduce inflation, curb violent crime and, of course, effectively confront any future waves of the virus. They want it to be less about him than us.

This should come naturally to the president.

From the beginning of his long political career, Mr. Biden's great strength has been his preternatural empathy, born of his personal tragedies and his ability to speak in authentic, resonant ways about the everyday challenges facing people in working class communities like Scranton, Pa., where he was born and partly raised. Middle-Class Joe is a nickname he earned over the years, a reflection of his values and sensibilities. Many national politicians speak the language of Washington. Mr. Biden, at his best, speaks American.

Now, he needs to find that voice by telling the story of the ordeal so many Americans have shared, honoring their resilience and painting a credible, realistic picture of how we can all reclaim control of our lives.

DAVID AXELROD was a senior adviser to President Barack Obama and the chief strategist for the 2008 and 2012 Obama presidential campaigns.

LETTERS

How We Are Failing Mentally Ill People

TO THE EDITOR:

Re “A Fatal Shove on the Subway and a Broken Mental Health System” (front page, Feb. 6):

The woeful inadequacies of our mental health systems are legion: universal underfunding; no overarching system to provide consistent individualized care over time; insufficient hospital and residential beds, leading to too short revolving-door hospitalizations; too few intermediate care programs; waiting lists for mobile crisis intervention teams; virtually nonexistent housing for the mentally ill, leading to homelessness and imprisonment; and on and on.

There is one underlying theme in all these inadequacies—our unwillingness as a society to spend the money necessary to adequately meet the needs of mentally ill people. Just one example: Since the earliest days of deinstitutionalization, the number of psychiatric hospital beds in America has declined relentlessly, so that it is rarely possible to treat the full episode of illness in hospital. It is not unusual to be discharged after three or four days, even when hospitalization was prompted by a suicide attempt or a psychotic episode.

Despite all the talk and the intermittent media coverage, our attention spans are short. We return to this conversation repeatedly, especially following a random act of horrific violence, but make no systemic change. We seem to be OK with the homeless mentally ill wandering the streets.

There are no words for this. It is inhumane, disgraceful. We should be ashamed.

HAROLD I. SCHWARTZ
WEST HARTFORD, CONN.

The writer is psychiatrist in chief emeritus at the Institute of Living, Hartford Hospital.

TO THE EDITOR:

Martial Simon's story—confessing to an act of violence after an “endless circuit of hospitals and jails, outpatient psychiatric programs and the streets”—will continue to repeat itself unless we do things differently. Adding another program, no matter how good, won't move the needle enough. The system is too fragmented, with entities acting in silos, creating the cracks through which people fall.

This is a systems failure, and we

need systems solutions. Stewards—people who are or can be change agents across the mental health system—must be brought together to develop shared goals and collaborative approaches. And we need to address vital conditions for health and well-being, like housing and employment.

Mr. Simon, according to your story, was asking for housing and was clearly food insecure; he didn't have the medication he needed and wanted; and he was shuttled from one institution to another. The outcome of his story is as unsurprising as it is tragic. It didn't need to be that way.

BECKY PAYNE, MORRISTOWN, N.J.

The writer is executive vice president of the Rippel Foundation, which aims to rethink health care.

TO THE EDITOR:

Deinstitutionalization is a program that has gone terribly wrong. Initially conceived and developed to erase the ugly past of psychiatric hospitalizations, hospitals are now a place where patients are discharged almost as soon as they are admitted, into a community that is dismally unprepared to accommodate them.

Outpatient clinics in the state system, woefully understaffed, are forced to take on the care of patients who are not ready for discharge. These patients often have psychiatric, substance abuse and criminal histories, each of which requires a specific type of treatment in a safe and nurturing environment. Patients who are discharged before they have been given appropriate treatment and care will act out their problems, to the detriment of all.

Many members of this population have schizophrenia, and two common symptoms of schizophrenia are paranoia and anger. Often these two symptoms become entangled and can result in violent acts. If a patient is discharged from a hospital before he is engaged and compliant in his treatment, he is likely to stop his medication, and this can lead to violence.

We are a highly evolved society with many ills. This is one ill, one broken system, that needs to be addressed sooner than later.

ARLENE SHEGERIAN, QUEENS

The writer is a licensed clinical social worker.

Times Columnists Are Too Downbeat on Biden

TO THE EDITOR:

Times columnists seem to have made up their minds about President Biden. Witness these headlines in recent weeks:

“What's Biden Thinking?” (Ross Douthat)

“More Mojo, Joe!” (Maureen Dowd)

“Biden Can Still Rescue His Presidency” (Bret Stephens)

“This Presidency Isn't Turning Out as Planned” (Ezra Klein)

These opinion pieces go on to describe Mr. Biden's first year in the White House as “hapless,” “flailing” and “failing.” To be fair, some of these writers also tout Mr. Biden's achievements—but to the casual headline scroller or essay skimmer, the messaging feels downbeat and dire.

As an activist, I fear that many of my fellow citizens on the left are absorbing and repeating the notion that Mr. Biden is failing us, and in turn expressing pessimism about

Democrats' chances in the midterm elections. But this doesn't have to be a self-fulfilling prophecy. We need to be pragmatic, focus on Mr. Biden's achievements and continue to engage in saving our democracy from the forces that threaten it.

A president is not Santa Claus, granting us every item on our wish list. Instead, a president operates within a complex system of government.

In 2020, millions of us wrote letters and postcards, made calls and voted for a new president, despite our fatigue and despondency caused by the Trump administration. We need to show up again this year with that same energy, to elect more Democrats to the House and the Senate who support Mr. Biden's agenda.

LOTTI PHARRISS KNOWLES
BURBANK, CALIF.

The writer is a board member of Swing Left San Gabriel Valley.

THOMAS L. FRIEDMAN

Is Sleepy Joe Making Vladimir Putin Blink?

THE UKRAINE STORY is far from over. But if Vladimir Putin opts to back away from invading Ukraine, even temporarily, it's because Joe Biden—that guy whose recent wing critics suggest is so deep in dementia he wouldn't know Kyiv from Kansas or AARP from NATO—has matched every Putin chess move with an effective counter of his own.

Putin has been on such a run of outmaneuvering the West and destabilizing our politics that it is easy to overrate him. It is also hard to believe a word that comes out of his mouth. But if Putin was sincere when he said Tuesday that he was “ready to continue on the negotiating track” to ensure that Ukraine never joins NATO and was also pulling back some of his menacing forces—U.S. officials say there's no sign of that yet—it's because Biden's statecraft has given Putin pause.

Specifically, the Biden team has mobilized enough solidarity among the NATO allies, enough advanced defensive arms transfers to Ukraine and enough potentially biting economic sanctions on Russia to put into Putin's mind the only thought that matters: “If I go ahead with a full-scale invasion and it goes bad—wrecking Russia's economy and result-

ing in Russian soldiers returning home in body bags from a war with fellow Slavs—could it lead to my own downfall?”

That is the only calculation that matters, and Biden has done the best job a U.S. president could do, given the asymmetry in interests between America and Russia on Ukraine, to frame it. Ukraine is not only right next door to Russia, but it's also a country whose fate and future are vitally important to Putin personally. By contrast, most Americans could not find Ukraine on a map and feel zero emotional attachment to its future. And, as Putin found when he seized Crimea in 2014, Americans will not send their sons and daughters to preserve Ukraine's territorial integrity.

So Biden has had to thread a real leadership needle. He could not credibly threaten direct U.S. military force. Therefore, he had to do the next best thing: assemble a solid-enough coalition of NATO allies. Get enough of them to ship arms to Ukraine. Convey to Putin exactly what crippling economic sanctions will be piled on his economy, banking system, factories and cronies if he invades Ukraine. And make clear that an invasion will actually produce the NATO that Putin fears—one that is totally

united, with more NATO troops and maybe even missiles moving closer to his border. It might also spur non-NATO members Finland and Sweden to deepen their ties with the alliance.

That will leave Russia with only one friend in the world: China. And China has no friends, only vassals.

Indeed, in addressing Putin, Biden has also sent an important message to China,

The Russian president at least now has reason to rethink his plans.

along these lines: “It's true, I messed up in how I exited Afghanistan. But I learned from that—and you should, too. We aren't the Trump administration, whose ‘America First’ strategy turned into America alone. We believe in alliances, and when we act in concert with our allies, we can still make a powerful fist—in case you're thinking of seizing Taiwan.”

Again: NONE OF THIS MAY STOP PUTIN. He may not have grasped, or just doesn't care, that his threat to seize

Ukraine and forcibly return it to Russia's historical sphere of influence has evoked for the NATO allies nothing less than the specter of Hitler's forced “union” of Austria with Germany, imposed through annexation in 1938. Putin is posing such a raw and crude threat to a free nation—backed up by some 150,000 Russian troops—that it has served as an electroshock to the heart of the NATO alliance, a bolt that brought it out of its sclerosis like nothing else since the end of the Cold War.

Biden and his top national security advisers have been in contact multiple times a day for the past few weeks with leaders and national security officials from NATO's core of Britain, France and Germany, as well as smaller nations. There has not been this degree of intimate NATO collaboration in years, one European ambassador in Washington remarked to me. The West might not be dead quite yet.

Having opposed NATO expansion at the end of the Cold War, I am not indifferent to legitimate Russian concerns about Ukraine joining NATO. Both NATO and Russia should agree to Ukraine being a geopolitically neutral state, like Finland. But in my view, Putin is not really afraid of Ukraine joining NATO, which the U.S.

has made clear is not in the cards now. Instead, Putin's fear is that Ukraine becomes Westernized.

He fears that one day Ukraine will be admitted to the European Union.

What struck me most from a trip I took to Ukraine in April 2014 was how many young Ukrainians I met were dreaming of Ukraine becoming a full member of the E.U.—not NATO—precisely to lock in their frail democracy and lock out corruption and Putinism.

Which is why I never believed it was a coincidence that Putin seized Crimea and first invaded part of eastern Ukraine in February-March 2014. What else was happening then? The European Union's 28 member states were forging a new E.U.-Ukraine Association Agreement to foster closer political and economic ties, signed on March 21, 2014.

No, the Ukraine crisis has never been exclusively about Putin's fear of the expansion of NATO's forces to Russia's borders. Not even close. His greater fear is the expansion of the E.U.'s sphere of influence and the prospect that it would midwife a decent, democratic, free-market Ukraine that would every day say to the Russian people, “This is what you could be without Putin.”

BRET STEPHENS

Don't Wish For a Post-Pax Americana

WHO KNOWS, at this writing, what Vladimir Putin will decide to do with the forces he's massed along Ukraine's borders?

If Putin backs down, maybe thanks to some face-saving diplomatic formula, the Biden administration will deserve full credit for masterly crisis management: whipping into line our European allies, particularly Germany; thwarting Russian covert operations by leaking details to the media; expanding America's military presence in frontline NATO states; working on ways to supply Europe with liquefied natural gas; refusing to negotiate at Ukraine's expense; threatening sanctions against Moscow that, for once, have real teeth.

If Putin doesn't back down, these were still the right and necessary steps. They just weren't sufficient.

Either way, the crisis should serve as a tutorial on what the so-called post-Pax Americana world will look like. In a fantasy version of that world — a world in which American power isn't constantly being called upon to address faraway crises or reassure nervous allies — the United States trades the burdens of being a superpower for the modest but more manageable, affordable and humane ambitions of a normal country.

Our military shrinks to a size adequate for national defense, not global policing. We spend the savings on mending the frayed edges of society.

Our allies stop freeloading off our security guarantees and start spending more on their own defense.

Our foreign policy becomes less arrogant and more collaborative. We lose the illusion that we can, or should, solve other people's problems, and we free ourselves from the personal sacrifices and moral compromises that go with that illusion.

Our economic policies shift to adapt to a less-globalized world. Instead of depending on China for low-cost manufacturing and labor, we reinvest in American workers and factories and become independent in everything from energy to microchips.

It's a tempting vision, a left-right marriage of George McGovern's "Come Home, America" and Donald Trump's "America First." It's also been thought of before: Bob La Follette Jr., the progressive senator from Wisconsin, and Father Charles Coughlin, the antisemitic radio host, shared the same sorts of ideas in the run-up to World War II. They had broad public appeal all the way through Dec. 6, 1941.

What's wrong with those ideas? For starters, global order is not a self-generating phenomenon. In the absence of Pax Americana, would the United Nations be capable of enforcing rules of the road, like freedom of navigation in the South China Sea, over which as much as one-third of the world's commercial traffic passes? How about regional alliances, like the European Union or the Association of Southeast Asian Nations? Don't count on it.

This has some obvious knock-on effects. It's an invitation to predatory behavior — precisely of the kind we're witnessing on Ukraine's borders and also seeing

We'll miss the status quo when it's gone.

signs of over the Taiwan Strait. And predatory behavior is rarely satisfied. A Russia that possesses more of Ukraine or a China that seizes Taiwan will each want more. They'll be in a stronger position to get it.

Another obvious consequence: There will be no peace dividend in a post-Pax Americana world. Contrary to conventional wisdom, the United States today spends historically little on defense — about 3.7 percent of gross domestic product, compared to more than 5 percent in the last year of the Carter administration. But military spending would have to return to Cold War levels for an era in which core U.S. interests were constantly threatened by hostile and confident powers.

We would also find ourselves perplexed and frightened by the behavior of our traditional allies. Instead of having free-loaders, we would enter a world of freelancers, countries aggressively out for themselves, irrespective of American wishes or established norms. Without the assurance of U.S. protection, what would keep a future Japanese government from rapidly fielding a vast nuclear arsenal as a response to China? Why shouldn't Turkey and Saudi Arabia go nuclear, too, particularly if Iran winds up with a bomb?

A world in which several combustible regions each have multiple nuclear powers in varying configurations of alliance and hostility is a recipe for miscalculation, accident and tragedy.

It's also not a formula for prosperity. The idea that the United States should aspire to some sort of autarky is divorced from any conceivable economic reality. In a post-Pax Americana world, we would depend on flows of trade at the mercy of hostile powers and unexpected events.

Most dangerously, in a post-Pax Americana world liberal democracy would wither. This is already happening abroad, from Budapest to Ankara to Mexico City. Why shouldn't it happen here, too?

Charismatic dictatorships often inspire a current of admiration among democratic publics; it's why a corner of the progressive left admired the Castro regime in Cuba, just as the new far right is quietly infatuated with Putin. Anyone who says it can't happen here must have slept through the past five years.

Whatever happens next in Ukraine, it won't matter as much as the lessons we draw from it. Only the innocent think that an America that turns its back on the world will be left alone in turn. □



DIANA LAJTHA

We Weren't Wrong to Love 'The Cosby Show'

Tressie McMillan Cottom

ABOUT a year before the pandemic entered the chat, I got an invitation to participate in a documentary. The email from the director, W. Kamau Bell, started along the lines of, "I totally understand if you do not want to do this." I was intrigued.

Mr. Bell was hedging because of his subject matter. The documentary would be about Bill Cosby. At the time, Mr. Cosby was serving time in prison for the 2005 sexual assault of Andrea Constand, one of more than 60 women who have accused him of drugging, assaulting or harassing them over several decades.

I could guess why Mr. Bell asked me to participate. I have written about race, gender and sexual predation in Black women's intimate lives. I had also written about race and sexual predation in public discourse as viewed through the infamous R. Kelly saga.

I also knew why Mr. Bell gave me an out. I am a Black female academic and public intellectual who grew up on "Picture Pages," "Fat Albert," "The Cosby Show" and "A Different World." For professional reasons, it could be dangerous to talk openly about Mr. Cosby's fall from grace. For personal reasons, it could be

hard to talk about losing a formative cultural icon.

Those were also exactly the reasons I agreed to talk about Bill Cosby.

The documentary, "We Need to Talk About Cosby," premiered at Sundance on Jan. 30. The four-part series airs on Showtime. The day before the premiere, I invited some close friends and family to watch the first two episodes. We gathered around the screen in the living room, some on the couch and others on chairs dragged in from around the house. We balanced plates and cups on our knees.

I sat just off the back of the crowd — my favored spot in any room — and it hit me that the room looked very much like a Thursday night in the 1980s in millions of homes across America. That is when, at 8 p.m., the world seemed to stand still for 30 minutes as Cliff and Clair Huxtable and their brood of kids were beamed into our homes.

"The Cosby Show" was a cultural landmark. There was not a lot of regular Black family programming on television in the 1980s. Certainly nothing like the lineup there is today. Kenya Barris's "black-ish" is a bona fide hit (and very much indebted to the "Cosby Show" legacy).

But you can also watch a Black family fight over a winery on "The Kings of Napa," a Black family music dynasty on "Empire" and a multigenerational Black

Southern family on "Queen Sugar."

And those are just the scripted dramas on TV. Streaming platforms also open up a whole other world of Black-led dramas, comedies and reality programming.

"The Cosby Show" was also a cross-cultural smash hit. This particular Black family captured so many people's imaginations. As the documentary points out, the highest-rated episode of the show drew in 65 million viewers — a quarter of the

But we have to leave it behind for the same reasons we enjoyed it.

American population at the time. Jamilah King, an editor at BuzzFeed News, compares this with 2019's biggest show, "The Big Bang Theory," which at its height drew only 25 million.

But "The Cosby Show" was not just huge. It was singular.

I have thought a lot about why the show was singular. There are the creative reasons. The show is good television. It took all of the characteristics of a sitcom that make us feel warm and elevated them. It did that through great writing and the most important ingredient of a successful

How Should We Reform Elections? Look to Alaska.

Richard H. Pildes

THE Alaska Supreme Court recently decided a case that an experienced lawyer told the court was "the most significant case since statehood." The court confirmed that the state's new primary and ranked-choice voting system — which would eliminate traditional party primaries — is here to stay.

The decision is significant not just for Alaska; it could also have considerable implications nationally. For the reforms in that state, like those that have taken hold in other states and localities across the country, are among the most promising structural solutions that could help mitigate the forces of extremism in our politics.

Through a 2020 ballot measure, Alaskan voters enacted a top-four primary. In this system, candidates list themselves on the ballot in one of three possible ways: as affiliated with a political party or political group, as undeclared or as nonpartisan. The four candidates who get the most votes move on to the general election, in which ranked-choice voting is used to determine the winner. (In ranked-choice voting, rather than selecting just one candidate, voters can instead choose several and rank them.)

This reform aims to increase the likelihood that candidates with the broadest appeal to voters, rather than more factional candidates, will win the election. In a traditional primary, in which many candidates can split the vote, factional candidates can prevail by drawing, say, just 25 percent of the vote. Because factional candidates often hold more ex-

treme views, this reality helps fuel dysfunction in American politics.

In a recent book, "Rejecting Compromise: Legislators' Fear of Primary Voters," a group of political scientists found that "legislators believe that primary voters are much more likely to punish them for compromising than general election voters or donors." Incumbents in safe seats often embrace more extreme positions to avoid facing challengers in primaries. And some moderate incumbents who might have broad appeal in a general election are now retiring

The state's system may help mitigate extremist forces in politics.

rather than competing in primaries they are likely to lose to ideological extremists.

In Alaska, Senator Lisa Murkowski's re-election campaign this year will provide a test of how much this change to primary elections might reshape our politics. Under traditional rules, she might well not have survived a Republican primary. She voted to convict Donald Trump in his post-Jan. 6, 2021, impeachment trial in the Senate, and Mr. Trump endorsed another candidate, a MAGA Republican, and vowed to campaign personally against Ms. Murkowski.

Yet she has owned Alaska's center since at least 2010 (a year she lost the Republican Senate primary but won in the general election as a write-in candidate), and she was recently endorsed by a Democratic Senate colleague, Joe

Manchin of West Virginia. If she retains that broad appeal, her re-election prospects would be strong under the state's reforms. In the general election, if Ms. Murkowski is the first choice of many and the second choice of enough independents, Democrats and Republicans, Alaska's new system will ensure she will be re-elected.

It is possible that other electoral systems might do an even better job of identifying consensus candidates. Some political scientists worry that while the political parties can still loudly endorse, support and campaign for the candidates they prefer in Alaska, that might not be enough to adequately inform voters without the additional party imprimatur that follows from winning a traditional primary.

But all election systems have both advantages and disadvantages. And in our era, one of the highest priorities in election reform must be reducing the influence of extremism in our politics.

Despite all the attention national voting-rights debates receive, most political reform takes place at the state level — especially in states, like Alaska, where voters can bypass legislatures and vote directly on reform. More states, localities and even political parties are adopting alternative forms of voting in an effort to reward candidates with broader electoral appeal.

The political makeup of these areas ranges from blue to purple to red. Signatures in Nevada are now being gathered to qualify a ballot measure for this fall that would create an election system similar to Alaska's. (That proposal would establish a top-five primary.) In 2021, New York City used ranked-choice vot-

ing for its primaries, including the all-important Democratic primary for mayor.

Voters in Maine adopted ranked-choice voting, where it has been in effect since 2018 and used for federal elections as well as state primaries. In Utah, 23 cities, including Salt Lake City, are authorized to use ranked-choice voting. To avoid a more factional candidate winning a traditional primary, the Republican Party in Virginia opted to use a nominating convention, with ranked-choice voting, which led to its nomination of Glenn Youngkin for governor.

Given the self-interested resistance of many legislators to changing the rules under which they have been elected, these reforms have their strongest prospect in states and localities with direct-democracy options. In places that permit voter initiatives, voters can enact policy directly. Of the 63 states and localities that have adopted an alternative voting system since 2000, about 40 percent did so through a public vote. Incumbents who believe they have the broadest electoral appeal yet fear being primaried by factional candidates from the extremes should also support reforms like that in Alaska.

Other states would do well to pay attention to whether the reforms in Alaska and other states and cities do a better job of giving candidates with the broadest appeal to voters a good chance to actually get elected. □

RICHARD H. PILDES, a professor at New York University's School of Law, is the author of the casebook "The Law of Democracy: Legal Structure of the Political Process." He filed an amicus brief in the State Supreme Court case, in support of what became Alaska's new voting system.

Private Astronauts on Billionaire's Mission Planning First Civilian Spacewalk

By JOEY ROULETTE

Space tourists have flown to the International Space Station, and even orbited Earth in their own space capsule for three days. Now, a group of private astronauts wants to attempt a spacewalk, one of the most dangerous things people flying in space have ever done.

As soon as the end of this year, four private astronauts, including Jared Isaacman, the billionaire who chartered SpaceX's first space tourist mission last year, could launch to space aboard the company's Crew Dragon capsule. At some point during their five days circling Earth, at least one of the crew members will exit the spacecraft for what would be the first spacewalk conducted by a nongovernment astronaut.

Spacewalking "is the riskiest thing that we do as astronauts," said Sandra Magnus, a retired NASA astronaut who operated the space station's robotic arm in 2002 while other astronauts completed extravehicular activities, NASA's term for spacewalks. Referring to the astronauts' bulky protective spacesuits, she said, "You're in a one-person spaceship, attached by a wire to the outside of your vehicle."

The mission is to be the first in a program called Polaris, announced on Monday by SpaceX

and Mr. Isaacman. The main goals of Polaris are to "demonstrate new technologies" and to "conduct extensive research," according to a news release for the mission. Mr. Isaacman will also work with SpaceX on two future Polaris missions: a second in the coming years aboard Crew Dragon, which NASA relies on to transport its astronauts to the space station, and another which would use Starship, the gigantic next-generation rocket system that SpaceX is developing.

Mr. Isaacman, the founder of Shift4, a payments processing system, declined to say how much he was paying for any of the flights, but said the flights aimed to raise money for St. Jude Children's Research Hospital, as with Inspiration4, the mission he chartered in September 2021.

Mr. Isaacman will fly with three other passengers: Scott Poteet, a retired Air Force pilot who was the mission director for the Inspiration4 mission; Sarah Gillis, a SpaceX engineer overseeing the company's astronaut training program; and Anna Menon, another SpaceX engineer who works as a flight director in the company's mission control.

If the Polaris mission goes as planned, Ms. Menon will reach space before her husband, Dr. Anil Menon, SpaceX's former medical



An American on a 2006 spacewalk, an activity that many astronauts consider extremely risky.

director who last year was picked by NASA as an astronaut candidate.

Astronauts put themselves at grave risk during spacewalks. On the space station, pairs of highly trained crew members periodically put on bulky white spacesuits before stepping outside the orbital laboratory to do maintenance and repairs. They first go through an airlock — a small room that slowly depressurizes its atmosphere to the near vacuum of orbit — before exiting

the relative safety of the station. No astronaut has ever died during a spacewalk. But in 2013, a clogged filter caused water to enter the helmet of Luca Parmitano, an Italian astronaut for the European Space Agency, during a trip to the station's exterior.

The procedure for a spacewalk during Mr. Isaacman's proposed mission would differ from that of the space station. Unlike the orbiting outpost, the capsule has no airlock. Instead, the Crew Dragon's entire cabin will depressurize before the spacewalk, akin to the first American spacewalks during Gemini, a pre-Apollo NASA human spaceflight program in the 1960s.

"This will be no different for Dragon," Mr. Isaacman said, "other than we benefit from 50-plus years of progression and technology."

Ms. Menon said at least one of the astronauts would participate in the spacewalk, but did not say who. With no protective atmosphere in their capsule, all four

would have to wear new SpaceX spacesuits, currently under development, to be protected from the near vacuum during the event. During SpaceX's astronaut missions, there have been no accidents requiring live-fire testing of its custom flight suits, which are designed to protect a person in space for a few hours in the event of an emergency.

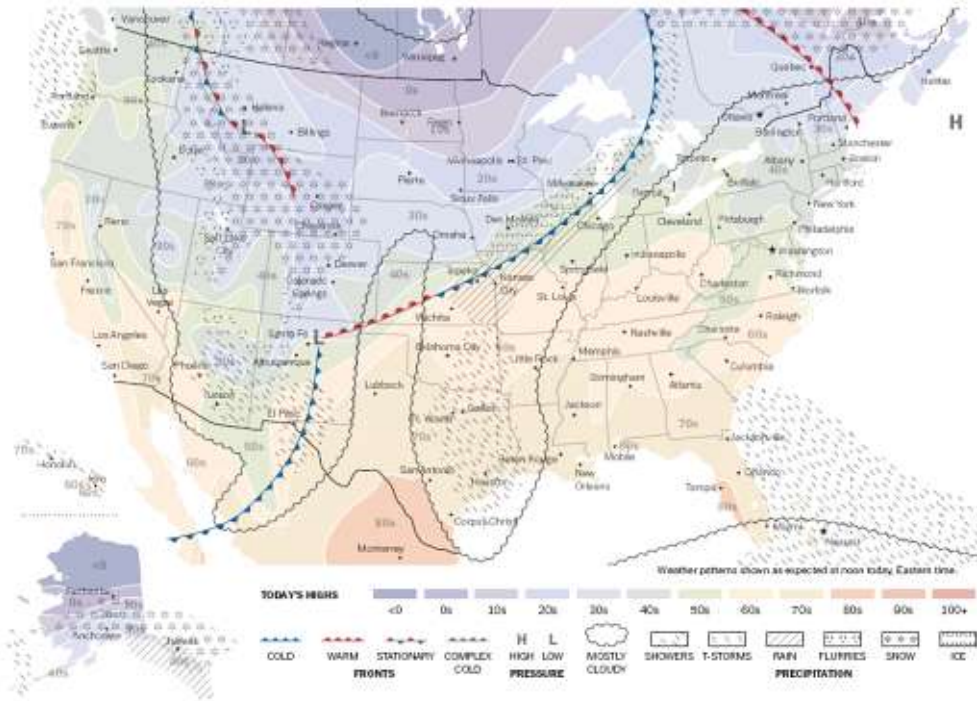
"There's a fantastic team of brilliant engineers working on the spacesuit, and it'll be really exciting to work together as their design unfolds," Mr. Isaacman said.

Adding a spacewalking capability for nongovernment astronauts underscores the immense degree of risk — and freedom — private space companies can take on in an industry that has no safety regulations once a vehicle carrying private astronauts reaches space.

While the Federal Aviation Administration manages launch site safety, no agency oversees the safety of private endeavors such as SpaceX's spacewalking plans. In 2004, Congress passed a moratorium on spaceflight regulations that has been extended most recently to 2023. That halt on safety rules, intended by lawmakers to allow the nascent space industry to innovate, requires space tourists to sign "informed consent" forms to affirm their awareness of the risks.

Weather Report

Meteorology by AccuWeather



Highlight: Risk of Damaging Winds Thursday Night

There is the potential for damaging wind gusts across portions of the Middle Atlantic Coast and New England Thursday night. South to southwest winds are expected to gust over 50 miles per hour at times, with a few isolated wind gusts in excess of 70 m.p.h. Long Island and southeastern New England will have the highest risk for power outages and minor coastal flooding.



National Forecast

As a major storm takes shape over the middle part of the United States today, warm air will surge to the north on a southerly breeze in the East. The wind, building warmth and dry vegetation may raise the brush fire risk. As moisture from the Gulf of Mexico increases, showers will evolve into severe thunderstorms capable of producing tornadoes tonight over the southern Plains.

Heavy snow from the Rockies will expand northeast into the central Plains tonight before affecting the Great Lakes region on Thursday.

Snow will diminish from north to south over the Rockies later today and tonight, with mainly dry and chilly conditions along the Pacific Coast. There will be spotty showers for parts of western Washington and Oregon.

Metropolitan Forecast

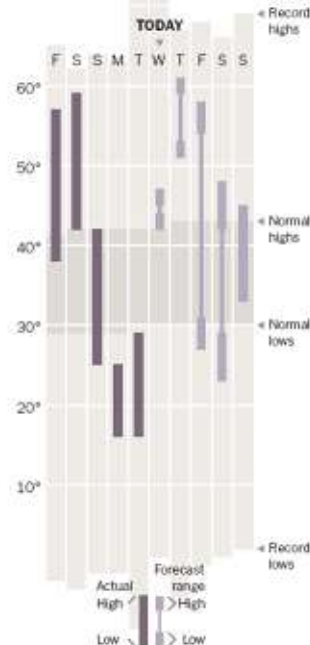
TODAYBreezy and milder
High 46. A strengthening breeze will bring milder air, causing the temperature to rise slightly above average. Sunshine will mix with clouds.

TONIGHTMild, some clouds
Low 44. The temperature will drop very little overnight as a breeze continues. The sky will vary from partly to mostly cloudy, and there may be spotty drizzle late.

TOMORROWMild, stormy at night
High 62. The wind will continue to bring in very mild air with varying amounts of clouds. There will be rain late in the day and especially at night, with a risk of damaging wind and thunderstorms.

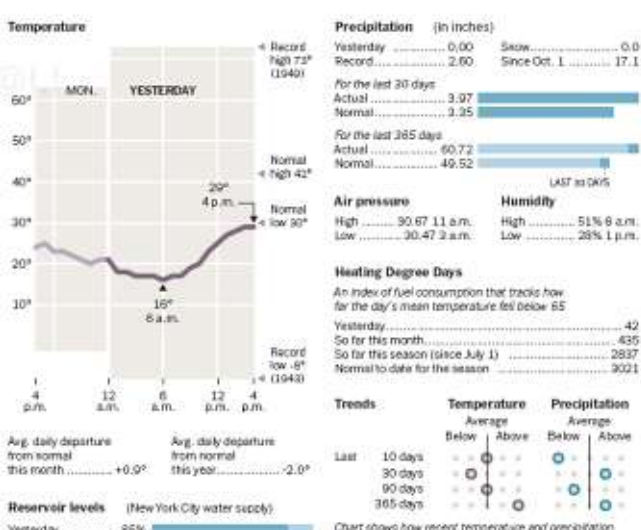
FRIDAYWindy, turning colder
A cold front will cross the area. As it does, the rain will end and some clearing will occur. The air will turn colder. High 56.

SATURDAYSunny at times, cooler
Saturday will be colder as sunshine mixes with clouds. High 45. Sunday will be mostly sunny and seasonably chilly. High 42.



Metropolitan Almanac

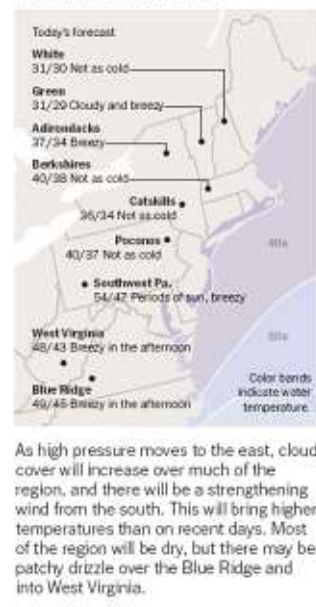
In Central Park, for the 16 hours ended at 4 p.m. yesterday.



Recreational Forecast



Mountain and Ocean Temperatures



Cities	Yesterday	Today	Tomorrow
New York City	29/16 0	45/44 PC	52/54 W
Bridgeton	31/13 0	43/40 PC	54/55 W
Caldwell	35/15 0	52/44 PC	62/67 C
Danbury	31/11 0	45/42 PC	52/54 W
Islip	36/14 0	45/42 PC	54/50 W
Manhasset	32/16 0	45/42 PC	52/54 W
Port Jervis	33/8 0	45/41 PC	52/54 W
White Plains	36/14 0	43/40 PC	55/49 C

United States	Yesterday	Today	Tomorrow
Albany	29/11 0	43/40 W	53/45 W
Albany	29/11 0	43/40 W	53/45 W
Albany	29/11 0	43/40 W	53/45 W
Albany	29/11 0	43/40 W	53/45 W
Albany	29/11 0	43/40 W	53/45 W

Little Rock	70/50 0	71/62 C	86/26 R
Los Angeles	61/46 0.05	66/45 S	74/48 S
Louisville	57/45 0	66/56 PC	67/29 R
Memphis	70/60 0	71/61 PC	89/28 T
Miami	77/69 0	78/72 PC	82/74 PC
Minneapolis	36/34 0	51/26 R	28/7 S
Mobile	71/23 0	26/2 C	19/1 S
Nashville	65/45 0	67/68 PC	89/30 T
New Orleans	66/45 0	74/65 S	75/46 T
Norfolk	43/33 0	58/46 PC	79/59 C
Omaha	58/32 0	39/14 C	28/14 W
Orlando	72/59 0	78/64 PC	86/66 C
Philadelphia	35/27 0	52/45 PC	66/63 R
Phoenix	78/51 0	80/47 PC	89/44 S
Pittsburgh	35/25 0	59/49 PC	62/24 R
Portland, Me.	25/7 0	37/38 S	66/47 W
Portland, Ore.	50/41 0.04	51/41 C	52/43 C
Raleigh	53/31 0	64/62 PC	74/62 C
Reno	44/24 0.04	54/27 S	54/27 S
Richmond	46/21 0	62/47 PC	74/67 PC
Rochester	25/14 0	52/44 W	58/21 R
Sacramento	64/42 0	70/41 C	86/28 S
San Antonio	45/31 0	59/26 S	44/29 PC
San Diego	70/58 0	76/59 PC	72/36 S
San Francisco	61/49 0	64/45 S	68/43 S
San Jose	63/41 0	58/42 S	69/41 S
Seattle	62/73 0.06	53/73 S	62/72 PC
Spokane	47/41 0	49/41 C	49/43 C
Spokane Falls	46/21 0	52/47 S	52/47 S
Spokane	46/21 0	52/47 S	52/47 S
St. Louis	60/49 0	64/46 S	47/12 S
St. Thomas	62/74 0.04	62/73 S	62/72 PC
Syracuse	27/15 0.02	47/43 W	54/26 R
Tampa	74/60 0	82/65 S	85/67 PC
Tellico	62/27 0	56/50 W	52/15 S
Tucson	78/46 0	57/37 S	62/38 S
Tulsa	69/56 0	68/43 S	44/18 R
Virginia Beach	43/36 0	57/48 PC	56/51 C
Washington	46/31 0	58/48 PC	70/59 R
Wichita	67/50 0	67/27 S	31/6 S
Wilmington, Del.	37/25 0	51/44 PC	63/66 R

Europe	Yesterday	Today	Tomorrow
Amsterdam	48/41 0.55	55/45 R	49/43 S
Athens	59/44 0	61/52 PC	69/48 PC
Berlin	60/41 0.1	51/45 R	48/37 R
Bombay	60/41 0.33	56/47 R	51/43 W
Buenos Aires	57/36 0.01	62/39 PC	58/39 W
Copenhagen	45/48 0.15	44/39 R	44/38 S
Dublin	46/42 0.05	57/39 R	49/38 S
Edinburgh	43/36 0.16	51/38 S	44/34 S
Frankfurt	48/38 0.12	53/49 R	62/41 S
Geneva	54/72 0.04	62/44 R	62/42 W
Helsinki	36/35 0.13	36/32 C	36/30 S
Interlaken	48/31 0	51/42 C	53/47 PC
Kiev	41/25 0	42/36 PC	48/38 S
London	61/45 0	61/52 PC	64/50 PC
Madrid	50/38 0.35	59/44 W	61/44 W
Moscow	50/28 0	52/35 PC	64/36 S
Munich	53/27 0	52/39 PC	49/38 S
Nice	55/43 0.02	57/45 PC	58/47 PC
Oaks	39/36 0.32	40/31 PC	37/21 S
Paris	47/34 0.08	46/44 R	51/37 R
Peking	47/34 0.08	46/44 R	51/37 R
Rome	57/49 0.36	57/38 S	59/41 C
St. Petersburg	38/34 0.01	37/37 C	38/37 S
Stockholm	41/36 0.03	37/31 S	34/36 C
Toronto	40/28 0.03	44/44 R	42/42 W
Vancouver	40/28 0.03	44/44 R	42/42 W

North America	Yesterday	Today	Tomorrow
Acapulco	86/72 0	89/72 S	89/72 S
Buenos Aires	63/58 0.02	64/60 C	70/64 PC
Edmonton	27/15 0.02	16/10 S	38/12 S
Guadalajara	77/45 0	78/47 R	79/47 R
Havana	80/63 0	83/67 PC	89/68 S
Kingston	31/75 0.03	36/76 W	87/76 W
London	60/66 0	70/65 C	74/66 C
Mexico City	68/48 0.01	72/51 R	76/52 S
Montreal	73/42 0	85/59 PC	79/48 S
Montreal	73/42 0	85/59 PC	79/48 S
Nassau	76/67 0	79/71 W	81/72 W
Panama City	88/72 0.01	91/71 PC	89/72 PC
Quebec City	12/14 0	30/35 S	42/30 R
Santo Domingo	86/67 0.02	89/68 W	87/67 S
Toronto	25/15 0	69/43 W	46/17 S
Vancouver	44/38 0	45/38 PC	47/40 C
Winnipeg	12/13 0.03	3/28 PC	4/12 S

South America	Yesterday	Today	Tomorrow
Buenos Aires	84/69 0	88/63 S	76/62 S
Caracas	88/74 0	89/75 S	88/74 PC
Lima	80/66 0	80/66 C	74/66 C
Oslo	67/53 0.17	68/52 S	70/54 S
Rio de Janeiro	86/78 0.07	87/76 S	87/77 S
Santiago	86/75 0.41	87/73 T	82/73 T



Two Women, Two Sides of China

Beijing's censors scrubbed a viral video of a shackled woman, but boosted hashtags praising Eileen Gu. Many social media users are upset about which stories are celebrated, and which are silenced.

Li Yuan

THE NEW NEW WORLD

Two women have dominated Chinese social media during the Beijing Winter Olympics. One is Eileen Gu, the 18-year-old skier born and raised in California who

won a gold medal for China. The other is a mother of eight who was found chained around her neck to the wall of a doorless shack.

The Chinese internet is exploding with discussions about which of the two represents the real China. Many people are angry that the government-controlled algorithms glorify Ms. Gu, who fits into the narrative of the powerful and prosperous China, while censoring

the chained woman, whose deplorable conditions defy that narrative.

The two women's starkly different circumstances — celebrated vs. silenced — reflect the reality that to the Chinese state, everyone is a tool that serves a purpose until it does not.

Whether she wants it or not, Ms. Gu has become a powerful propaganda tool for Beijing to demonstrate its appeal to global talent and the benefits of being

loyal to China. She represents the successful China that Beijing would like the world to admire.

The chained woman represents the poor and backward China that hundreds of millions still inhabit. They sometimes appear in the state media to demonstrate the country's success in eradicating extreme poverty until their

CONTINUED ON PAGE B4

Chasing a Covid Benefit Nobody Really Wants to Use

By TARA SIEGEL BERNARD

Maybe it was because Kerri Raissian's father had spent time in two hospitals and a nursing facility during the last 12 days of his life. Or maybe it was because he had been in the emergency room for only a few hours before he died. Either way, Covid-19 was not listed on his death certificate.

Ms. Raissian has spent the last month trying to change that.

At stake are thousands of dollars from a program run by the Federal Emergency Management Agency meant to ease the financial burden on grieving families that lost loved ones to the pandemic. The government will reimburse up to \$9,000 in funeral expenses for people who die from the coronavirus — as long as there is proper documentation.

"I understand the need for FEMA to guard against fraud, which is what this death certificate criteria is meant to do," said Ms. Raissian, an associate professor of public policy at the University of Connecticut, who has spent hours on the phone trying to retrieve her father's medical files and speak to the doctor who certified his death.

But the strict requirements and the chaos surrounding so many

deaths pose a problem, she said: "This policy all but guarantees many people who are entitled to these benefits will not get them."

More than 900,000 Covid-related deaths have been reported in the United States, but fewer than half have been the subject of a claim, according to FEMA data. Roughly 273,000 applicants had been paid, for a total of \$1.78 billion, as of Monday.

There is no deadline to apply, so eligible families can still claim the assistance. But that can mean navigating requirements for documents that aren't always simple to obtain.

It hasn't been easy for Ms. Raissian, who is trying to recoup some of the \$13,000 it took to bury her father, Max McGaughey. Mr. McGaughey, 86, died just after Christmas, less than two weeks after he was admitted to a hospital in Columbus, Texas, with

CONTINUED ON PAGE B5

An exacting process to receive FEMA's funeral aid.

LAUREN LANCASTER FOR THE NEW YORK TIMES

Covid-19 should have been listed on Max McGaughey's death certificate.

Vote on Biden's Fed Picks Is Stalled by G.O.P. Boycott

By JEANNA SMIALEK and EMILY COCHRANE

President Biden's plans to reshape the Federal Reserve suffered a setback on Tuesday as Republicans delayed a key vote on his five nominees for the nation's top bank cop, Sarah Bloom Raskin.

Republicans did not show up for a committee decision that would have advanced the nominees to the full Senate for a confirmation vote. Because a majority of the Senate Banking Committee's members need to be physically present for such votes to count, their blockade effectively halted the process.

The unusual maneuver, spearheaded by Senator Patrick J. Toomey of Pennsylvania, was driven by Republican opposition to Mr. Biden's pick for the nation's top bank cop, Sarah Bloom Raskin.

The president has renominated Jerome H. Powell as Fed chair and has tapped Lael Brainard, a current Fed governor, as vice chair. He has also nominated the economists Lisa D. Cook and Philip N. Jefferson as Fed governors. But Ms. Raskin — a longtime Wash-

ington policymaker and lawyer whom Mr. Biden has picked as vice chair for bank supervision — has garnered the most pushback.

To prevent her nomination from advancing to the full Senate, Republicans held up the vote on all five nominees.

Democrats and the White

Among 5 nominees, Sarah Bloom Raskin is drawing fire.

House criticized Republicans for engineering a boycott and scrambled for a solution that could get the nominees to a confirmation vote. Senator Sherrod Brown, Democrat of Ohio and chair of the Banking Committee, on Tuesday shot down the idea that he would separate Ms. Raskin from the other nominees to allow the rest to advance. Ms. Raskin could face tough odds of passing, especially on her own.

By nominating five of the Fed's

CONTINUED ON PAGE B3

PHOTO BY AP/WIDEWORLD

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The Digest

TECHNOLOGY

Intel Agrees to Purchase Chip Manufacturer

Intel said on Tuesday that it had agreed to buy Tower Semiconductor for \$5.4 billion, a deal aimed at accelerating the Silicon Valley giant's plan to manufacture chips for other companies.

Tower, founded in 1993 and based in Israel, operates chip manufacturing services using factories in that country, the United States, Japan and Italy. It specializes in older production technologies, including those needed to make components used in radio applications.

Intel, by contrast, operates some of the most advanced factories that have mainly produced the microprocessors that the company designs. But under Patrick Gelsinger, who became chief executive last year, the company announced a push to also manufacture chips designed by others.

That effort is in part a response to surging demand for chips and a global shortage of the components, which has idled car plants and hurt other companies' production plants. **DON CLARK**

AUTOMOBILES

U.S. to Allow Headlights That Reduce Glare Effect

U.S. highway safety regulators are about to allow new high-tech headlights that can automatically tailor beams so they focus on dark areas of the road and don't create glare for oncoming drivers.

The National Highway Traffic Safety Administration said it issued a final rule allowing "adaptive driving beam headlights" on new vehicles. It will go into effect when published in the Federal Register in the next few days.

The headlights, commonly used in Europe, have LED lamps that can focus beams on darkness such as the driver's lane and areas along the roadside. They also lower the intensity of the light beams if there's oncoming traffic. Camera sensors and computers help determine where the light should go.

"This final rule will improve safety for pedestrians and bicyclists by making them more visible at night, and will help prevent crashes by better illuminating animals and objects in and along the road," the agency said on Tuesday. **ASSOCIATED PRESS**

FINANCE

Regulators Investigate Block Trades at Big Banks

The Securities and Exchange Commission has sent subpoenas to Morgan Stanley and Goldman Sachs to examine their practices around block trades, four people with knowledge of the matter said. They requested anonymity to discuss an active inquiry.

Federal prosecutors in New York are also looking into the practice, three of the people said. Companies typically arrange block trades via banks when they want to buy or sell a large amount of stock quietly, hoping to minimize sharp price movements. Banks look for buyers or sellers for that big slug of stock and pocket a fee for their role.

The authorities are looking into whether hedge funds or other traders approached by the banks to buy big blocks of stock improperly used the knowledge of that impending trade. In particular, they are investigating whether hedge funds used the information to "short" the shares, one of the people said. **MATTHEW GOLDSTEIN AND LANANH NGUYEN**



Tempering of Ukraine Tensions Lifts Markets

By The Associated Press

Technology companies led a rebound for stocks on Wall Street Tuesday as investors welcomed signs that tensions might ease over the Russian military buildup on Ukraine's border.

The S&P 500 rose 1.6 percent.

STOCKS & BONDS

The gain snapped a three-day losing streak and nearly made up for all of its losses last week. The Dow Jones industrial average rose 1.2 percent and the tech-heavy Nasdaq composite climbed 2.5 percent.

Bond yields were mixed. U.S. crude oil futures fell, as did gold prices.

The rally came as Russia announced that some units participating in military exercises around Ukraine would begin returning to their bases. Later in the day, Russian President Vladimir Putin said Moscow is ready for talks with the United States and NATO on military transparency and other security issues. Still, President Biden said Tuesday that the U.S. had not yet verified Russia's claim of a troop drawdown.

"The anxiety retreated," said Sam Stovall, chief investment strategist at CFRA. "It looks as if there's still hope for a diplomatic solution."

The S&P 500 rose 69.40 points to 4,471.07. Roughly 80 percent of stocks within the benchmark index notched gains. In addition to technology stocks, banks and companies that rely on consumer spending also helped lift the market.

The Dow Jones industrial average rose 422.67 points to 34,988.84 and the Nasdaq rose 348.84 points to 14,139.76.

Smaller company stocks outpaced the broader market. The Russell 2000 rose 55.67 points, or 2.8 percent, to 2,076.46.

Bond yields continued rising. The yield on the 10-year Treasury rose to 2.04 percent from 1.99 percent Monday. The gains helped lift banks, which rely on higher bond yields to charge more lucrative interest rates on loans. JPMorgan Chase rose 1.5 percent.

Treasury yields have been gain-

The S&P 500 Index

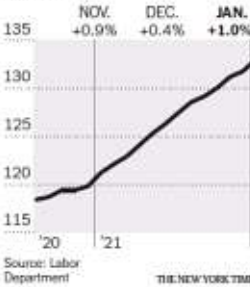
Position of the S&P 500 index at 1-minute intervals on Tuesday

-- Previous Close: 4,401.67



Producer Prices

Index of finished goods prices and services, 2009=100, seasonally adjusted.



been sensitive to tensions between Russia and Ukraine, recovered some of their losses Tuesday after Russia said it was withdrawing some troops, however analysts noted that the rebound belied some skepticism.

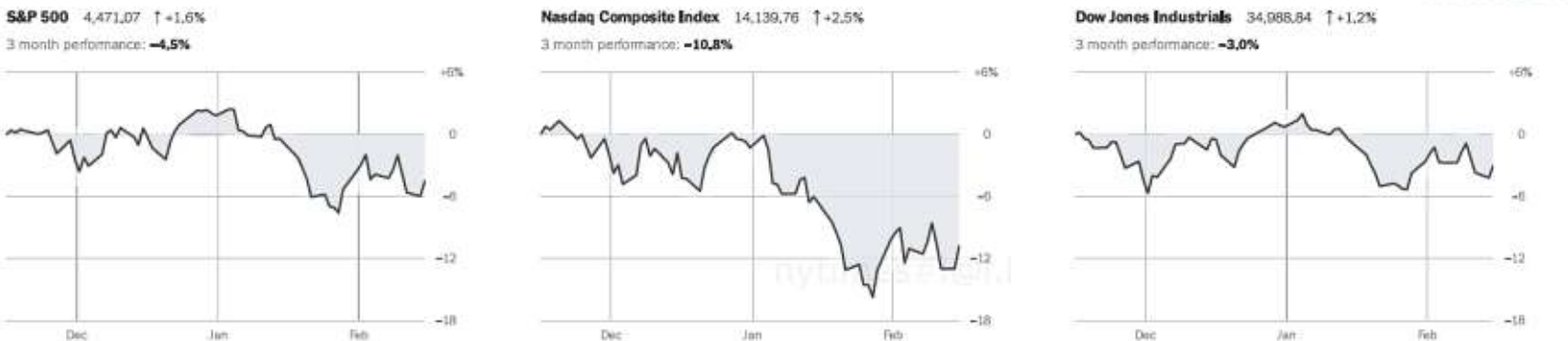
"While this is an encouraging development, talk tends to be cheap and so far, there has been little evidence of that happening on the ground, which perhaps helps explain why today's rebound has been cautious, relative to recent losses," said Michael Hewson, chief market analyst at CMC Markets UK.

The concerns on Wall Street over the potential conflict were piled on to a long list of threats for the broader financial markets and global economy that include persistently rising inflation's impact on businesses and consumers. A report from the Labor Department on Tuesday showed that wholesale inflation surged again in January, rising 9.7 percent from a year earlier.

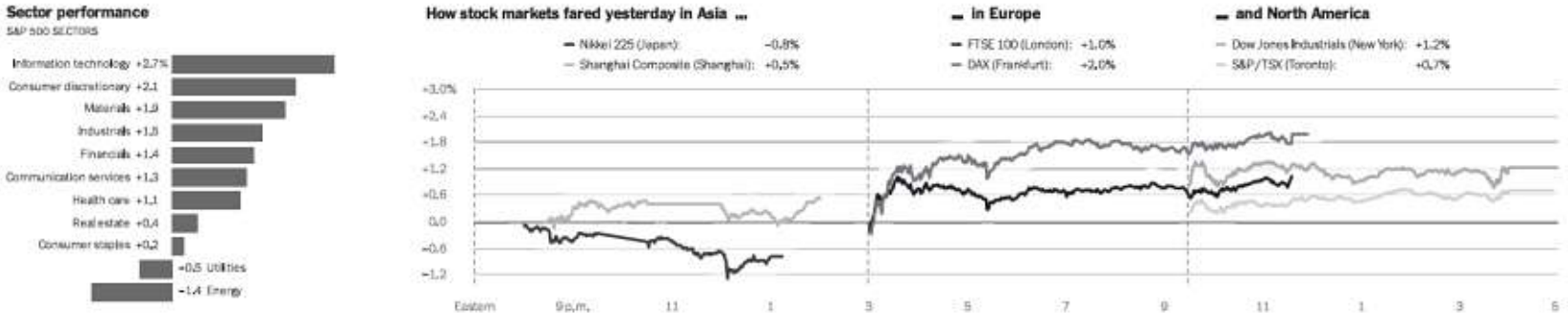
"Today is clearly a rally on less geopolitical tensions and really ignoring the inflation picture," said John Lynch, chief investment officer for Comerica Wealth Management.

Inflationary pressure is still gathering momentum, Mr. Lynch said, and that makes a half-percentage point hike from the Fed in March almost necessary to reinforce that the central bank is serious about fighting inflation.

What Happened in Stock Markets Yesterday



Best performers		Worst performers		Most active		World stocks	
S&P 500 COMPANIES	CLOSE CHANGE	S&P 500 COMPANIES	CLOSE CHANGE	S&P 500 COMPANIES	CLOSE CHANGE		TOTAL RETURN 1 YR 5 YRS
1. Monolithic Power Systems (MPWR)	\$479.27 +10.6%	1. Fidelity National (FIS)	\$102.85 -7.8%	1. Advanced Micro Devices (AMD)	\$121.47 +6.3%	1. Vanguard Total International Stock Index Fund Investor Shares (VIGTSX)	+5.6% +8.4%
2. Nvidia Corporation (NVDA)	\$264.95 +9.2	2. iPG Photonics Co. (IPGP)	\$137.05 -6.2	2. Nvidia Corporation (NVDA)	\$264.95 +9.2	2. American Funds EuroPacific Growth Fund Class R-2 (RERBIO)	-4.3 +8.0
3. American Airlines Group (AAL)	\$18.84 +8.1	3. Constellation Brands (STZ)	\$219.59 -6.1	3. Ford Motor (F)	\$18.08 +3.6	3. Vanguard Developed Markets Index Fund Institutional Plus Shares (VDMFX)	+8.3 +8.5
4. Henry Schein (HSIQ)	\$81.84 +8.0	4. Iyria Holdings (IQV)	\$226.64 -4.7	4. Apple (AAPL)	\$172.70 +2.3	4. American Funds New Perspective Fund Class 529-F (ONPFX)	+8.8 +17.2
5. United Airlines Holdings (UAL)	\$90.48 +7.6	5. Charles River Labs Intl (CRL)	\$312.63 +4.5	5. American Airlines Group (AAL)	\$18.84 +8.1	5. American Funds Capital Income Builder Class 529-F (CRIFX)	+15.1 +7.9
6. Expedia Group (EXPE)	\$211.93 +7.5	6. Occidental Petroleum (OXY)	\$39.89 -3.3	6. Meta Platforms A (FB)	\$221.00 +1.5	6. American Funds SMALLCAP World Fund Class R-5E (RSLDX)	-3.4 +14.2
7. Enphase Energy (ENPH)	\$154.29 +7.2	7. Leidos (LDOS)	\$84.50 -3.3	7. Bank of America (BAK)	\$47.79 +0.8	7. Vanguard International Growth Fund Investor Shares (VWIGX)	+13.6 +17.0
8. Vornado Realty Trust (VNO)	\$43.57 +6.9	8. Laboratory Co. of America Ltd (LH)	\$264.62 +3.0	8. Intel Corp (INTC)	\$48.44 +1.8	8. Vanguard FTSE All-World ex-US Index Fund Institutional Plus Shares (VTWPIX)	+5.4 +8.5
9. Norwegian Cruise Line (NCLH)	\$22.55 +6.9	9. MARATHON OIL (MRO)	\$20.54 +2.8	9. AT&T Inc. (T)	\$24.34 +1.2	9. First Eagle Global Fund Class R3 (EARGX)	+12.9 +7.8
10. Micron Technology (MU)	\$96.00 +6.8	10. Phillips 66 (PSX)	\$88.42 +2.3	10. Carnival (CCL)	\$22.78 +0.6	10. Dodge & Cox International Stock Fund (DODIX)	+15.2 +8.9



TRADE | POLICY | TECHNOLOGY

Metamorphosis In Workplace: Ex-Facebookers Are Metamates

By MIKE ISAAC
and SHEERA FRENKEL

Google's employees are called Googlers. Amazon's workers are known as Amazonians. Yahoo's employees were Yahoos.

So it was a conundrum for employees at Facebook, long known as Facebookers, when the company renamed itself Meta late last year.

The terminology is now no longer in question. At a meeting on Tuesday, Mark Zuckerberg, Facebook's founder and Meta's chief executive, announced a new name for his company's employees: Metamates.

Mr. Zuckerberg introduced the term as part of an overhaul of Meta's corporate values, which he said needed updating because of the company's new direction. In October, he took many by surprise by shifting Facebook toward the so-called metaverse, in which different computing platforms are connected to one another across the internet. The move de-emphasized the company's social networking apps, like Facebook, Instagram and WhatsApp, which have been under scrutiny for privacy and data challenges, hateful content and misinformation.

So past Facebook values like "Be bold" and "Focus on impact" are gone. In their place are "Live in the future," "Build awesome things," "Focus on long-term impact" and "Meta, Metamates, me," Mr. Zuckerberg said.

"I've always believed that in order for values to be useful, they need to be ideas that good companies can reasonably disagree with or emphasize differently," he wrote in a Facebook post, adding, "I think these values capture how we must act as a company to bring our vision to life."

Silicon Valley companies have long had their own jargon and cultures. Corporate mottos like "Don't be evil," "Innovation leads to innovation" and "Move fast and break things" are legion. Palantir, a big data software company, even

A new colleague for Googlers and Amazonians.

emblazoned the slogan "Save the Shire," a "Lord of the Rings" reference, on employee T-shirts. All of that gave rise to sendups of the tech world like HBO's "Silicon Valley."

Meta's employees greeted the reset with mixed reactions.

On some internal forums, hundreds of employees welcomed the changes with heart emojis. Yet in private chat messages, away from the eyes of managers, some workers expressed more skepticism.

"How is this going to change the company? I don't understand the messaging," one engineer wrote in a private chat viewed by The New York Times. "We keep changing the name of everything, and it is confusing."

Another employee said being a Metamate reminded him of sailing. "Does this mean we are on a sinking ship?" the worker wrote.

Others said the new slogans had a "military inspiration" or gave a sense of being "a cog in a machine," according to employee posts reviewed by The Times. And on Twitter, one Meta employee made fun of the new values, replacing them with "conform" and "obey." He quickly deleted the message.

Meta declined to comment on the employee posts.

The Metamates moniker was coined by Douglas Hofstadter, a professor of cognitive science at Indiana University and author of the Pulitzer Prize-winning book "Gödel, Escher, Bach: An Eternal Golden Braid." In a tweet, Andrew Bosworth, Meta's chief technology officer, said an employee had emailed Mr. Hofstadter for ideas for a rebrand.

In an email, Mr. Hofstadter said he had originally suggested "teammate" to describe Meta's employees, since each half of the word is an anagram of Meta. In a postscript, he recommended Metamate as an alternative. He added that he was unaware the company had adopted the name.

"By the way, I don't use Facebook and never have," he wrote. "In fact, I avoid all social media."

Mr. Zuckerberg, in his Facebook post, counseled employees to be patient with all of the company's changes. One of the new values instructs employees to "focus on the long-term impact" as Facebook makes its transition to the metaverse.

"We should take on the challenges that will be the most impactful, even if the full results won't be seen for years," he wrote.

Ryan Mac contributed reporting.

U.S. Puts Ban on Mexican Avocados, Citing Threat

By JULIE CRESWELL

Whether smeared on toast, added to a salad or topping a burrito, the avocado has become a staple in the diets of many Americans.

But the creamy fruit could become more difficult to find. The United States decided late last week to temporarily block all imports of avocados from Mexico after a verbal threat was made to U.S. safety inspectors working in the country.

The suspension will "remain in place for as long as necessary to ensure the appropriate actions are taken, to secure the safety of APHIS personnel working in Mexico," the U.S. Department of Agriculture said in a statement, referring to the Animal and Plant Health Inspection Service.

In the United States, where 80 percent of the avocados consumed come from Mexico and the average price of \$1.43 an avocado was already nearly 11 percent higher than a year ago, analysts said even a two-week ban could sharply reduce availability and further increase prices.

The move is a blow to the western state of Michoacán in Mexico, the only region approved in Mexico to send avocados to the United States. There, the green fruit is a big business, with annual exports totaling nearly \$3 billion. The bulk of those avocados go to the United States.

While details of the threat to agency employees were not made public, the avocado industry has attracted interest in the past decade from the drug cartels in the re-



CELIA TABOBT TOOK FOR THE NEW YORK TIMES
One state in Mexico supplies most of the avocados consumed in the U.S.

gion, which have become more fragmented and sought ways to diversify their illicit income streams.

"I had an interview with a cartel leader 10 years ago who was bragging about how much money he was making from avocados," said Falko Ernst, a Mexico analyst with the nonprofit International Crisis Group. "You've got a concentration of economic wealth in the region, and the possibility to siphon part of that off has acted as a magnet for these groups."

Mexican gangs are also being blamed for limiting lime production and shipments in order to drive up prices.

In a statement, the Association of Avocado Exporting Producers and Packers of Mexico, which represents 29,000 avocado farmers

and 65 packing houses, said its board of directors had met to review security plans and protocols in order to continue to collaborate with Mexican and U.S. authorities and to resume exporting as soon as possible.

The U.S. ban came during one of the avocado's biggest events, the Super Bowl. And depending on how long it lasts, it could affect one of the industry's other big days, Cinco de Mayo.

In 1997, the U.S. began lifting a longstanding ban against Mexican avocados after weevils, scabs and other pests entered U.S. orchards from imported products.

Now, U.S. inspectors in Mexico play a crucial role in the expansion of Mexico's avocado market because they watch each step of the process — from the orchards to transportation systems to shipping areas — to make sure that the fruit imported to the United States is free from pests, said David Orden, a professor in the department of agricultural and applied economics at Virginia Tech.

"This was a nice story about how a group of agribusinessmen and farmers used scientific methods to reduce pest risk and allow trade to occur where there wouldn't normally be an opportunity," Mr. Orden said. "It was a nice story until the drug cartels got involved."

California, which supplies roughly 15 percent of the U.S. avocado market, simply cannot produce enough to meet demand from consumers nibbling on chips and guacamole and putting avoca-

dos in smoothies. The per capita annual consumption of avocados has grown to nine pounds, from four pounds in 2010, and could exceed 11 pounds in the next five years, according to analysts at Ra-

80%

Portion of avocados consumed in the U.S. that come from Mexico.

\$3B

Annual value of Mexican avocado exports.

boResearch.

The avocado industry has long benefited from clever marketing campaigns. In the 1980s, ads by the California Avocado Commission showed the actress Angie Dickinson in a white leotard, her legs stretching on forever, eating and extolling the diet and health benefits of the avocado. "Would this body lie to you?" she cooed.

But the big marketing push has come during the Super Bowl. Avocados From Mexico began airing quirky commercials in the past decade, one featuring the comedian Jon Lovitz's floating head and another with the 1980s actress Molly Ringwald as an infomercial host hawking price gear for your avocado, like a personal carrier or a yurt.

On Sunday, Avocados From

Mexico aired its latest ad during the game. It featured ancient Roman tailgaters at the Colosseum noshing on guacamole and dancing. Reviews online were mixed.

Avocado farmers in the Michoacán region said even a ban that lasted a couple of months could have a huge negative impact on the local economy.

"The growing season basically ends in May, and if we lose a couple of months to sell, we'll end up with too much fruit to sell in two months' time," said Jose Humberto Solorzano Mendoza, a third-generation avocado grower who has created a digital platform for producers to share pricing information to improve transparency. "The produce will be worthless, and it will fall off the trees after May."

And a collapse in prices, he said, could lead to increased immigration from the area into the United States. "There are people who are living here because of the avocado," he said. "They make their living from that. If we don't have the avocado, they'll move on."

Mr. Ernst of the International Crisis Group said that if the "warning shot" of a temporary ban turned into something more long term, it would affect the economy and make it easier for the criminal enterprises to attract recruits.

"You have tens of thousands of hardworking, law-abiding families that depend on this industry," Mr. Ernst said. "If you take away their livelihoods, you play into the hands of the criminal groups."

Vote on Biden's Fed Picks Stalls as G.O.P. Boycotts Meeting

FROM FIRST BUSINESS PAGE

seven governors and all of its highest-ranking leaders, Mr. Biden had a chance to shake up the institution. While some of his picks — like Mr. Powell — represented continuity, together they would have made up the most racially and gender-diverse Fed leadership team ever.

Sarah Binder, a professor of political science at George Washington University who co-wrote a book on the politics of the Fed, said Democrats would need to come up with a strategy to overcome the Republican block or the nominees could get stuck in limbo.

"It is really a delay — it might yet scupper Raskin," she said. She noted that Democrats could break the nominations up or try to garner enough support among the full Senate to override the rules and get the nominees past the committee, though that might be a challenge.

"It's pretty uncharted, and they're going to have to find a way," Dr. Binder said.

Molly Reynolds, a senior fellow in governance studies at the Brookings Institution, said that outside of trying to change Senate rules — which she called the "nuclear option" — Democrats' clearest avenue was probably to negotiate with Republicans.

"They just need a Republican to show up," she noted, explaining that the senator would not even need to vote yes for the committee to secure a majority and move the candidates along.

Tuesday's maneuver was the latest step in Mr. Toomey's opposition campaign against Ms. Raskin, who would serve as arguably the nation's most important bank regulator if confirmed.

Mr. Toomey has criticized Ms. Raskin for past comments on climate-related regulation, worrying that she would be too activist in bank oversight. More recently, he has pressed for more information about her interactions with the Fed while she was on the board of a financial technology company that was pushing for a potentially lucrative central bank account.

"Until basic questions have been adequately addressed, I do not think the committee should proceed with a vote on Ms. Raskin," Mr. Toomey said in the statement.

White House officials criticized his move as inappropriate when the Fed is wrestling with rapidly rising prices and preparing to raise interest rates next month.

"It's totally irresponsible, in our view — it's never been more important to have confirmed leader-



Republican seats were empty at a Senate Banking Committee hearing on Tuesday, which meant a vote on advancing the Fed nominees could not happen.

ship at the Fed," said Jen Psaki, the White House press secretary. She added that the administration's focus now was moving the nominees through the committee and called Mr. Toomey's probing of Ms. Raskin's background "false allegations."

The dispute centers on the revolving door between government regulators and the arcane world of financial technology. Mr. Toomey and his colleagues

A Republican senator is questioning a 'revolving door.'

have said Ms. Raskin, a former Fed and Treasury official, had contacted the Federal Reserve Bank of Kansas City on behalf of Reserve Trust, a financial technology company. Reserve Trust secured a strategically important account at the Fed while she was on its board. To this day, it advertises that it is the only company of its kind with what's known as a "master" account.

Master accounts give companies access to the U.S. payment

system infrastructure, allowing firms to move money without working with a bank, among other advantages.

Ms. Raskin said in written responses to Mr. Toomey's questions early this month that she did "not recall any communications I made to help Reserve Trust obtain a master account." But Mr. Toomey said in a subsequent letter that the president of the Kansas City Fed, Esther George, had told his staff that Ms. Raskin called her about the account in 2017.

The Kansas City Fed has insisted that it followed its normal protocol in granting Reserve Trust's master account and noted that talking with a firm's board members was "routine." But Mr. Toomey has continued to push for more information.

"Important questions about Ms. Raskin's use of the 'revolving door' remain unanswered largely because of her repeated disingenuousness with the committee," Mr. Toomey said in his statement Tuesday.

Democrats have emphasized that Ms. Raskin recently committed to a new set of ethics standards, agreeing not to work for financial services companies for

four years after she leaves government — a pledge Ms. Cook and Mr. Jefferson also made, at the urging of Senator Elizabeth Warren, Democrat of Massachusetts.

Ms. Brainard agreed to a weaker version of that commitment that would bar her from working at bank holding companies and depository institutions outside of mission-driven exceptions like banks that target underserved communities, a representative for Ms. Warren's office said Tuesday.

Mr. Powell declined to make a similar commitment, the representative said. The Fed chair did signal that he would adhere to the administration's ethics rules, which ban paid work related to government service for two years upon leaving office.

On Tuesday, a dozen Republican chairs in the room where the committee met remained empty while Democrats occupied their seats across the room. Democrats took a vote to show support, though it was not binding, and Mr. Brown pledged to reschedule.

"Few things we do as senators will do more to help address our country's economic concerns more than to confirm this slate of nominees, the most diverse and

most qualified slate of Fed nominees ever put forward," Mr. Brown said, chiding Republicans for skipping the session.

"They're taking away probably the most important tool we have — and that's the Federal Reserve — to combat inflation," he later added.

The Fed has four current governors, in addition to its 12 regional presidents, five of whom vote on monetary policy at any given time. Mr. Powell has already been serving as chair on an interim basis, since his leadership term officially expired this month.

Even if the nominees advance, Ms. Raskin may struggle to pass the full Senate. Winning confirmation would require her to maintain full support from all 50 lawmakers who caucus with Democrats and for all those lawmakers to be present unless she can win Republican votes. Senator Ben Ray Lujan, Democrat of New Mexico, has been absent as he recovers from a stroke.

"The Republicans are playing hardball because they can," said Ian Katz, the managing director at Capital Alpha Partners. "At the least, it delays her confirmation. It could have the ultimate effect of killing it."

Super Bowl Drew 112 Million Viewers, the Most in 5 Years

By TIFFANY HSU

The Super Bowl on Sunday night drew the best ratings in five years for the game, with an average of 112.3 million viewers across television and streaming, according to NBCUniversal, which aired the event.

Viewers tuned in for a matchup that had the Los Angeles Rams narrowly prevailing in the final minutes in their home stadium

over the Cincinnati Bengals. The halftime show, which highlighted hip-hop for the first time at the event, attracted a bigger audience than the previous year.

Last year's Super Bowl, which appeared on CBS, tallied 99.7 million viewers across multiple platforms — the smallest audience in years. This year's game was shown on NBC, Telemundo, Peacock, NBC Sports Digital, N.F.L.

Digital platforms and Yahoo Sports. Television viewership on NBC peaked at 104.4 million midway through the game but averaged 99.2 million, up 4 percent from last year.

The halftime concert, with Dr. Dre, Snoop Dogg, Eminem, Mary J. Blige, Kendrick Lamar and 50 Cent, averaged 103.4 million viewers, a 7 percent increase from last year's show by the Weeknd. The

average ad — there were 81 spots in the national broadcast — reached 106 million viewers, according to data from iSpot.

As more people seek outlets for their pandemic fatigue, National Football League games have accounted for 48 of the 50 most-watched broadcasts in the 2021 regular season, even as the league battles criticism about racism and player injuries.

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MEDIA | INTERNATIONAL | WORKPLACE

A YouTube Star Builds His Empire

He once made videos for a computer store. Now Linus Sebastian is a multifaceted C.E.O.

On Tech

By SHIRA OVIDE

Linus Sebastian is the face of a mini YouTube empire. His company also resembles a scaled-down version of the Gap, employing a fashion designer, logistics experts, graphic designers and “fit technicians” to sell merchandise to fans.

Mr. Sebastian is among the online personalities who have figured out that putting their names or faces on products is increasingly a ticket to cashing in on fame.

Sales of themed merchandise like hoodies and plush toy video game controllers generated about 32 percent of the revenue for Mr. Sebastian’s Linus Media Group in 2021, up from 3 percent five years earlier, he told me. Mr. Sebastian said that “clothing is where really successful people like the Kardashians of the world” earn a living. (This isn’t totally true, but you get the idea.)

Advertising, the conventional way for people to earn money from online attention, is a bit more than half of the revenue for Linus Media Group. Most of the company’s videos about computers, video games and other tech gear have plugs for sponsors, and Mr. Sebastian’s company collects a share of revenue from ads and subscriptions that YouTube sells.

But it’s the merchandise that is both growing faster than other income streams, and requires different expertise than anything Mr. Sebastian has done before. “You can’t just slap your label on a T-shirt and hope that people will buy it,” he said.

On Tech has been writing a series of newsletters on the economics of internet creators, or people like Mr. Sebastian who are so good at making online videos and other material that they turn it into a living.

Mr. Sebastian offers a glimpse at the skills it takes to build a 21st-century media company. He is the chief executive who is equally comfortable sawing open old cable TV boxes for 14 million video subscribers and talking with me about wonky financial metrics.

Mr. Sebastian’s decade-long path to becoming a YouTube star essentially started with a dare from his former boss. Mr. Sebastian was working for a computer retail store, which asked him to make videos to drum up sales. It’s easy to see why they caught on. Mr. Sebastian radiates fun in his videos even if, like me, you would never build a solid gold video game controller.

Then he had a disagreement over strategy with a higher-up, who told Mr. Sebastian that he could either fall in line or find another place to make videos, Mr. Sebastian said. He picked the second option. Mr. Sebastian started his own YouTube channel in 2013 and



JACKIE CARLISE

formed a business with his wife just months after they had their first child.

Today, Linus Media Group has about 65 employees, and a half-dozen YouTube channels that have a combined monthly viewership that could compete with the Super Bowl’s. Staff members write scripts, produce the videos and cut deals with sponsors. They also built a streaming video site to make money away from YouTube.

About 11 people work just on merchandise. Employees order blank water bottles and underwear from factories and contract with a local printing company in the Vancouver area to customize them. Others specialize in clothing design, customer service or moving products around the world. Selling merchandise is inherently more costly than selling ads.

It’s not always fun to make entertainment for the fickle tastes of millions of subscribers.

“You think your job is stressful?” Mr. Sebastian said. “I have 10 million bosses.” (Technically, 14 million.)

But even after being a YouTube star for years, Mr. Sebastian says he still sometimes wakes up in the middle of the night excited about a wacky video idea to try.

This essay was adapted from the On Tech newsletter, delivered every weekday. To sign up, go to nytimes.com/newsletters

Two Women and a Debate Over the True China

FROM FIRST BUSINESS PAGE
miseries become an inconvenient truth.

“Does Eileen Gu’s success have anything to do with ordinary Chinese?” goes the headline of one viral article that was converted later.

“Can we remember these women while cheering for Eileen Gu?” asks another headline.

“To judge whether a society is civilized or not, we should not look at how successful the privileged are but how miserable the disadvantaged are,” the article said. “Ten thousand sports champions can’t wash away the humiliation of one enslaved woman, not to mention tens of thousands of them.”

The Chinese government doesn’t like where the debate is heading. The juxtaposition of the two women highlights that underneath the glamorous surface of one of the world’s largest economies lie jarring poverty and widespread abuse of women’s rights.

It defeats the purpose of recruiting star athletes like Ms. Gu: to showcase a powerful China with global appeal.

“The reality is that the vast majority of Chinese won’t have the opportunity to become Eileen Gu,” Li Yinnuo, founder of a prominent education company in Beijing, wrote in an article. But the tragedy of the chained woman, she wrote, could happen to anyone.

A few hours later, her article was deleted.

Embedded in the debate is a deep disappointment among middle-class Chinese who are usually willing to go along with the government’s narratives but are incensed by the repeated lies, lack of action and subsequent censorship in the case of the chained woman.

They feel that the government is pouring too many resources behind a privileged member of the society while neglecting another member in dire need of help. They’re worried that the

latter’s misfortune could happen to them or their daughters.

Many social media users, including some self-claimed nationalistic little pinks, posted a quote from a famous Chinese novel: “I love the country. But does the country love me?”

The story of the chained woman — whose name, according to the government, is Xiaohuamei (little flower plum) — has capti-



DOUG MILLS/THE NEW YORK TIMES
Eileen Gu won gold for China.

‘The vast majority of Chinese won’t have the opportunity to become Eileen Gu.’

Li Yinnuo, founder of a prominent education company in Beijing.

vated the Chinese internet since a short video went viral in late January. In it, a middle-aged woman with a dazed expression stood in the dark shack with a chain on her neck. Subsequent videos revealed that she had lost most of her teeth and seemed to be mentally disturbed.

The local authorities issued four conflicting statements in the following two weeks. In the latest statement on Thursday, the authorities reported that Xiao-

huamei could be a victim of human trafficking and that her husband was under investigation for false imprisonment. The government had denied both earlier.

The fates of the two women converged online last week after Ms. Gu won her gold medal.

At one point, Ms. Gu, who grew up in an upscale neighborhood in San Francisco and represents some of the biggest brands, like Louis Vuitton and Tiffany & Company, occupied 10 of the 20 hottest hashtags on Weibo. The hashtag about Xiaohuamei was nowhere to be seen, even though many people were still talking about her.

Some social media users were outraged by the lopsided treatment of the two women. They felt that even though they had tried their best to be the obedient and useful tools in the giant machinery of the Chinese state, Xiaohuamei’s tragedy showed that the state won’t necessarily offer them protection.

A Weibo user with the handle @lanlanquaitao wrote that she was a middle-class mother who just wanted a peaceful life and never wanted to engage in social issues.

“I worked hard to raise my daughter. I’ve bought a house for her and saved money for her to pursue a doctoral degree,” she wrote. “I wanted her to be free like a bird who could fly anywhere and enjoy life. But the reality showed me that she could be the next to be abducted to the mountains of Xuzhou and tortured by men.”

Ms. Gu and her supporters could argue that it was not fair to compare her success with the tragedy of the chained woman. They have a point. But they should blame the Chinese state, which has been showering the Olympian with adulation and protection while seemingly ignoring the plight of Xiaohuamei.

Many of the hottest social media hashtags about Ms. Gu were created by the most important official media outlets, including the People’s Daily and Xinhua News Agency.

Official media attention is also coming from some unexpected corners. #EileenGupushesback-

onAmericanmedia, created by a website under China’s powerful macroeconomic planning agency, had 850 million views.

The website of the Communist Party’s anti-graft enforcement arm published an exclusive interview with Ms. Gu.

When China’s nationalistic online users criticized that Ms. Gu didn’t sing along to the national anthem on the podium, Weibo censored hashtags such as #EileenGunationalanthem.

Known as the “frog princess” in China, Ms. Gu was elusive when asked about Peng Shuai, the tennis star who was once hailed by the state media as “our Chinese princess.” Ms. Peng accused a retired top Chinese leader of sexual assault in November, and her name remains strictly censored on the Chinese internet.

Because she avoids sensitive issues, Ms. Gu is hailed as the model athlete for the others of Chinese heritage to learn from. She’s also cited as evidence of the superiority of China’s governance model over that of the United States.

“It’s so great that the beautiful, talented Eileen Gu came back to compete for China and won,” wrote Hu Xijin, a former editor in chief of The Global Times who still writes for the Communist Party tabloid, “while the blind, disabled Chen Guangcheng went to the United States to ‘seek brightness.’” Mr. Chen is the blind human rights lawyer who was put under house arrests for years before moving to the United States in 2012.

Mr. Hu wrote that China welcomed more scientists, athletes and businesspeople. “Let China be the place to get things done,” he wrote.

Some social media users criticized Mr. Hu’s post, saying it revealed how the system thought of the disabled and the disadvantaged like Xiaohuamei.

“This is life in China,” the writer Muring Xuecun posted on Twitter. “On one side is a Winter Olympic champion who cannot be criticized. On the other side is the chained woman who is being censored. One has a bright future. The other has come to a dead end.”

Tyson Is Easing Mask Rules At Some Processing Plants

By LAUREN HIRSCH

Tyson Foods, one of the first national employers to mandate Covid vaccines for its workers, is moving to ease mask requirements for its employees as the number of coronavirus cases in the United States falls.

The meatpacking giant said on Tuesday that fully vaccinated workers at “some facilities” could begin to remove their masks at work. It joined companies like Walmart and states like New York that have moved to loosen restrictions in hopes of achieving a new normal in the absence of revised national guidelines.

“Due to our many efforts and, most importantly, our enterprisewide vaccinated status, we’ve seen lower rates of Covid-19

ing the administration was allowing the plants to remain open despite a growing number of deaths among their workers. The order followed weeks of industry lobbying led by Tyson.

A recent congressional report said that at a Tyson plant in Amarillo, Texas, inspectors had observed that many employees were working with “saturated” masks. At a pork plant in Waterloo, Iowa, dozens of workers fell ill and three died. Local officials, including the county sheriff, said the company initially refused their requests to shut down the plant in the spring of 2020.

Tyson says it has spent more than \$810 million on coronavirus safety measures and new on-site medical services. It conducted plantwide coronavirus testing and hired its first chief medical officer.

In August, the company announced a vaccine requirement for its packing houses and poultry plants, many of which are in the South and Midwest, where resistance to the vaccines has been high. By November, more than 96 percent of its work force was vaccinated.

Tyson defines fully vaccinated as two doses of the Pfizer-BioNTech or Moderna shots or one dose of the Johnson & Johnson shot, Mr. Brower said Tuesday. The company has hosted more than 100 clinics offering booster shots, he said, and it continues to “strongly encourage” booster shots for employees.

The number of coronavirus cases has declined about 80 percent nationally since its peak in January, to a national average of 155,000 per day, about the same as it was in late December.

Tyson’s easing of its mask rules is conditioned on local and other applicable laws, as well as federal regulations, which require the continued use of masks at certain facilities, depending on the transmission rate, Mr. Brower said. Tyson plans to inform employees soon which plants and offices will be affected by the change.

It is also reviewing — and considering adjusting — guidelines for social distancing and testing.

120,000 workers with a 96 percent vaccination rate.

infection, as well as extremely low rates of serious illness at Tyson,” Tom Brower, the company’s senior vice president of health and safety, wrote in a memo to employees.

“And in recent weeks the number of active cases at Tyson has declined significantly,” he added.

A spokesman for Tyson said the company has “had productive and ongoing conversations with union representatives about the policy change.”

Tyson has 120,000 workers in more than a dozen states. The long hours they spend working in tight quarters make them particularly susceptible to the virus. And the company was criticized early in the pandemic for failing to do enough to protect its workers from the coronavirus, which killed more than 100 of its employees.

Slaughterhouses became hot spots for the coronavirus as it spread, posing a serious challenge to meat production. In April 2020, President Donald J. Trump said the slaughtering and processing of beef, chicken and pork was “critical infrastructure,” indicat-

Tesla C.E.O. Made Quiet Gift to Charity of Almost \$6 Billion

By MICHAEL J. de la MERCED

In an inconspicuous fashion — via a regulatory filing with the Securities and Exchange Commission — Elon Musk, Tesla’s chief executive, disclosed on Monday that he gave nearly \$6 billion worth of the company’s shares to charity last year, instantly propelling him into the upper ranks of philanthropic donors.

But the document gave little information about where he directed his wealth, the DealBook newsletter reports.

Mr. Musk donated just over five million shares in November, according to the filing. Based on the average price of Tesla shares on the days he sold, that is worth roughly \$5.7 billion. That would make him the second-biggest donor last year, behind only Bill Gates and Melinda French Gates and their \$15 billion in giving, according to the Chronicle of Philan-



ELON MUSK'S SHARE GIFT SEEMS TO HAVE VAULTED HIM TO THE TOP RANKS OF DONORS.

throp. In November and December, Mr. Musk sold more than \$16 billion worth of shares, much of which was meant to cover tax obligations after he exercised stock options. At the time, he wrote on Twitter that he was likely to pay more than \$11 billion in taxes, one of the biggest individual bills in

U.S. history. The stock donation could be useful in defraying that bill.

The question is where those shares went. The donation came as Mr. Musk argued with populist lawmakers like Senators Bernie Sanders, the independent from Vermont, and Elizabeth Warren, Democrat of Massachusetts, about wealth inequality and taxes.

Several observers noted that weeks before his donation, Mr. Musk tweeted that he would give \$6 billion if the United Nations could prove that money could help solve world hunger. Days afterward, the U.N.’s World Food Program outlined how it would spend \$6.6 billion to help avert famine.

Mr. Musk’s other disclosed philanthropic efforts include millions in gifts to Texas municipalities and a \$100 million prize for developing technologies to remove carbon dioxide from the air.

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Re: NYC Parking Violations Bureau
Vs. Various Judgment Debtors
Fred McKeon, Auctioneer
Selling For City Marshal Diego Polanco
On Friday, 02/18/2022 at 10:00 AM
Viewing at 11:30 AM
AIR FIVE (PS) AUTOMOTIVE
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PERSONAL FINANCE



LAUREN LANCASTER FOR THE NEW YORK TIMES



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EVAN JENKINS FOR THE NEW YORK TIMES



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Kerri Raissian said her father, Max, was treated in three facilities in the final 12 days of his life. Out of the more than 900,000 Covid-related deaths in the U.S., roughly 273,000 applicants have been paid a total of \$1.78 billion, FEMA says.

A portrait of Karen's Bopp's mother, Mary, and her wedding gloves atop a pile of funeral expenses. "I have correspondence with at least 15 if not 20 people" who have rejected the submitted documentation, Ms. Bopp said.

Chasing a Covid Benefit That Nobody Really Wants to Use

FROM FIRST BUSINESS PAGE

Covid-19. He was discharged to a skilled nursing facility, but was rushed to a hospital in Katy when his oxygen levels crashed. He died of a heart attack a few hours later.

But Covid-19 wasn't listed on Mr. McGaughey's death certificate, an oversight that his daughter has been trying to correct by getting the appropriate documentation from his doctors at the first hospital and the nursing facility so she can send it to the hospital where he died. Then the certificate can be updated through the Texas Department of State Health Services.

"It is bureaucratic and it prevents closure, but also we really need the death benefits," Ms. Raissian said.

The median cost of a funeral was nearly \$8,000 in 2021, according to the National Funeral Directors Association. That is a heavy financial burden, particularly for lower-income families, which have been hardest hit by the pandemic, or those dealing with the expense far sooner than they had expected.

Ellen Wynn McBrayer, president of Jones-Wynn Funeral Homes & Crematory near Atlanta, helped a woman with two young children plan the funeral for her husband, who died from the virus. The reimbursement program made the sudden expenses easier to afford.

"A young family doesn't really plan for end of life," Mrs. Wynn McBrayer said. "They will be able to have a headstone to visit on their dad's grave. It was a huge blessing in the midst of the storm."

FEMA said nearly 415,000 people had applied for funeral assistance. Roughly 97 percent of those who provided all documentation had been approved as of Feb. 2, the agency said.

Jaclyn Rothenberg, FEMA's director of public affairs, acknowledged that some families have hit stumbling blocks, but said the government agency is responsible for doing its due diligence.

"We are always looking for ways to improve our process and make it easier for applicants especially during these difficult moments," she said. FEMA has also hired a contractor to help better communicate what the program is about and how it works, Ms. Rothenberg added.

Applicants can smooth the process by having all the required paperwork ready when they apply, which begins with a phone call to FEMA. To file an application, a person must be a U.S. citizen, a noncitizen national or a qualified alien. The deceased person does not need to meet those requirements, but must have died in the United States or one of its territories.

To qualify, the expenses must have been incurred after Jan. 20, 2020. All expenses for a deceased individual should be included on the same application, FEMA said. If multiple people paid expenses, one should file the application but include the expense documentation for everyone who contributed. (A co-applicant is permitted.) Reimbursements are capped at \$35,500 if you lost multiple loved ones.

Death certificates issued after May 16, 2020, must list Covid-19 as a direct or indirect cause. For coronavirus deaths before that — when there was less testing early in the pandemic — there's more flexibility: Applicants can provide a signed statement explaining the connection from the original certifier of the death (or the medical examiner or coroner where the



LAUREN LANCASTER FOR THE NEW YORK TIMES



EVAN JENKINS FOR THE NEW YORK TIMES

Mr. McGaughey died of Covid-19 in December at age 86. His daughter, Ms. Raissian, above, has spent a month trying to have his death certificate changed so that she can apply for up to \$9,000 in federal reimbursement for his funeral.

'This policy all but guarantees many people who are entitled to these benefits will not get them.'

Kerri Raissian, on the obstacles she has faced trying to qualify for death benefits for her father.

Ms. Bopp and her son, Tyler, who was the primary caregiver for her mother, Mary, who died of Covid last year at 94. Ms. Bopp began the application process for funeral benefits in late April but wasn't reimbursed until October.

person died).

The program will not reimburse for bills paid with assistance from another source, such as prepaid funeral contracts or burial and general insurance. But applicants may still be eligible for FEMA assistance if those sources did not cover all costs.

Dealing with paperwork in the throes of emotional trauma is difficult, but keeping clear records can ease the application process. Ms. Wynn McBrayer, the funeral home director, said survivors who intended to apply for the program should be careful to use their legal name on receipts to make what would be used on the application.

"It is a blessing," she said of assistance, "if you can find a blessing in the rubble."

Karen Bopp, who lost her 94-year-old mother to Covid last year, learned about the program through an email from her funeral home representative that arrived just hours before her mother died. Bopp's mother, Mary, died of a heart condition exacerbated by the coronavirus nearly four months after testing positive for Christmas.

"We didn't want to put her in a hospital because there were all these stories of saying goodbye on a Zoom call, so we kept her home," Ms. Bopp said, adding that her son, Tyler, handled most of the caregiving. "The Covid thing was a real shocker. She wasn't ready to go."

Before she even applied, Ms. Bopp had to correct the death certificate; it listed diastolic heart failure as a cause of death, not Covid-19. That may have been the easiest hurdle to overcome — the mother's hospice care provider quickly addressed the problem.

Ms. Bopp began the application process in late April, but she wasn't reimbursed until October, much longer than the roughly 97 days that FEMA said was the median time from application to eligibility decision.

Even with the corrected death certificate, she said, FEMA initially rejected the claim because the agency couldn't find Covid-19 listed as a cause. There were other hurdles: After settling a problem with a hard-to-read burial record, there was an issue with the receipt for the coffin.

Ms. Bopp's mother, a Catholic, had requested that it be made in an order of Benedictine monks that had produced a coffin for her friend's funeral. Ms. Bopp had called the abbey and eventually ordained a conference call with its business manager and FEMA. The problem took more than a month to resolve.

"I have correspondence with at least 15 if not 20 people of having it rejected," said Ms. Bopp, a reading and math interventionist in an elementary school in Illinois.

After more than four months back and forth — Ms. Bopp said she had logged into her FEMA account more than 31 times — she was reimbursed for the full cost of the funeral, about \$8,000.

The money arrived within a couple of weeks, and Ms. Bopp was able to repay a home-equity loan that her mother had taken out and that the family had used to pay the funeral expenses. When the loan was paid off, the family was able to settle her mother's estate.

"The process was way more difficult and time consuming than I had anticipated," Ms. Bopp said, "so it was a great relief to be able to finalize everything."

Commercial Real Estate

Lobbies Make Subtle Changes for Covid Age

Contactless tools like discreet temperature and body scanners may become more common in offices.

Square Feet
By JOE GOSE

After Sept. 11, the lobbies in many U.S. office buildings permanently changed as landlords beefed up security, adding cameras, turnstiles, programmable elevators and other technological tools. All who entered were required to have identification, and guards recorded who came and went.

Now, as pandemic restrictions ease and workers begin to trickle back into the office, the lobby is changing again, this time with an emphasis on health and safety. But the changes are subtle, and they are primarily meant to ease the flow at the turnstile.

Most notably, mobile applications tied to building security or operating systems are replacing plastic ID badges for workers and the check-in process for visitors. The goal is to digitally connect anyone entering the building while minimizing direct contact. Body

‘It gives us a lot more control as to who comes into the building.’

Salvatore Dragone, director of property management for Rubenstein, speaking about preregistration for entry.

scanners and air sensors are expected to become more prominent in the future.

Unlike the extra security measures of the post-9/11 world, which were plain to see, the latest changes will go largely unnoticed, said Jurgen Timperman, president of fire and security at Carrier Global, a provider of building operating systems based in Palm Beach Gardens, Fla.

“With these applications, we have all the information we need about someone before they get to the building,” he said. “So the days where somebody sits behind a desk with a big book and pen are all but over.”

Building apps allow users to upload identification and other credentials, like their vaccine status, and offer the flexibility to add functions like health questionnaires that prescreen employees or visitors before their arrival. The apps can also track users throughout a building, which can help companies use space more efficiently or close areas to reduce occupancy.

Vendors are tight-lipped when it comes to how much building systems cost, as are the landlords who have installed them. One problem, they say, is that price varies with a building’s size and layout and the number of people, sensors and functions on the system.

The behind-the-scenes overhaul of security systems is catching on in office buildings and even at universities. Students and faculty at the Rochester Institute of Technology in upstate New York, for example, use a system from Carrier for mobile entry to buildings on campus.

The New York developer Silverstein Properties has introduced a contactless entry system for tenants at 7 World Trade Center in Manhattan that allows employees to use badges stored in Apple Wallet to gain access to office and amenity spaces. And at Deutsche Bank’s new offices in the former Time Warner Center, vaccination status is loaded onto employee badges for entry through its turnstiles, a spokesman said.

In August, Rubenstein Partners rolled out a platform and app from Hqo, a provider of building operating systems, at a 500,000-square-foot office building known as 25 Kent in Brooklyn, about 16 months after it opened. Rubenstein had decided before the pandemic to use the technology in the new development, but the desire to create a contactless entry hastened the timing.

“In the past, when someone visited an office, you’d hand your ID to a security person. But with Covid, distance became a concern,” said Salvatore Dragone, director of property management for Rubenstein, which is based in



CARLY JONES FOR THE NEW YORK TIMES



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Philadelphia. “Now you can preregister, and your phone opens a turnstile or elevator door. It gives us a lot more control as to who comes into the building.”

In addition to the apps, permanent but discreet temperature and body scanners and air sensors in lobbies and elsewhere could become more commonplace, especially if other airborne viruses or more coronavirus variants emerge.

As property managers continue to reimagine the office lobby, tenants and visitors can also expect a “concierge feel” in addition to basic security, Mr. Dragone said, as music, HVAC fragrance diffusers, art and other experiential elements become more commonplace.

And those plexiglass dividers? “I don’t think they’re there for good,” he added, “nor do we want them to stay longer than need be.”

The technology continues a movement to automate manual processes across industries. But in commercial real estate, it is also part of a trend to create a more hospitable and inviting atmosphere by borrowing ideas from hotel lobbies, like seating lounges and meeting areas, said Lenny Beaudoin, who oversees workplace, design and occupancy for CBRE, a commercial real estate brokerage firm. CBRE also creat-

ed Host, an app for tenants and landlords, and other digital building operating solutions.

“What owners are providing in lobbies is largely a response to what tenants want, and ultimately that’s a more connected experience,” said Sandeep Davé, the chief digital and technology officer at CBRE. “The focus now is on the convergence of functions on a smartphone that will provide a contactless experience and encourage people to return to work, and to return safely.”

The pandemic has accelerated interest in contactless solutions, said James Scott, the lead researcher at the Real Estate Innovation Lab at the Massachusetts Institute of Technology.

“In light of Covid, the acceptance of new technology and its implementation became extremely important,” he said. “The adoption rate has accelerated by anywhere from three to five years.”

In a 2021 global survey, nearly two-thirds of 250 respondents said they had either adopted mobile credentialing to control building access or planned to over the next two years, according to IFSEC Global, an international security and fire safety news and conference organization in London.

Despite the urgency created by the pandemic, some landlords and property managers are still mulling how to best strengthen their lobby safety and secu-

Top and above right, contactless entry at 25 Kent, a 500,000-square-foot office building in Brooklyn. Above left, using a phone to gain access to a meeting room at the Rochester Institute of Technology. Some building apps let users upload their vaccine status.

ity, and by how much.

Complicating matters is the lack of a unified system. The sector for building software solutions remains fragmented, with several property technology companies competing. And the abilities are still being explored. For instance, apps have been developed to automatically call an elevator when a person enters a building, but technology providers have yet to roll out the feature in a significant way, Mr. Scott said.

The same is true for the deployment of automated temperature scanners, he added. In many cases, temporary temperature-taking stations disappeared in 2021, before the Omicron variant of the coronavirus took hold.

“Once a pandemic loses its steam, these types of temporary measures tend to gather dust in a storage room unless they have been integrated into the framework of the building management system,” Mr. Scott said.

Expense is also a consideration, particularly in older buildings that lack a robust technology foundation, said W.A. Watts IV, president of the Institute of Real Estate Management, an international organization for property and

asset managers.

For example, a project to retrofit an 18-year-old, 25,000-square-foot building in Birmingham, Ala., costs around \$5 a square foot just to install base infrastructure, said Mr. Watts, who goes by Chip. He and other industry observers question whether low-density suburban offices in smaller markets even need to install such intensive security and safety measures.

But technological innovation is on its way, said Dawn M. Carpenter, the founder of Dawning Real Estate and a broker who manages about five million square feet of commercial real estate in New York.

In her 200,000-square-foot office building on Staten Island, security guards at the lobby desk still call tenants when visitors arrive, Ms. Carpenter said. The guests then wait until someone takes the elevator down to fetch them. Since Omicron hit, however, no visitors have been allowed.

“Adding a building operating system is a big capital expenditure, and owners have to buy into it,” she said. “There’s not one in this building yet, but it will be coming.”

Transactions

RECENT SALE

\$1.2million

287 Court Street (between Douglass and Degraw Streets) Brooklyn



BESTREICH REALTY GROUP

Built in 1931, this three-story, 2,688-square-foot building in Cobble Hill has one ground-floor commercial unit and one rent-stabilized three-bedroom duplex apartment on the upper floors. The commercial unit was previously occupied by Seoul Tailors, but was delivered vacant along with the apartment.

Buyer: The Yao family
Seller: The Smith family
Brokers: Derek Bestreich, Luke Sproviero, Adam Lobel, Toby Waring, Gabriel Kates and Daniel Shawah of Bestreich Realty Group

RECENT SALE

\$1.825million

431 DeKalb Avenue (at Classon Avenue) Brooklyn



INVICTUS PROPERTY ADVISORS

This four-story, 8,000-square-foot building in Bedford Stuyvesant was built in 1905 and has two commercial units and six rent-stabilized three-bedroom apartments. A grocer occupies one of the retail spaces. The other commercial unit and two apartments were vacant at the time of the sale. The property was last sold in 1984 and includes two parking spaces.

Buyer: 431 DeKalb
Seller: The Cascetta family
Brokers: Josh Lipton and Andrew Levine of Invictus Property Advisors

FOR SALE

\$13.195million

1737 Pilgrim Avenue (at Westchester Avenue) The Bronx



RM FRIEDLAND

Built in 1929, this five-story, 50,855-square foot building in Pelham Bay has two commercial units and 65 apartments: 48 one-bedrooms, 15 two-bedrooms, one studio and a superintendent’s unit. Fifty-one apartments are rent-stabilized, one is rent-controlled and 13 are free market. A laundromat and a printing company occupy the retail spaces, and the building is fully occupied. The property also includes a courtyard.

Seller: Tered Realty 1737-39 Pilgrim L.L.C.
Brokers: Marco Lala, Jack Lala, Michelle Lala and David Raciti of RM Friedland

MAIA COLEMAN
Email: realprop@nytimes.com

Beijing 北京

Whirling at the Center of a Storm



CHANG W. LEE/THE NEW YORK TIMES



DOUG MILLS/THE NEW YORK TIMES



CHANG W. LEE/THE NEW YORK TIMES

Kamila Valieva of Russia finished first in the women's figure skating short program after arbitrators cleared her to compete despite a failed drug test. Valieva, 15, awaited her score, right.

Shadowed by Doping Case, Valieva Falters but Then Glides Into Lead

By JULIET MACUR

BEIJING — The applause started slowly, just single claps, before a smattering rained down on the teenage skater alone, so alone, at center ice.

That girl, the 15-year-old Kamila Valieva of Russia, had made it through a week of accusations and insinuations and legal arguments after it was discovered that she had tested positive for a banned drug several weeks before the Beijing Olympics. She was cleared to skate only a day before the start of the women's figure skating short program.

On Tuesday, with some fans in the arena clearly supporting her, Valieva was finally back at the main rink doing what she had come to do. Those who know her best say she is so good and performs so effortlessly that she appears born for events like this.

With long, beautiful lines and the sublime grace and agility of a prima ballerina, Valieva — for a movingly sad few minutes — floated through most of the routine she performed to “In Memoriam” in a hushed arena. She stumbled on her opening jump, a triple axel, which she had trouble with during a practice earlier in the day. But in her flowing purple princess dress, she slipped back into character and continued her whirling jumps and spins, as if the past week's chaos had never happened.

As soon as the final note sounded, though, she snapped back into the real world. The teenager who often carries around a pastel stuffed rabbit struggled to hold back her tears.

Just as many expected going into this Olympics, Valieva had finished first in the short program because her technique is

textbook and she moves to the music with every inch of her body. With 82.16 points, she leads the field into Thursday's free skate. The combined score of the short program and the free skate will determine the winner.

The gold, though, may have to wait: Olympic officials have already announced that they will award no medals in the event if Valieva finishes in the top three, saying they will wait to do so until her doping case is resolved.

Valieva's Russian teammate Anna Shcherbakova scored 80.20 points to finish in second place. In the surprise of the night, Japan's Kaori Sakamoto was third, with 79.84 points.

The short program, as it turned out, had not ended with the Russians dominating and setting themselves up to sweep the

medals, as was widely expected. Alexandra Trusova, the third Russian skater and one who is especially known for her jumps, was fourth after falling on her triple axel. She said she didn't know what went wrong. In training in Moscow, she added, she had landed the jump again and again.

“I don't know what I expected, but I imagined it would be somehow different,” she said. “After I fell off the axel jump, the rest I did easily.”

After her performance, Trusova sat stone-faced in the area where skaters wait for their scores, as if it hadn't even registered yet that she could score 74.60 points and sit just off the medals stand as the women go into the free skate.

Shcherbakova, the reigning world champion, didn't want to talk about

Continued on Page B8

Whirling at Center of Storm, Valieva Takes Lead

From First Sports Page

medals — “It’s early to speak about the medals” — but she is in position, certainly, to lay claim to one after landing her double axel and three triple jumps, and checking off skill after skill with determination.

“I realized how important this skate was and I tried to pay attention to every detail,” she said.

When asked about Valieva and the doping test that has cast a shadow over the event, Shcherbakova said she would not comment on it. Valieva did not speak to reporters at all, walking past them and then skipping a news conference after the event.

Sakamoto acknowledged that there were times when she wondered what was going to happen with Valieva, but as with most skaters here she said she needed to try to block it out if she was going to skate her best.

“I’m not really focusing on those matters,” she said. “I need to focus on me.”

If Valieva goes on to win or place in the top three in this event, there will be no medal ceremony for any of the medalists, nor even a ceremony where they are awarded stuffed Olympic panda mascots, because her doping case remains under investigation. Already, medals for the team event Russia won last week, when it beat the United States and Japan, are on hold until her case is resolved.

Valieva would normally be subjected to more drug tests at the Olympics, having been a top finisher in the team event. The International Olympic Committee

An American coach asks, ‘What’s the point of having an event like this?’

also has said Russian athletes, because of the country’s scandal-marred past, face “enhanced testing.” But it has not detailed how that is carried out.

Critics, including the 2018 Olympic medalist Adam Rippon and the NBC commentators Johnny Weir and Tara Lipinski, have suggested Valieva’s presence in the women’s event has ruined it, spoiling both the integrity of the event and the Olympic experience for all of the skaters, all of whom now must compete while one of the biggest scandals in recent Olympic history unfolds around them.

“It’s a joke, now this is a joke,” Rippon, a former Olympian who coaches the American Mariah Bell, said before the short program. “I don’t know how anybody watches this without in the back of their mind saying, ‘This girl, whatever medal she wins, it most likely will be stripped.’ What’s the point of having an event like this?”

South Korea’s Yuna Kim, the 2010 Olympic champion, posted on her Instagram page that she also disagreed with Valieva’s continuing to compete in the Games.

“Athlete who violates doping cannot compete in the game,” Kim wrote. “This principle must be observed without exception. All players’ efforts and dreams are equally precious.”

The top American in the short program was Alysa Liu, who finished eighth after a clean, peppy program. Bell was next, in 11th place. Karen Chen, in her second Olympics, tumbled to 13th after falling on her triple loop and getting up gingerly to finish her program. Chen was fourth at last year’s world championships.

Bell also had one fall in her short program. Afterward, in response to questions about Valieva and the doping case, she said she wanted to focus on her skating. But she did say the cancellation of the medals ceremony for the team event had been upsetting.

Bell, 25, wasn’t chosen to compete in the team event and instead cheered on her teammates from the stands as they performed. The United States won the silver medal while the Russians took the gold.

“Obviously, I feel sad for my teammates,” Bell said. “It seems wrong to punish people who have done things the right way.”

Daniel Victor, Alan Blinder and Tariq Panja contributed reporting.



Alexandra Trusova of Russia stumbled to fourth place. “I don’t know what I expected,” Trusova said, “but I imagined it would be somehow different.”



Anna Shcherbakova of Russia, the reigning world champion, was in second. “I tried to pay attention to every detail,” she said.

A Skater’s Test Reveals Three Heart Medications, but Not All Are Banned

By TARIQ PANJA

A sample provided by a teenage Russian figure skater to an antidoping laboratory before the Beijing Games included three substances that are sometimes used to help the heart, according to a document filed in her arbitration hearing on Sunday.

The skater, Kamila Valieva, was cleared to continue competing in the Games by a panel of arbitrators on Monday even though a drug found in her system, trimetazidine, is on the list of drugs banned by global antidoping officials. Valieva, 15, provided the sample in December, but Russian antidoping officials said they had learned of her positive result only last week.

But according to documents reviewed by The New York Times and confirmed by someone who took part in the hearing, the Stockholm laboratory that carried out the examination of Valieva’s sample also found evidence of two other substances that can treat the heart but are not on the banned list. Valieva even listed them, Hypoxen and L-carnitine, on a doping control form.

The presence of trimetazidine in Valieva’s system may have been a mistake, Russian and Olympic officials have suggested. But the discovery of several substances in the sample of an elite athlete, especially one as young as Valieva, was highly unusual, according to a prominent antidoping official.

“It’s a trifecta of substances — two of

which are allowed, and one that is not allowed,” Travis Tygart, the chief executive of the United States Anti-Doping Agency, said when told of the discovery. He added that the benefits of such a combination “seem to be aimed at increasing endurance, reducing fatigue and promoting greater efficiency in using oxygen.”

Earlier on Tuesday, a member of the International Olympic Committee’s executive board told reporters that Valieva’s positive result might have stemmed from a case of contamination with medication that her grandfather had been taking. And in testimony provided to an earlier hearing with Russian antidoping officials on Feb. 9, and later submitted as evidence in Sunday’s hearing in Beijing, Valieva’s mother said her

daughter had been taking Hypoxen because of heart “variations.”

Valieva’s grandfather did not testify in the original hearing in Russia, but he did provide a video shot in a car, according to a portion of the document. In the video, the document said, he said that he had used trimetazidine periodically when he experienced “attacks” and showed a packet of the medication to the camera. Valieva’s mother said in her evidence in the Russian hearing that Valieva’s grandfather had accompanied the teenager to practice on a daily basis and had stayed with Valieva until her mother returned home from work.

L-carnitine, a naturally occurring substance that converts fat into energy, has surfaced in significant doping cases in

the past. In 2019, Alberto Salazar, then a coach of some of the world’s top distance runners, was barred from the sport for four years in part for giving improper infusions of the substance to his athletes in an effort to bolster their performance.

L-carnitine is allowed when taken orally, Tygart said, but prohibited if given in large amounts by an infusion or IV because it could give an unfair performance-enhancing advantage. It was not clear how Valieva had taken the supplement, or the concentration in her sample.

The World Anti-Doping Agency, which is charged with policing doping in global sports, declined to comment on the document. The Russian antidoping agency known as Rusada, did not immediately reply to a request for comment.

Moment Passes, And a Medal Loses Its Luster

There will be no winners. If Kamila Valieva duplicates the nearly flawless skill she has flashed so far at the Beijing Olympics on Thursday, she will

KURT STREETER

SPORTS OF THE TIMES

be a lock to finish first in the women's skating competition. First place, but she will not take home the gold medal, not yet, possibly never.

First place, but skaters who finish behind her will always wonder what might have been if she had been barred from taking the ice after testing found a banned substance in her blood.

First place, but the entire 2022 Winter Games, already controversial because of China's record on human rights, will carry yet another scar.

Nobody wins.

The whole affair makes me think less about Valieva than her competitors. They include not only the women in the individual skating tournament but the team of United States skaters who took silver in last week's dual-gender team competition, won by a dominant Russian squad led by Valieva, the lithe and talented 15-year-old.

The controversy over Valieva has rightfully received full-throttle attention, but her competitors have been overlooked. Each will now perform in an odd sort of limbo. If Valieva finishes among the top three after Thursday's free skate, the International Olympic Committee has decided the traditional medal ceremony will not take place.

It may take weeks or months to determine whether Valieva should receive a medal or have her entire Olympics expunged from the record books.

What must it be like for Valieva's rivals? To get a sense, I reached out to Kara Goucher, a former Olympian who is now a track and field commentator for NBC and a leading voice in the movement for clean sport. She knows a thing or two about getting cheated.

Goucher competed for the United States in the 2008 and 2012 Summer Games, running middle-distance events and the marathon. Toward the end of her career, she helped blow the whistle on her famed and now disgraced coach, Alberto Salazar, for pushing performance-enhancing drugs on some of his athletes.

Goucher said she hadn't planned to pay much attention to this year's Beijing Games. The figure skating and controversy over Valieva sucked her in. She watches with a grimace.

"This whole situation is just a slap in the face to all the clean athletes," Goucher said, speaking this week by phone from her home in Boulder, Colo.

What became clear as we spoke is something worth remembering: The psychological burden that weighs on athletes who play by the rules as they square off against those who don't. "We're asking the other skaters to be mentally strong beyond what anybody should ever be asked," she said. "We're asking them to say, 'Hey, this person has had a positive test, but you know, you need to ignore that and go in there and still believe you can do it. Even though this other athlete potentially has an advantage that you could never have, rise to the occasion. It's ridiculous.'"

Goucher never won an Olympic medal. But she did have a breakout performance at the 2007 world championships in Osaka, Japan, placing third in the 10,000-meter run, becoming the first American to win a medal in the event.

The bronze was hailed by the American track community as proof that distance runners born and raised in the United States could compete with anyone. But these days, she can't help thinking about what her career would have been like if she'd stood on that podium and received the silver medal instead of the bronze, a seemingly small difference but one that would have meant not just extra prize and sponsorship money but also extra self-belief.

She can't help thinking about it because, in 2015, a re-examined blood test showed the second-place finisher in the Osaka race,

Turkey's Elvan Abeylegasse, doped. After long appeals by her rival, Goucher's bronze became silver. Track officials sent it to her in 2020, 13 years after the race. When she saw the small box arrive in the mail, knowing what was inside, she said she could not open it. There were many emotions: joy, frustration, anger, relief. Goucher and her husband, Adam, another former Olympic distance runner, along with their young son, held an impromptu awards ceremony in their living room. Friends hopped on Zoom to congratulate her.

"Unfortunately, by the time I got that silver, I'm not the same person I was in 2007, and certainly not the same athlete," she said. "It was surreal. My moment has passed. And so, while I appreciate trying to right the wrong, it was too little too late."

What a shame if something similar happens again after the Beijing Games because of Valieva's extra edge.

As expected, Valieva took to the ice at Beijing's Capital Indoor Stadium on Tuesday and put on a memorable short program, the first leg in the women's skating competition. Surrounded by controversy and suspicion, and with the eyes of the world upon her, she flowed across the ice, combining graceful skating with powerful leaps and a ballerina



NICK LAMM/GETTY IMAGES

Kara Goucher was awarded a silver medal for a 2007 race when a rival was caught cheating. The medal arrived in 2020.

Sometimes trying to right a wrong proves too little too late.

command of the stage.

But should she have been on the ice Tuesday?

Should she be on the ice when the competition finishes with a long program on Thursday?

Power speaks. It's that simple. The bodies that oversee international sport laid the groundwork for the Valieva affair by giving a slap of the hand to Russia after it engaged in brazen cheating involving more than 1,000 athletes along with dozens of coaches and officials at the 2014 Sochi Games.

Instead of being barred outright from competition for long enough to send a stern message, Russian athletes have competed in every Olympics since. They are supposed to receive extra vetting to stave off the use of performance-enhancers like the medication recently found in Valieva's blood that is thought to increase the heart's efficiency.

Now, to the chagrin of Goucher and many others, if Valieva ends up among the top three performers in the individual event, perhaps more athletes will receive their medals by mail. That does nothing but rob the top finishers of the moment most precious to Olympians, the moment that sustains them during the months and years of wrenching practice. Standing on the podium, hearing their national anthem — that, of course, is the goal for every athlete at every Olympiad.

Now it will be gone. The other skaters will have to wait and wonder: Will the fourth-place finisher become a bronze medalist? Will bronze medals become silver and silver become gold?

How long will this take to sort out, and how long will the staircases remain on skating, a crown jewel of every Winter Olympics?

Kamila Valieva of Russia struggled to hold back tears after her short program. Olympic officials have announced that they will award no medals if Valieva finishes in the top three, saying they will wait until her doping case is resolved.



DOUG MILLS/THE NEW YORK TIMES



CHANG W. LEE/THE NEW YORK TIMES

Young You of South Korea, top, was in sixth. Kaori Sakamoto of Japan, left, who was in third, said she was trying to focus on herself. The American Mariah Bell, right, was in 11th. Bell's coach called the Valieva situation "a joke."



DOUG MILLS/THE NEW YORK TIMES

A MEDAL MACHINE IN DISREPAIR



Corinne Suter of Switzerland won gold in the women's downhill on Tuesday. American Alpine skiers are in danger of posting their lowest medal tally in 20 years.

PHOTOGRAPHS BY HIROKO MASUKE/THE NEW YORK TIMES

How Americans Lost Their Alpine Dominance

By MATTHEW FUTTERMAN

YANQING, China — Not very long ago, the leaders of Alpine skiing in the United States believed they had built something lasting, that the record medal haul Americans achieved at the 2010 Vancouver Games signaled a machine capable of churning out champions for years.

A dozen years later, at the Beijing Games, American Alpine skiers are in danger of posting their lowest medal tally in 20 years.

Ryan Cochran-Siegle surged to a silver medal in the super-G, but Mikaela Shiffrin, who has largely trained outside the U.S. system, has had the most disappointing Olympics of her career, with one last chance to win an individual medal in Thursday's combined event after failing to finish a single run in her two best events.

The machine that had nurtured a golden generation of skiers who became repeat Olympic medalists, including Bode Miller, Lindsey Vonn, Ted Ligety and Julia Mancuso, has fallen victim to — depending on whom one asks — some unlucky injuries, the choice to go all-in on the present rather than invest in the future, or some combination of both.

"We tried to do a lot of different things, including helping people win on the World Cup level," Sasha Rearick, the head men's coach for the men's Alpine team from 2008 to 2018, said of the U.S. Ski and Snowboard Association. The organization oversees Alpine skiing and six other disciplines.

"In the end we had less clarity," he added. "We were not as steadfast on a clear mission."

Not so, according to Tiger Shaw, who has led the organization since 2014 and will depart after the Beijing Games.

Shaw compared the association to a private equity firm, with annual revenues of about \$38 million

a year, that places high-risk bets and provides expertise in the form of coaching.

"It's a resource allocation game," Shaw said. "You're trying to do the right thing in many areas, trying to give everyone a chance and at the same time support the very best athletes."

What is not up for debate are the results: The team the United States brought to Beijing has struggled to compete with the best skiers in the world on the sport's biggest stage.

The Americans have just one medal through eight races, and have failed to have a skier in the top 10 in four races. The American men did not have an entrant in the men's combined event for the first time since it was reintroduced to the Olympic program in 1988.

After finishing fourth in the giant slalom, River Radamus, a 24-year-old from Colorado, said he was well aware of the large ski boots to be filled. "I hope we can live up to the legacy," he said.

The team was weakened on the eve of the Games when Breezy Johnson, thought to be a medal contender in the women's downhill, withdrew with an injury.

Also, ski racing can be incredibly random, especially in the pressure cooker of an Olympics, and on the new hill in China where the top skiers have never competed. World champions like Shiffrin can slip. Long shots like Austria's Johannes Strolz, who tunes his own skis and won the combined, can prevail.

Still, the more skiers a team has with a history of success, the better its chances of winning medals. But while the team was building its medal collection from 2006 to 2014, there was less emphasis on building depth within the next generation of racers.

With a gifted collection of skiers at the peak of their careers, the U.S. Ski and Snowboard Association decided to invest heavily in



Mikaela Shiffrin, who finished 18th in the downhill, has one more chance for an individual medal.

elite performance. At the top level, few expenses were spared. The organization hired top coaches from Europe, a director of sports science from Australia, and another specialist, a former surgeon and physiologist named Jim Stray-Gundersen, who had spent years working with Norway's Olympic development program, which is widely considered the best in the world.

The organization opened a gleaming headquarters and training center in Park City, Utah, and spent as much as \$1 million a year on research for elite athletes, not just in Alpine but in all disciplines. Those investments have helped the U.S. maintain its supremacy in snowboarding and become competitive in women's cross-country skiing.

For the top Alpine skiers, there were also off-season training camps in Chile and New Zealand. The organization even paid to have the training slopes prepared in the same fashion as the hard and icy World Cup tracks, a move that several teams in Europe have since copied.

A handful of top skiers had all their travel and training expenses covered. Younger skiers, though,

had to cover costs that can stretch as high as \$30,000 a year.

When Cochran-Siegle was finishing high school as a nationally and internationally ranked amateur, he got an email congratulating him for being selected to the U.S. Ski Team's development squad, or D-Team, a big step toward the highest levels of the American ski racing hierarchy. It included an invoice for training and coaching for \$5,000.

His mother, Barbara Ann Cochran, an Alpine gold medalist in 1972, wrote back and declined the invitation, in part because she didn't have the money. The ski team replied that it had found some funding — in the form of grants and scholarships — that would allow Ryan to join the team. But his early career also relied on the generosity of the extended Cochran ski racing family, which provided regular lodging at national ski team training settings.

Still, the sport's expenses made trying to advance from promising junior skier to world-class competitor a risky, and expensive, proposition. A full scholarship to a top college with a competitive ski team became a far safer path, though few at the top of the sport

would argue it provides the training necessary for a career as a top professional skier.

Financing for developing skiers was not restored until 2018.

"At the time, it was exactly the right strategy," Luke Bodensteiner, the former director of sport for the organization, said of investing in the best of the best.

"What we were saying was, 'Give Lindsey and Bode and Ted and Julia everything they would get if they were from Austria,'" Bodensteiner said.

That gamble paid off in medals, but at a cost. American coaches suspect the organization may have missed out on a handful of prospects who might now be entering their prime.

Bodensteiner said if he could go back, he might have been more patient and tried to figure out how to build a lasting foundation for Alpine success, knowing that the payoff might not arrive for several more Olympic cycles.

"We knew we had amazing athletes," Bodensteiner said. "The choice boiled down to, do we compromise them and try to continue with some things that will not pay off for 12 years or go all in on them to make it happen?"

U.S. Ski Team Hopes Star Rallies To Help Salvage Difficult Games

By BILL PENNINGTON and MATT FUTTERMAN

After a middling performance in Tuesday's downhill, Mikaela Shiffrin will have one more shot for an individual medal in Thursday's combined event, one last chance to flip the script on what has been her most difficult Olympics.

Shiffrin, who failed to make it through the first few seconds of her first two races at these Games, quickly turned her attention to the combined event after completing a downhill race that in some ways was just more practice for what was to come, especially after an 18th-place finish, 2.49 seconds behind the gold medalist, Corinne Suter of Switzerland.

The combined event consists of one run each of Shiffrin's worst and best disciplines, downhill and then slalom. Of her 73 career World Cup victories, only two have been in the downhill, and she has not won a downhill since January 2020. But when Shiffrin stays on her skis, no one can match her in slalom, and the trick will be to remain just close enough to the downhill specialists to catch them on the slalom course. She captured the silver medal in combined four years ago at the Pyeongchang Olympics.

"Nothing is guaranteed, and I think that is the No. 1 lesson that people learn at the Olympic Games," she said in a thinly veiled reference to her falls in the slalom and giant slalom here. "Every day I get on that track and I am able to do a solid run top to bottom, it gives me this chance to be a little more calm in my mind."

The emotionally shaken Shiffrin from last week is mostly gone now, but she struggled to be as comfortable as she needed to be with the treacherous speed of the downhill at crucial moments on Tuesday. She found herself fighting it, putting on the brakes with her skis and rising out of her tuck instead of riding the momentum down the mountain in the fashion of the best downhillers.

"I have a lot to learn in downhill, and I'm trying to take a crash course," Shiffrin said. "I don't expect much from results but I want to ski the hill the way that it is the most fun to ski, which is skiing with the hill and making speed, and you can feel the acceleration."

Suter continued the Swiss Alpine clinic at these Games. Her victory gave her country its fourth gold medal in an Alpine event, and its seventh Alpine medal overall. Suter's time of 1 minute 31.87 seconds beat Sofia Goggia of Italy by 16-hundredths of a second. Nadia Delago, another Italian, took the bronze.

Shiffrin had a clean, smooth run but not one with the kind of fearless, aggressive speed necessary to win one of the signature events of the Alpine meet in the Olympic Games.

This is not the way the Olympics were supposed to go for Shiffrin. She may still win a medal, perhaps even gold, and barring a sudden and unexpected change in plans she will be the rare skier to race in five individual races. She even plans to participate in a team event on Saturday.

For Shiffrin though, these Games have turned into a mostly forgettable experience that will require some soul searching to discover a silver lining. That will have to wait.

For now, there is another individual event that makes for a long and physically draining day. It requires a skier to bomb a downhill then reset mentally for the precision of a slalom run, while trying to put whatever happened in the downhill out of one's mind and "start slalom like it's a new day," Shiffrin said.

"The events could not be more opposite," she said, before heading off for lunch and some rest. "It's like doing two different sports in one day."



HIROKO MASUKE/THE NEW YORK TIMES

Suter's win, by 0.16 of a second over Sofia Goggia of Italy, gave Switzerland its fourth gold medal in an Alpine event.

Beijing 北京



The U.S. finished third in men's speedskating team pursuit after falling to Russia in the semifinals. One American said the Russians had the "race of their lives." Norway ended up with the gold.

Failure and Success: American Men Take Bronze in Team Pursuit

By KEVIN DRAPER

BEIJING — The United States finished third in speedskating's team pursuit on Tuesday, collecting the second American speedskating medal of these Olympics. The United States men are the world record holders in the team pursuit and were favored to win the event, making the third-place finish equal parts success and disappointment.

The American team of Joey Mantia, Casey Dawson and Emery Lehman defeated the Netherlands in the B final — effectively the bronze medal race — by almost three seconds. Norway won the gold, for the second Olympics in a row, defeating Russia in the final.

But an unexpected decision potentially cost the United States a chance to race Norway in the final. Mantia, the most accomplished American skater, did not skate in the semifinals against a team from Russia, with Ethan Cepuran chosen instead by the team to race with Dawson and Lehman.

Dawson, Lehman and Cepuran skated well, leading through the middle of the race — their time of 3 minutes 37.05 seconds was faster than the Olympic record (and faster than the Americans skated with Mantia in the B final). But the Russians skated an even better race, and won by almost half a second.

Cepuran and Mantia both said they were only a little bit disappointed by the semifinal loss. "How unlucky do you gotta be that Russia goes four seconds faster in their semi than their final?" Mantia said. "Race of their lives. You can't really be sad about it. It's just kind of unlucky."

The plan was always for Mantia to not skate in the quarterfinals, the team said. Before the semifinals the skaters sat down and talked frankly about how they all felt, and that conversation resulted in Cepuran's skating in the semifinals instead of Mantia. After the semifinals, Cepuran was more tired than Dawson, who arrived at the Olympics late and was fresher, so he stepped aside for Mantia.

In the men's team pursuit, three team members skate in single file only inches apart for eight laps,

with the time of the last skater to cross the finish line counted. Usually every lap or two the front skater, who does the grueling work of setting the pace while the others glide in his slipstream, peels to the back and lets a new teammate lead, and suffer.

As a group of individuals, the United States skaters are less accomplished than most of their opponents. None of them had won an Olympic medal before and, besides Mantia, none have come particularly close. Their opponents in the bronze medal race, the Dutch, were led by the nine-time Olympic medalist Sven Kramer and the four-time medalist Patrick Roest.

But the United States has prioritized the team pursuit over the past four years with a bold and innovative strategy that has upended how the race is run. Instead of exchanging the role of who skates up front, the United States has one member lead the entire race, while his teammates use the energy saved to physically push one another forward. The strategy has had success: The Americans set the world record in Salt Lake City in December, and the Norwegians, who won the gold on Tuesday, freely admit to having copied it.

The bronze medal is the first for all the United States skaters, and came in the third, and possibly final, Olympics for Mantia, who is 36. Last week he seemed he seemed resigned to retiring without ever winning an Olympic medal after finishing sixth in the 1,500 meters.

"It's heartbreaking, you know," Mantia said at the time. "I really thought that this was my chance."

It was difficult to be too disappointed, then, after finally winning a medal. "I feel like the weight's been lifted in a sense," Mantia said. "I'm an Olympic medalist."

In the women's team pursuit, the favored Canadians defeated the Japanese and set an Olympic record. The Japanese led the entire race, but on the final curve Nana Takagi suddenly lost her balance and fell, handing the gold medal to the Canadians. The Netherlands defeated Russia for the bronze.



Canadian skaters won the gold medal in women's team pursuit, setting an Olympic record. The Japanese team, below, led for most of the final race but settled for silver after one skater lost her balance and fell on the last curve. The Netherlands took the bronze.



Parity Meets Reality as U.S. Faces Canada in Women's Hockey Final

By ALAN BLINDER

BEIJING — Andrea Braendli, a Swiss goaltender, had no delusions of an Olympic gold medal.

"If we play for a gold medal," she said ahead of the Beijing Games. "It's going to be a miracle on ice."

Her assessment was as clear-eyed as any about the women's hockey tournament. For all the talk about, and hope for, parity in women's hockey, the tournament will conclude like all but one other at an Olympics: with Canada and the United States dueling for gold, and two others — this time, Finland and Switzerland — seeking bronze.

Measured by the average victory margins of the Americans and Canadians when they played any team besides one another, the tournament is the most lopsided at a Games since 2010, when there was open talk over whether to keep women's hockey as an Olympic sport.

That discussion is now more confined to social media and newspaper columns, and the International Ice Hockey Federation is even talking about expanding the women's tournament, which this year grew to include 10 teams, to match the 12-nation men's competition.

It could ultimately prove something of a competitive cure, and give more countries new incentives to support women's hockey programs. In the meantime,



The Americans, left, and the Canadians were overwhelming favorites to meet in the gold medal game, which is exactly what's going to happen after they dominated their competition.



PHOTOGRAPHS BY CHANG W. LEE/THE NEW YORK TIMES

They Meet Again

The U.S. women are 3-6 against Canada at the Olympics.

1998 NAGANO	Preliminary round	U.S., 7-4
	Gold medal game	U.S., 3-1
2002 SALT LAKE CITY	Gold medal game	Canada, 3-2
2010 VANCOUVER	Gold medal game	Canada, 2-0
2014 SOCHI	Preliminary round	Canada, 3-2
	Gold medal game	Canada, 3-2 (OT)
2018 PYEONGCHANG	Preliminary round	Canada, 2-1
	Gold medal game	U.S., 3-2 (SO)
2022 BEIJING	Preliminary round	Canada, 4-2

nadian clash for gold will be played on Thursday (Wednesday night in Canada and the United States).

North American players insist that women's hockey is rapidly nearing more consistently engrossing competition because of increased spending and interest around the world. Their game, like many other women's sports, is in catch-up mode; men's hockey made its Olympic debut 78 years before women's hockey.

"The gap is definitely shrinking, which is awesome from a 30,000-foot viewpoint," said Hillary Knight, an American in her fourth Olympics. "From a competitor standpoint, you always want to win, but it's wonderful to see other countries investing more in women's ice hockey and

also allocating resources because that's really what the different teams need to compete."

As the American captain, Kendall Coyne Schofield, put it: "If they don't have the tools to be successful, you're handing them a sentence that doesn't allow them to be successful. That's so often the case in women's sports: Go out and be out as good as the men with half of the resources."

Both women have sought to improve pay and brighten the sport's spotlight. The battle for public attention, though, is relentless, and there are still entrenched inequities in player development, even in a women's hockey power like the United States. In a report last year, for instance, investigators said that the N.C.A.A. had spent more than \$9,800 per student who participated in its national men's hockey tournament in 2019 — and \$3,421 per player in the women's competition.

The headwinds notwithstanding, there have been signals of possible pitfalls ahead for the Americans and Canadians, evidence that North American teams have seized upon to energize the public — and themselves — that their opponents are drawing closer.

European expectations have stayed tempered anyway.

"It's gotten a lot better where other countries are giving the U.S. and Canada a hard game, but I don't think we can say that they're

not the favorites," said Zuzana Tomcikova, the Slovak goalie in a 2010 game that the Canadians won, 18-0. "Europe is coming. It's getting there, and, if you look at it one way, slowly because it's going to take years until other countries are going to be able to compete with the U.S. and Canada."

Tomcikova, who predicted the Czech team's potential to induce some North American heartburn in Beijing, sees two developing, if far from quick, strategies to growing the game.

One is the simple fact that women's hockey, populated with elite players who remember when they were the only girls at their hometown rinks, is more visible than ever before, with widening television exposure encouraging the next generations of players to start training sooner. Another is the kind of training available, with greater sophistication, more frequency and easier access to high-quality coaching and competition.

Monday, though, showed how far the game has to go. In just more than three minutes, Canada scored five goals. Switzerland had gotten off just two shots.

So Braendli and Switzerland will play for bronze.

"Playing for a medal, it doesn't matter what kind of medal it is," she said. "It's a huge deal."

It was also, just about everyone knew, the best anyone beyond North America could have aspired to this time.

 **Beijing** 北京

Americans Take Gold and Silver in Men's Slopestyle Skiing

Three Americans looked to crowd the medal stand at the men's free-style skiing slopestyle event, hoping that a European-centric field would not disrupt those plans. Two of them did it: Alex Hall won gold and Nick Goepper took silver on another sunny, below-zero day at Genting Snow Park. Jesper Tjader of Sweden won bronze.

In a competition where only a skier's best score counted, Hall set a high bar early with a 90.01 score on the first of three runs. When he landed his last jump, his hoot could be heard throughout the finish area.

Everyone else spent the morning trying to make more noise. Goepper came closest, on his second run, scoring 88.48.

All right," he said when the score popped up. "I'll take it."

Each of the Americans in the final arrived with high hopes and a stirring story. Goepper, 27, was looking to complete a full rainbow of medals, having won a bronze in 2014 and a silver in 2018. He has battled alcohol abuse and depression, opening up about his struggles after his 2018 performance in Pyeongchang, South Korea.

In an interview last month, Goepper said that he was glad that other Olympians seem increasingly willing to discuss their mental health.

Colby Stevenson, 24, was in a near-fatal car accident in 2016, late at night on a rural road in Idaho. He spent days in a coma, but recovered to return to the global circuit about a year later. At these Olympics, he won a silver medal in big air, but thought that slopestyle provided a better chance to medal.

Stevenson finished seventh. "Gave it everything I had," he said after his final run.

The day belonged to Hall. The 23-year-old was born in Alaska but grew up mostly in Switzerland, the son of professors at the University of Zurich. He did not have coaching until he was 16, when he was invited by the U.S. freeski team to train in Utah. For a time, he considered competing for Italy, where his mother is from.

He was 16th in slopestyle at the 2018 Pyeongchang Winter Olympics, just as his career was taking off. He won a World Cup event that year and the X Games in 2019. He was third at last year's world championships.

"You'll see him doing a whole bunch of taps and nose butters and creative ways to utilize the course," U.S. freeski coach Dave Euler said of Hall in December. "He's a very creative course user."

The contest was the final showing for the slopestyle course, a standout venue — but a temporary one, made of snow — designed to look like a section of the nearby Great Wall. **JOHN BRANCH**

SNOWBOARDING Defying Age, Austrian Retains Big Air Crown

In 2019, Anna Gasser of Austria made history by becoming the first woman to land a cab double cork 1260 — three and a half rotations on her snowboard, with two of them overhead. She made history with the same trick again on Tuesday by becoming the first back-to-back Olympic gold medalist in women's big air.

Zoi Sadowski-Synnott of New Zealand took second place, and Kokomo Murase of Japan, one of the youngest riders in the event, came in third.

Gasser, who at 30 was the oldest rider in a field where the average age was 20, set the tone early in the final, perfectly executing a frontside 1080 in her first run. But Sadowski-Synnott quickly overtook Gasser with a frontside 1080 of her own, moving into the top spot, where she stayed until Gasser's last run.

Gasser is considered one of the sport's most daring riders and is the only woman to have landed a triple cork — three flips done on a rotation. So when she strapped in for her final run — her only chance to bump Sadowski-Synnott — the snowboarding world waited on an expected triple cork. Instead, Gasser landed her third run with a cab 1260 and proudly threw her hands in the air as other riders ran over and embraced her.

With one more chance to retake first place, Sadowski-Synnott, a confident and consistent rider, failed to land her jump, delivering the gold to Gasser.

ALEXANDRA E. PETRI

FREESTYLE SKIING

Gu Adds a Silver To Her Collection

Eileen Gu has a way of attracting attention, and a growing habit of creating dramatic effect.

An 18-year-old freestyle skier



FREESTYLE SKIING From right, Mathilde Gremaud of Switzerland and Eileen Gu of China finished 1-2 in the slopestyle competition.

from California who is competing for China, Gu arrived at the slopestyle course on Tuesday, looking for a second gold medal at these Winter Games.

Fans braved subzero temperatures to root her on, waving small flags and oohing with each of her tricks. Cameras and heads were aimed in her direction constantly. Commotion followed her around the slope.

Just as she did a week earlier when she won big air in stirring come-from-behind fashion, Gu had a chance to win it in the end. Just as she did before, she handled the pressure and landed a big score.

This time, though, Gu fell just short of the gold medal. She could not quite match the score of Mathilde Gremaud of Switzerland, leaving Gu with a silver medal that did not seem to dent her enthusiasm or the spirits of those she has charmed.

"It really came down to the last run — again," Gu said, chewing on a steamed bun that her mother had handed her after the competition. "I don't know why I keep doing that to myself."

JOHN BRANCH



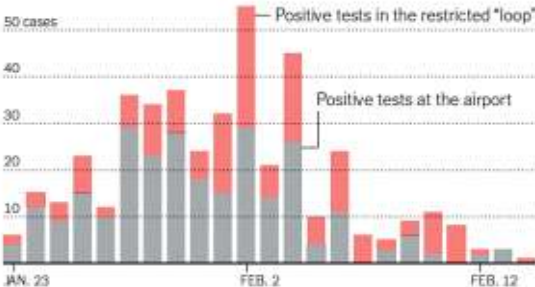
FREESTYLE SKIING Gremaud crashed on her last run but withstood a challenge from Gu.



BOBSLEIGH Germany's Francesco Friedrich and Thorsten Margis won gold, with countrymen on either side taking silver and bronze.

Newly Reported Covid-19 Cases at the Olympics

Positive test results among people with Olympic credentials. Almost 70,000 tests are given each day.



Note: Data is shown by the date in Beijing when a case was announced, and it includes athletes, team officials and other staff members and stakeholders. Those who tested positive before their departure to the Games are not included in the chart above. | Sources: 2022 Beijing Organizing Committee and staff reports

THE NEW YORK TIMES



Athlete to Watch

Hilary Knight

HOCKEY Knight, an alternate captain playing in her fourth Olympics, helped lead the United States to the gold medal game with a goal and an assist against Finland in the semifinals. The Americans will be going for their second consecutive Olympic title when they face their archrival, Canada, on Wednesday. The U.S. and Canada have played each other in five of the previous six Olympic women's finals. Canada has taken gold three times against the U.S. and four times overall, but the Americans won in 2018.

Knight, 32, who is tied for the U.S. record for career Olympic goals (11), will be competing in her 22nd Olympic game, breaking a tie with Jenny Potter and Angela Ruggiero.

Olympics Dispatch

Let Down by Scandal, Commentators Hush

The former Olympians Tara Lipinski and Johnny Weir, who have for years provided the cheery and chatty soundtrack to NBC's coverage of Olympic figure skating, took a starkly different tone when Kamila Valieva of Russia was on the ice in the women's single short program on Tuesday.

They instead remained uncharacteristically quiet throughout the performance by Valieva, the 15-year-old Russian skater at the center of a doping scandal. Weir and Lipinski, former Olympians who have called the sport together since the 2014 Sochi Games, spoke only twice, in fact, and only to note certain moves.

"All I feel like I can say is that was the short program of Kamila Valieva at the Olympics," Weir said after her routine ended. Lipinski reminded viewers of Valieva's positive test. "We should not have seen this skate," she said.

Despite stumbling on her opening jump, a triple axel, Valieva finished first. She leads her fellow Russian Anna Shcherbakova and Japanese Kaori Sakamoto heading into Thursday's free skate.

Leading into the event, Weir and Lipinski described on NBC the emotions they were experiencing.

"Seeing her on the Olympic ice right now with everything we discovered over the last week, I didn't think it was going to happen," Lipinski said. "And again I don't think it should be happening."

"I feel so uncomfortable as a skater and a skating fan having to commentate her performance simply because she should not be able to compete," Weir said. Lipinski agreed.

ALEXANDRA E. PETRI

Medal Leaders

	G	S	B	T
Norway	12	7	7	26
Russian Oly. Committee	4	7	9	20
Germany	9	6	3	18
United States	7	6	4	17
Canada	2	4	11	17
Austria	6	6	4	16
Japan	2	5	7	14
Netherlands	6	4	3	13
Italy	2	6	5	13
China	6	4	2	12
France	3	7	2	12
Sweden	5	3	3	11
Switzerland	5	0	5	10

As of 6 p.m. Eastern on Tuesday

THE NEW YORK TIMES



SNOWBOARDING Anna Gasser of Austria won a second gold medal in women's big air on the strength of a cab double cork 1260.

Beijing 北京

China Projects Power on the Skating Rink and the Ski Slope

From Page A1

host the 2022 Winter Olympics, would groom 300 million ice and snow sports enthusiasts by the time of the Games. Mr. Xi has made achieving sporting success a key pillar of his signature vision of a "Chinese dream," a nationalistic promise of prosperity and rejuvenation for the country.

In a country where Mr. Xi's words are often taken as gospel, many could have predicted what came next: Almost overnight, brands, investors, local governments and the public raced to respond. Ski resorts and ice rinks mushroomed around the country. Elementary and middle schools rushed to create winter sports programs. Companies specializing in snow apparel and après-ski entertainment flooded in.

"It was like a rocket taking off; suddenly everything changed," said Carol Zhang, 50, a figure skating coach in Shenzhen, a humid, subtropical city in China's south. Ms. Zhang said the number of students she instructs has nearly tripled since 2015. "So many children want to do winter sports now," she added.

Just weeks before the start of the Winter Olympics in Beijing, Chinese state media triumphantly proclaimed that Mr. Xi's targets had been met. The country now has 654 full-size ice rinks, 803 ski resorts and 346 million people who have "taken part in winter sports or related activities at least once," the official news agency said.

Officials have said the number of people was calculated using a random sampling method. Some analysts have expressed skepticism about the figures, pointing to the vague definition of sports participants.

Still, there is little doubt that the campaign has made an impact. Ski resorts in China had more than 20 million skier days in the 2018-19 season, according to a recent industry report. A skier day is the equivalent of one lift ticket that is bought and used. That's double the number in 2014 and about one-third the number of skier days in the United States during the same time. China is aiming to build a \$157 billion snow sports market by 2025 — nearly as much as the global sports market was worth in 2020.

At resorts near Beijing, cars with Thule ski racks have begun appearing in parking lots. An après-ski culture with Chinese characteristics is emerging, one that often features hot springs, hot pot and karaoke.

The craze for winter sports is not limited to skiing. Interest in snowboarding, hockey, figure skating and curling has ballooned. When Jing Gang, 41, moved back to his hometown, Tianjin, from Finland in 2007, he was dismayed to find that there were only two small ice rinks and almost no understanding of hockey, the sport he had grown to love while studying abroad.

"I used to carry the stick around

Amy Chang Chien contributed reporting.



ZHANG CHUNXIA, VIA GETTY IMAGES

Above, curling at an elementary school in northern China in 2020. Left, indoor ski resorts like this one in Chengdu, with slopes up to four football fields long, bring snow sports to hotter regions.



HOUEI, CELESTAC/AGENCE FRANCE PRESSE — GETTY IMAGES

and people would stop me and ask, 'Are you going fishing?'" Mr. Jing recalled. Others, he said, "thought it was a combat sport and very violent."

Now, just over a decade later, Tianjin has three big ice hockey rinks and a full youth league comprising around 20 teams. Mr. Jing, who now manages one of those rinks, said the sport was gaining popularity in cities across China.

Shan Zhaojian, a Chinese ski historian, drew a parallel between Mr. Xi's push and a similar effort spearheaded by Mao Zedong, who believed that mass participation in physical activity was necessary for a healthy working class.

"To build up a strong nation, you need at the very minimum to

have a strong body," Mr. Shan said of Mr. Xi's thinking.

China was not starting entirely from scratch. In the northeast and in the far west, skiing and skating traditions stretch back generations. China has also won gold medals in speed skating and figure skating.

But officials, real estate giants and international brands wanting to develop the market faced challenges, least of which were a lack of natural snowfall in much of China and the relative dearth of sports infrastructure and public transportation to ski resorts.

In the capital, Beijing, the government invested heavily in water-intensive snow-making machinery and new high-speed rail

lines. Now, residents can zip seamlessly between the city's center and the multibillion-dollar ski resorts and the powder-blanketed mountains that lie on its fringes.

In the country's hotter southern region, the solution was to build ski resorts indoors. The Guangzhou Sunac Snow World, the world's second-largest indoor ski resort, features four artificial snow runs that stretch four football fields in length. It is part of a massive complex that also includes a water world, a theme park and several hotels.

Yet some sports remain out of reach for the masses. Ski lift tickets can cost upward of \$100, while a full set of hockey gear can set a buyer back as much as \$4,000 — a

fortune in a country where the median per capita disposable income is just over \$4,700.

The cost is just one potential deterrent; many Chinese also regard winter sports as too dangerous, an impression that is not always wrong.

In a country with a shortage of qualified instructors, injuries are inevitable. More than 80 percent of China's 13 million skiers are beginners. Many novices wear stuffed animals strapped around their bottoms — mostly turtles, but other cartoonish creatures, too. These help to cushion falls and to alert others on the mountain to keep their distance.

The fear of falling is what led Bran Yang, 26, an education consultant in Beijing, to take his first snowboarding lessons on an artificial "dry" slope (think a giant downward-sloping treadmill with no snow). He had been inspired by the videos of snowboarders he had seen on Douyin, the Chinese version of TikTok, and also the advertisements in China featuring Eileen Gu, the Chinese American star skier.

Mr. Yang said he was hoping to graduate to the bunny slopes soon to test his new skills on real snow for the first time. But would he wear a butt turtle?

"Definitely. I don't want to get hurt," Mr. Yang said. "Plus I think it's kind of cute."

Mr. Yang's willingness to keep trying makes him an outlier. Only a small fraction of first-time Chinese skiers give the sport a second go.

Officials and companies are

hoping that the youth will be more committed. More than 2,000 schools around China now offer skating or skiing programs. As of 2020, 11 schools in Xining, the capital of Qinghai, had curling programs.

Young athletes were once mostly groomed by the state, but some wealthy parents are increasingly paying for private club training and equipment, seeing the experience in part as a résumé

Xi pushes to groom 300 million winter sports enthusiasts.

booster for overseas college applications.

It is unclear if the enthusiasm for winter sports will continue after the Games. Already, some ice rinks have fallen into disrepair and smaller ski resorts have closed down. But experts say such consolidation is to be expected.

Promoting the spirit of sports is one of the main goals of Mr. Jing, the ice rink manager in Tianjin, who also writes about hockey on his blog, "Hockey Dad."

"Cheer them on, don't urge them on without thinking," Mr. Jing recently wrote in a post aimed at other Chinese hockey parents. "Our main goal as hockey parents should be to infuse your children with the passion and the love to play."

TENNIS

Djokovic Makes It Clear He Won't Get Vaccinated, No Matter What

It should not come as a revelation at this stage, but Novak Djokovic is not backing down.

Not after all the drains on his energy and blows to his image.

Not after twice being detained in Melbourne, Australia, last month. Not after his deportation from that country on the

eve of the year's first Grand Slam tournament. Not after being forced to watch from afar as his longtime rival Rafael Nadal took the career lead with a 21st major men's singles title.

For now, Djokovic will still not get vaccinated against the coronavirus, no matter how much it costs him, as he made clear in an interview with the BBC that was broadcast on Tuesday and in which the interviewer, Amol Rajan, summed up a fair share of the global mood by abandoning journalistic sang-froid and imploring: "Why Novak, why, why?"

"Because the principles of decision-making on my body are more important than any title or anything else," Djokovic answered. "I'm trying to be in tune with my body as much as I possibly can."

That approach has him out of tune with his sport and his times. According to the ATP, the men's tennis tour, he is the only one of the top 100 ranked men's singles players who has not been vaccinated against Covid-19. In an international sport that often

requires players to cross borders on a weekly basis, his freedom of movement and access to tournaments will be limited depending on local pandemic restrictions.

That cannot be easy for a self-described libertarian, but this is Djokovic's choice, pure and simple, even if it resonates far beyond his personal space.

Though he plans to return to action for the ATP event in Dubai next week, his status as an unvaccinated foreigner means he will not be permitted to enter the United States to take part in the top-tier tournaments next month in Indian Wells, Calif., and in Miami unless he is granted an exemption. That is considered unlikely based on the criteria, which does not include a prior coronavirus infection.

Djokovic, who was infected with the coronavirus in 2020, reported testing positive again in Serbia on Dec. 16, 2021, which was the basis for his decision to travel to Melbourne for the Australian Open with what he believed to be a valid exemption from the country's requirements for entry. Instead, he was deported after being detained and losing his final appeal, with the Australian government arguing successfully that his presence could risk promoting anti-vaccine sentiment in the country.

Djokovic said he "completely disagreed" with that decision, but unless the rules in France change, Djokovic will not be allowed to play in the next Grand Slam tournament, the French Open, which begins in May. He



ZORANA JEVTOVIC/REUTERS

"I'm trying to be in tune with my body as much as I possibly can," Novak Djokovic said.

also may not be allowed to participate in the Monte Carlo Open in April in the tax haven on the French Riviera, where he officially resides. Beginning Tuesday, the French government, which requires a vaccine passport for access to sports venues and other public facilities, will only allow a four-month grace period for those who have been infected but are unvaccinated. His grace period would expire in April.

But Djokovic, still the world No. 1 in men's singles, calmly said on Tuesday that he was ready to accept the consequences, even if it meant that it denied him the chance to win the race to be considered the greatest of all time.

"That is the price I'm willing to

pay," he said.

It is unclear how high that price will be. He will still have access to numerous tournaments. The men's tour strongly encourages vaccination but has not mandated it. National regulations are shifting rapidly. Today's closed border could be open in a few months, or even a few weeks. France has a presidential election this spring that could lead to a change in government and coronavirus policy and perhaps fling open the gates to Roland Garros.

Djokovic reserves the right to change his mind on vaccination, but for now his approach does put him at a competitive disadvantage and will likely cost him the No. 1 ranking in the coming weeks as Daniil Medvedev of Russia closes in.

Djokovic holds the men's record for total weeks at No. 1 at 360 (and counting). He is the only man to have won the nine Masters 1000 events and he has won them twice. He also holds a head-to-head edge over his biggest rivals: Nadal and Roger Federer.

But the overall Grand Slam record is what glitters most brightly at this stage, and Nadal has 21 major singles titles to Djokovic's and Federer's 20. Djokovic is the defending champion at the French Open but if he is unable to play, Nadal will be an even bigger favorite after winning it an astonishing 13 times already.

Djokovic should have access to Wimbledon unless Britain's

coronavirus policy changes. He has been the most successful grass-court player in recent years, winning at the All England Club six times. But playing in the U.S. Open, the year's final Grand Slam tournament, will be problematic with the United States' ban on unvaccinated foreigners.

"The United States Tennis Association and the U.S. Open will welcome all players who abide by the guidelines put forth by the U.S. government, by the City of New York and by the tournament," said Chris Widmayer, a spokesman for the U.S.T.A., on Tuesday.

Missing three of the four majors in one season would be quite a blow to Djokovic's quest to finish atop the Grand Slam count. After being deported last month, he is also banned for three years from visiting Australia, although Australian government officials have indicated that this ban could be rescinded.

Djokovic also must deal with the shifting landscape in men's tennis. A younger generation of talented and powerful players is rising, including Medvedev, Alexander Zverev, Matteo Berrettini, Stefanos Tsitsipas and Felix Auger-Aliassime.

At 34, Djokovic will need to remain sharp to stay on the cutting edge but Nadal, 35, and Federer, 40, already have proven that it is possible to win majors at advanced ages for tennis.

Djokovic has polarized opinion like neither of his rivals, however. Though he reaffirmed on Tuesday that he does not want to

be associated with the anti-vaccine movement, his high profile and the wall-to-wall coverage of the Australian fiasco have guaranteed quite the contrary.

"It's really unfortunate there has been this kind of misconception and wrong conclusion that has been made around the world based upon something I completely disagree with," he said.

If so, it would certainly have helped if he had made that clear long ago instead of dodging the subject and questions about his vaccination status. His decision to speak with the BBC seemed an admission that his prior approach had created too much ambiguity. He talked about feeling wounded by the "looks" from his fellow players in Melbourne after he won his initial appeal and practiced on site ahead of the tournament.

But then for a man who speaks six languages, Djokovic has long had a communication problem. He has a restless spirit and intellect and has sometimes been his own worst enemy: making choices that backfire, like knocking himself out of the 2020 U.S. Open by inadvertently striking a lineswoman in the throat with a ball that he had whacked in frustration.

He has overcome many obstacles, some of his own creation, during his long and phenomenal run atop men's tennis, but this is new territory. To bounce back again and rejoin the historical chase, he must first be able to compete.

P.J. O'Rourke, 74, Conservative Satirist and Political Commentator, Dies

By NEIL GENZLINGER

P.J. O'Rourke, the conservative satirist and political commentator who was unafraid to skewer Democrats and Republicans alike in best-selling books like "Parliament of Whores," in articles for a wide range of magazines and newspapers, and on television and radio talk shows, died on Tuesday at his home in Sharon, N.H. He was 74.

The cause was complications of lung cancer, said Deb Seager, the director of publicity at Grove/Atlantic, Mr. O'Rourke's publisher.

Mr. O'Rourke's political writing was in the caustic tradition of H.L. Mencken. As writers and commentators go, he was something

Skewering whatever in government or culture he thought needed it.

of a celebrity, welcome on talk shows of almost any political bent and known for appearances on NPR's comedy quiz show "Wait, Wait... Don't Tell Me."

He was a proud conservative Republican — one of his books was called "Republican Party Reptile: The Confessions, Adventures, Essays and (Other) Outrages of P.J. O'Rourke" — but he was widely admired by readers of many stripes because of his fearless style and his willingness to mock just about anyone who deserved it, including himself. In "Republican Party Reptile" he recalled his youthful flirtation with Mao Zedong.

"But I couldn't stay a Maoist forever," he wrote. "I got too fat to wear bell-bottoms. And I realized that communism meant giving my golf clubs to a family in Zaire."

In 2010, The New York Times invited him and assorted other prominent people to define "Republican" and "Democrat." He offered this:

"The Democrats are the party that says government will make you smarter, taller, richer and remove the crab grass on your lawn. The Republicans are the party that says government doesn't work and then get elected and prove it."

Mr. O'Rourke was prolific. In

Katharine Q. Seelye and Alex Traub contributed reporting.

addition to some 20 books, he wrote a column for The Daily Beast for a time and appeared regularly in The Atlantic, The American Spectator, Rolling Stone and The Weekly Standard, where he was a contributing editor. He was the conservative side of a point-counterpoint segment on "60 Minutes" in the mid-1990s, opposite Molly Ivins, and a guest on "Real Time With Bill Maher," "The Daily Show," "Charlie Rose" and other talk shows.

Mr. O'Rourke was most often identified as a political satirist, but his subjects ranged well beyond the political. His first book, published in 1983 (and reissued in 1989), was called "Modern Manners: An Etiquette Book for Rude People."

"Good manners can replace intellect by providing a set of memorized responses to almost every situation in life," he wrote. "Memorized responses eliminate the need for thought. Thought is not a very worthwhile pastime anyway. Thinking allows the brain, an inert and mushy organ, to exert unfair domination over more sturdy and active body parts."

The book was full of practical advice, including this for gentlemen: "A hat should be taken off when you greet a lady and left off for the rest of your life. Nothing looks more stupid than a hat."

For many fans, his signature book was "Parliament of Whores," subtitled "A Lone Humorist Attempts to Explain the Entire U.S. Government" and first published in 1991.

"Although this is a conservative book," Mr. O'Rourke explained in the opening pages, "it is not informed by any very elaborate political theory. I have only one firm belief about the American political system, and that is this: God is a Republican and Santa Claus is a Democrat."

Signe Wilkinson, reviewing that book in The Times, wrote: "A spin with P.J. O'Rourke is like a ride in the back of an old pickup over unpaved roads. You get where you're going fast, with exhilarating views but not without a few bruises."

His recent books included "How the Hell Did This Happen? The Election of 2016," a collection of his writings during that presidential campaign.

"The American public wasn't holding either political party in much esteem," he explained in an author's note setting the stage for the election. "What the American public was holding was its nose."



DAVID HOWE/CORBIS VIA GETTY IMAGES

P.J. O'Rourke in New Hampshire in 2009. Below, Mr. O'Rourke on "The Tonight Show With Jay Leno" in 1993. He was something of a celebrity, welcome on talk shows of almost any political bent.



MARGARET NORTON/REUTERS/PHOTO BANK/REUTERS/UNIVERSAL VIA GETTY IMAGES

"Therefore I was prepared for some surprises during the 2016 campaign, which leaves me with no excuse for how surprised I was by what the surprises were."

During the campaign, Mr. O'Rourke announced that he was going to vote for Hillary Clinton, not Donald Trump. Mrs. Clinton, he told The New Statesman in 2020, was "the devil I knew," whereas no one he knew, he said, liked Mr. Trump.

"I just thought he was unstable," he said, and dangerous. "I

still do."

As time went on, he continued in that vein, describing himself as a member of the "unorganized resistance" against Mr. Trump.

Patrick Jake O'Rourke was born on Nov. 14, 1947, in Toledo, Ohio. His father, Clifford, was a car salesman, and his mother, Delphine (Loy) O'Rourke, was a school administrator.

In a 2011 article for Newsweek, Mr. O'Rourke called his hometown "one of those junkyards of American capitalism," reciting a

history of good economic times that gave way to bad.

"America's exceptionalism lies not in its successes but its failures," he wrote at the end of that piece. "The people of failed Toledo can say to the people of the rest of the world, 'Our junkyards are more splendid than your palaces.'"

He received his undergraduate degree in 1969 from Miami University ("the one in Ohio, not the one where you can major in water skiing," he noted in an online autobiography) and earned a master's degree in English at Johns Hopkins University in 1970. His early work experience included a stint at a liberal underground Baltimore newspaper called Harry.

But the last of his liberal leanings died when Maoists occupied the newspaper's offices.

"They thought we weren't radical enough," he told People magazine in 1989.

Becoming more libertarian than liberal, he went to New York in 1972 and there started writing for National Lampoon, which was founded in 1970. Among his more infamous articles for the magazine was one in 1979 titled "How to Drive Fast on Drugs While Get-

ting Your Wing-Wang Squeezed and Not Spit Your Drink."

He was a co-writer of Lampoon newspaper and yearbook parodies and helped promote the careers of John Belushi, Chevy Chase and Christopher Guest. From 1978 to 1980 he was the magazine's editor in chief.

"As the boss, I had the people skills of Luca Brasi in 'The Godfather' and the business acumen of the fellows who were managing New York's finances in the 1970s," he wrote in The Hollywood Reporter in 2015, in an article that carried the headline "How I Killed 'National Lampoon.'"

The headline was a slight exaggeration, but in the 1980s Mr. O'Rourke discovered he was more comfortable as a freelance writer. He made a brief attempt at screenwriting in Hollywood — he is one of several credited writers of "Easy Money," a 1983 Rodney Dangerfield comedy — before returning east and becoming a sought-after magazine writer.

He did a lot of work for Rolling Stone, where for a time he held the title of "foreign affairs desk chief" and reported from distant lands.

"He's become the rock magazine's reactionary," "60 Minutes" explained in a 1994 feature on him, "combining the literary flair of Hunter Thompson with the ideology and haberdashery of George Will."

A 1989 book, "Holidays in Hell," is a collection of pieces he wrote as a war correspondent, many of them for Rolling Stone. "The author owes an immense debt of gratitude (and quite a bit of money advanced for expenses) to Editor and Publisher Jann Wenner," Mr. O'Rourke wrote in the acknowledgments.

His other books included "All the Trouble in the World" (1994), which looked at various topical issues, including climate change and famine, and "Eat the Rich: A Treatise on Economics" (1999).

Mr. O'Rourke's marriage to Amy Lumet ended in divorce. His survivors include his wife, Tina (Mallon) O'Rourke, whom he married in 1995, and three children, Clifford, Olivia and Elizabeth.

Mr. O'Rourke's prose may have been barbed, but some who knew and worked with him said that in person he was less so.

"He can be vicious and nasty, and he strikes the pose of a reactionary, but some of that is just shtick," the journalist Michael Kinsley told People in 1989. "He's an anarchist with a heart of gold."

Kathryn Kates, 73, Actress Remembered As Bakery Counterwoman on 'Seinfeld'

By ANNABELLE WILLIAMS

Kathryn Kates, who appeared as a counterwoman in two memorable scenes from "Seinfeld" involving baked goods in short supply — chocolate babkas and marble rye bread — and racked up numerous screen credits over nearly 50 years, died on Jan. 22 at her brother's home in Lake Worth, Fla. She was 73.

The cause was lung cancer, the brother, Josh Kates, said.

Ms. Kates, who lived in Manhattan, had roles in dozens of television shows and movies, including the recent series "Shades of Blue" on NBC, "Friends From College" on Netflix and "The Good Fight" on CBS.

She appeared in five episodes of "Law and Order" — a fixture on the résumé of most New York working actors — as Judge Marlene Simmons. She also had a recurring role in Netflix's "Orange Is the New Black," as the mother of Jason Biggs's character, Larry Bloom. And she was cast as Angie DeCarlo, an Italian beauty shop

owner, in "The Many Saints of Newark" (2021), the prequel movie to "The Sopranos."

But it was in two episodes of "Seinfeld" (1990-1998) that she made an indelible mark.

Sporting a yellow apron and a New York attitude, Ms. Kates appeared in Season Five's "The Diner Party" as the bakery clerk who announces to Jerry and Elaine (Julia Louis-Dreyfus) that the store's last treasured chocolate babka had been sold just ahead of them. Offered a cinnamon babka instead, Elaine calls it a "lesser" babka, to which Jerry objects, intoning, "Cinnamon takes a back seat to no babka."

The scene includes a memorable coughing fit by Ms. Kates's character next to a wall of baked goods and her closing lines to a loitering Jerry and Elaine: "Can I get you anything else? How about a nice box of 'scram'?"

The episode also features Jerry's exaltation of another New York bakery mainstay, the black and white cookie, as something of

a model for better race relations. "Look to the cookie!" he declares.

In an interview last year with "This Podcast Is Making Me Thirsty," a podcast about "Seinfeld," Ms. Kates recalled getting the part for which people would recognize her on Manhattan streets for decades.

The whole writing staff, including Mr. Seinfeld and the show's co-creator, Larry David, watched as she read her lines and delivered her cough in an audition. She had earlier auditioned for other small parts on "Seinfeld," but the brassy counterwoman was her lucky break.

Two seasons later, Ms. Kates, again in her yellow apron, reprised the role in the episode "The Rye." This time she tells a crestfallen Jerry that the bakery's last loaf of marble rye has been sold, complicating a plot to restore George into the good graces of his future in-laws.

Ms. Kates devoted much of her time to running The Colony Theater in Burbank, Calif., of which



NBC

In "Seinfeld," Kathryn Kates's character told Jerry there were no chocolate babkas. In another episode, it was marble rye bread.

she was a founding member. There, she and the actress Barbara Beckley were co-general managers from 1975 to 1981. She appeared in numerous Colony productions.

"Kathy was New York through and through," Ms Beckley said. "She did some wonderful roles with us." But she added: "She was not a leading lady. She was much more of a young character actress, and not a Hollywood type at

all."

Kathryn Jane Kates was born Jan. 29, 1948, in Queens. Her father, Louis Kates, was an electronics engineer. Her mother, Sylvia (Fagan) Kates, was an actress who, under the stage name Madelyn Cates, appeared on television in the hospital drama "St. Elsewhere" and the series "Fame" and played the eccentric concierge confronting Max Bialystock (Zero Mostel) and Leo Bloom (Gene

She had roles in dozens of television shows and movies.

Wilder) in the 1967 film version of "The Producers."

Ms. Kates grew up in Great Neck, N.Y., on Long Island, and graduated from Great Neck North Senior High. She studied acting at New York University.

After graduating in 1971, she moved to Los Angeles in 1974 and focused on theater. Her early television credits included appearances on the legal drama "Matlock" in 1991 and other cameo roles in "Rachel Gunn, R.N." and "Hudson Street."

In 1993, she married Joseph Pershes, an executive at a video distribution company. They divorced in 2006. In addition to her brother, she is survived by a sister, Mallory Kates.

When asked in the podcast interview about appearing on "Seinfeld," Ms. Kates responded that she was always grateful to have work. "I have loved every job I've ever had," she said.

And as for her babka preference? She favored chocolate.

Deaths	Deaths	Deaths	Deaths	Deaths	Deaths	Deaths
<p>Birch, Robert Gould, Julia Bullock, Charles Chazen, Jerome Dunn, Edward</p>	<p>Krivloff, Natalie Tobelman, Ella</p>	<p>in-law, Renee Schilhab Bullock preceded him in death. In lieu of flowers, Charles would wish contributions be sent to the Mabel Mercer Foundation, 430 9th Ave., Suite 402, New York, NY 10035.</p>	<p>DUNN—Dr. Edward, 96, of Exeter, N.H., passed away on November 17, 2021, after a brief illness. The eldest of two children, Edward was born on February 4, 1925, to Irving and Virginia Dunn in Englewood, N.J. After graduating from Dwight Morrow High School in Englewood in 1942, he served in the Army in the Pacific theater. He went on to earn his undergraduate degree at New York University, followed by his Doctorate of Medicine at Upstate Medical Center in Syracuse, NY in 1951. After graduation, he completed his surgical residency at the Massachusetts General Hospital, setting off on a life-long career as a physician, ultimately specializing in vascular surgery. He served as Chief of Surgery at Croose-Ingalls Memorial Hospital in Syracuse, NY from 1965 to 1974, followed by serving as Director of Surgery at Waterbury Hospital in Waterbury, CT and Professor of Surgery at Yale from 1974 to 1990. In addition, he held positions in private practice and with professional organizations including the American College of Surgeons and the New England Surgical Society. In 1954, he met Audrey Hatch, who was studying nursing at the MGH, and they married in 1956. They raised their family with an abundance of laughter, learning,</p>	<p>music, books, storytelling, travel and outdoor adventure. Edward and Audrey began visiting Stowe, VT to ski before they were married, and took many vacations there with friends and family over the years, eventually making it their second home. In 1993 they retired, first splitting their time between Stowe and Nashua, NH, before finally moving to Exeter, NH. These times were full of family and friends enjoying the four seasons, and travel. The epitome of a life-long learner, Ed loved to learn everything he could about the world, devouring books on particle physics and history with equal zeal. He loved to teach, whether he was conveying the finer points of surgery to his students or instructing his children and grandchildren in how to change a tire or play chess. Ed continued to enjoy a great story, great music and a great scotch up until the end. He will be remembered for his kindness, his intellectual curiosity, and his abiding love for his family. Edward was preceded in death by his wife (Audrey Tuttle Hatch), his parents (Irving Cecil Dunn and Virginia Rosenberg Dunn), his brother (Robert Dunn), and two nephews (Robert DiNatale and Stephen Dunn). He is survived by his three children, Suzanne,</p>	<p>Oppenheimer (Peter), Roger Dunn (Janet Tidwell), and Karen Wapner (Nathan), his four grandchildren, Zachary, David, Anika, and Becki; and by his nephews and nieces (Linda, Bob, Greg, Steve, Lisa, Chris, Susan, and Jeremy). The family is requesting that memorials for Edward Dunn be given through donations to either the American Heart Association or the American College of Cardiology. Brewitt Funeral Home, 14 Pine St., Exeter, NH is assisting the family. For more information, please visit all.brewittfuneralhome.com. Interment will be a private ceremony at Mount Auburn Cemetery in Cambridge, MA.</p>	<p>often put her foot down, not just to poor choices, but the Vietnam War, racism, and economic injustice. She was always proud of her Phi Beta Kappa and was married for many years. She was married for 56 years to her husband Joe, who died in 2005. She was the loving mother of her daughter Susan, son Adam and her late daughter, Martha and beloved grandson-in-law to her, Trellifa and Andrew, dear sons of Robert and Sarah Feinman and her son, Nathan Allison. Robert and Emily have infectious kindness, and less curiosity of life, love of people, nature. Ed and Norma have touched everyone she knew. She will be sorely missed by those who loved her. In lieu of flowers, the family asks that memorial gifts be made in Natalie's honor to The Central Park Conservancy Foundation. Fighting Blindness.</p>
<p>BIRCH—Robert, The Bridge Fund of New York, Inc. its directors and staff mourns the death of our beloved director, Bob Birch, on February 7, 2022. Bob did so much to support the Bridge Fund over the years and shaped its mission of preventing homelessness among the working poor of New York City and Westchester. We have lost a dear friend, but he would want us to carry on while keeping his kind encouragement in mind.</p>	<p>BULLOCK—Charles, 98, of Palm Beach, FL, formerly of New York City and East Hampton, NY, died peacefully at home with his family on February 5, 2022. He was the son of the late Charles S. Bullock and Katherine Robinson of Cold Spring, NY. He graduated from Taft School in 1950 and Yale University in 1954. In 1955, he married Suzanne Barbour in New Vernon, N.J. He served as a first lieutenant in the U.S. Artillery before moving with his wife to San Francisco. In 1968, the family moved to New York at which time he was named publisher of Where magazine and was a co-founder of Media Networks, which was later acquired by J&J. In the early 80s, he relocated to East Hampton and was a co-founder of Dunemere Associates, Redd Estate. The firm was later purchased by Brown, Harris, Stevens, in East Hampton. Charles served as a trustee of Guild Hall, chairman of the John Drew Theatre Committee, and was a member of the board of trustees of the East Hampton Historical Society. More recently, he worked closely with the Mabel Mercer Foundation and served as chairman of the foundation's board of trustees until his death. Charles is survived by his wife, Sue, his sister Helen Porter, his sister-in-law, Kirby Sutro, his children Chlo, Tony and Lisa Dow, five grandchildren (Alicia Dow, Elicia Dow, Gideon Dow Scott, and her husband Karl Scott, Monty Bullock, Alexandra Bullock), a great-granddaughter, Hattie Scott. Another sister, Charlotte Sandberg, his sister-in-law, Joan Gray, and his daughter-</p>	<p>CHAZEN—Jerome, Columbia University Irving Medical Center and the Vagelos College of Physicians and Surgeons mourn the passing of our great friend and benefactor Jerome Chazen, whose support has been indispensable in our progress in cardiology. A Trustee Emeritus of the University and a member of our Cardiac Council, Dr. Chazen helped establish the Joseph Tenenbaum Professorship in Cardiology, and was a key contributor to our Vagelos College of Physicians and Surgeons. We offer our condolences to his wife, Simona, and to the extended Chazen family.</p>	<p>HAFT—Robert S., 92, of Sarasota, FL, passed away peacefully on February 11, 2022. Rob was born in New York City and lived there after graduating from Yale University and Columbia Law School. Rob is survived by his wife, Noelle, his daughters and their families. Rob had a remarkable and happy life; his family and friends will always remember his vibrance and wit.</p>	<p>GOULD—Julia (nee Cooper), died on February 11, 2022 of age 96 following a stroke. Daughter of Brooklyn and of beloved immigrant parents Sara and Harry, she was the eldest and wife and companion to the late Arthur; beloved mother of Laura and her husband, (Mavi) and Vicky (Dave); adored, devoted grandmother of Nathan, Ezra, Samira, and Abby; and great-grandmother of Sam (Susan) and the late Henry. When she found Arthur, also a child of Brooklyn, she was living in Boston, but her foot down, and they stayed in New York City. She</p>	<p>HERRERA—Carmen, Publicator mourns the loss of acclaimed artist, Carmen Herrera, who was collaborated on two artworks as part of our Publicator Community Museums bringing the people of the world closer together. She will always be an inspiration.</p>	
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Bob Wall, Martial Arts Master Who Sparred With Lee, Dies at 82

By CLAY RISEN

Bob Wall, a martial arts master who with quick business wits and even fleet fists helped propel disciplines like karate, aikido and Brazilian jiu-jitsu into the American mainstream, along the way making friends and sharing the screen with the likes of Bruce Lee and Chuck Norris, died on Jan. 30 in Los Angeles. He was 82.

His wife, Lillian Wall, confirmed the death but did not provide a cause.

For the millions of fans devoted to 1970s martial arts movies, Mr. Wall was best known for his role in the 1973 film "Enter the Dragon," in which, as the thug O'Hara, he torments a vengeful undercover agent named Lee, played by Mr. Lee.

At 6-foot-1, with a full tuft of hair and a scraggly beard, Mr. Wall towered over the wiry, diminutive Mr. Lee, who, in the film, nevertheless overpowers his adversary by kicking him to the ground and crushing his chest. It's an indelibly grisly moment and a sharp contrast to the close bond the two men shared in real life.

They met in 1963 at a kung fu demonstration in the Chinatown neighborhood of Los Angeles, where Mr. Wall had withstood the instructor's blows without dropping his beer.

"At that point reality hit that I'd blown this guy's demo, so I started walking toward the door," Mr. Wall recalled in a 2011 interview. "I saw this tough-looking guy walking toward me, so I said, 'This guy, I'm gonna clock,' and he walks up close to me and says, 'Hey that was funny. I'm Bruce Lee!'"

They ended up talking in the parking lot for three hours.

Mr. Lee was still an unknown martial arts instructor in Oakland and, like Mr. Wall, was drawn to Los Angeles's budding combat-sports scene. Mr. Wall was a student of another instructor, Mr. Norris, an Air Force veteran and martial arts champion.

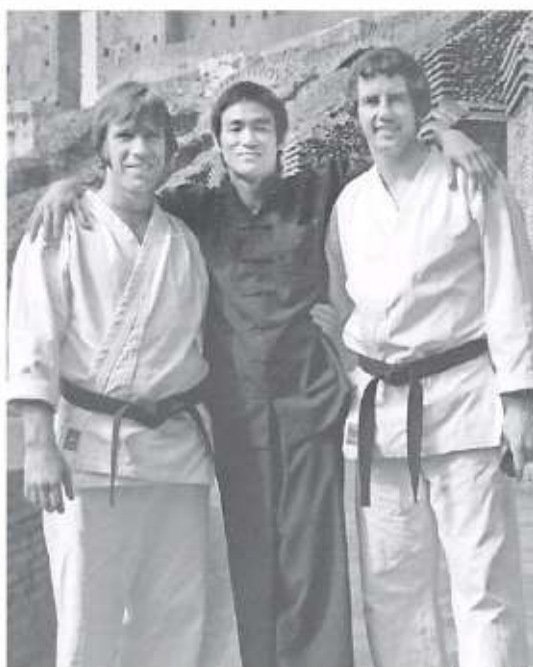
The three became fast friends, and in 1967 Mr. Wall and Mr. Norris went into business together, running a series of studios in the San Fernando Valley, a part of Los Angeles that two decades later would provide the setting for "The Karate Kid."

Martial arts was an exclusively male domain at the time, fought without padding and producing more than a few broken noses and cracked teeth. But entrepreneurs like Mr. Wall saw an opportunity to make studios more professional and family friendly. Through manuals and seminars that he took around the country, he taught thousands of aspiring senseis how to run a dojo.

"There were a lot of people who would open a school and start teaching, and it would all fall into place or not," Roy Kurban, a taekwondo champion who was inspired by Mr. Wall to open his own studio in Fort Worth, said in a phone interview. "He built a business system."



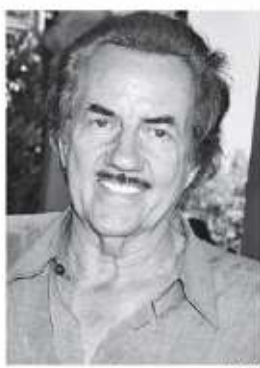
Bob Wall, right, with Bruce Lee in "Enter the Dragon" (1973). The two men met in 1963 at a kung fu demonstration in Los Angeles.



From left, Chuck Norris, Mr. Lee and Mr. Wall. Mr. Wall and Mr. Norris went into business together. At right, Mr. Wall in 2008.

Mr. Lee, meanwhile, had begun his rise to global stardom. An appearance at the 1964 International Karate Championships in Long

Beach, where he demonstrated signature moves like the two-finger push-up and the one-inch punch, led to his casting as Kato, the sidekick on the 1960s televi-



ALAMY

sion show "The Green Hornet" and later to a series of movie deals.

Martial arts movies were huge in Asia but still largely unknown in the United States. Mr. Lee decided to change that, in part by incorporating roles for Black and white actors, including Mr. Wall, who won a part alongside Mr. Norris in the first of Mr. Lee's major films to be released in America, "The Way of the Dragon" (1972).

Mr. Wall could take a hit, which put him in good stead with Mr. Lee, who insisted on doing his own stunts and refused to pull punches during fight scenes. Mr. Wall recalled that before they started filming "Enter the Dragon," Mr. Lee told him, "Bob, I wanna hit you, and I wanna hit you hard."

Even the broken bottles that the character O'Hara wields against

the character Lee were real — which presented a problem when Mr. Lee, a perfectionist, insisted on shooting that part of the scene nine times, with Mr. Wall repeatedly falling back on shards of glass. At another point Mr. Lee kicked Mr. Wall so hard that he flew back into a row of extras, breaking a man's arm.

"It's one thing to get hit that hard once or twice, but try it eight times in a row," Mr. Wall said. "Let me tell you, about the fourth time, you know what's coming, you're going to get popped real hard, and you just have to say, 'Hey, I'm here to do a job. Make it real.'"

That commitment to combat vérité paid off. "Enter the Dragon," made for just \$850,000 (about \$5.3 million in today's dollars), grossed \$350 million worldwide (about \$2.2 billion today), making it one of the most profitable movies of all time. It helped establish martial arts as an indelible part of American pop culture.

But Mr. Lee did not get to enjoy the success. He died, at 32, just before the film debuted, of undiagnosed swelling in his brain. By then he had begun filming "Game of Death," featuring a celebrated fight scene with Kareem Abdul-Jabbar. (The film, in which Mr. Wall also had a role, was released in 1978.) And he was planning even more movies, including at least one with a prominent role for Mr. Wall, who was to play a sidekick to Mr. Lee's hero, a C.I.A. agent.

He gave private lessons to celebrities, including Elvis and Steve McQueen.

"Hey Bob," Mr. Wall recalled him saying a few weeks before his death, "you get to be a good guy in the next one!"

Robert Alan Wall was born on Aug. 22, 1939, in San Jose, Calif. His father, Ray Wall, worked in construction; his mother, Reva (Wingo) Wall, was a nurse.

He was drawn to martial arts as a young teenager who had suffered beatings at the hands of his abusive, alcoholic father. He wrestled in high school and at what is now San José State University, where he left without graduating to join the Army. After he was discharged, he moved to Los Angeles to begin his martial arts education under Mr. Norris.

Mr. Wall held an advanced black belt in several disciplines, and he regularly placed first or second at competitions around the country in the late 1960s and early 70s.

After Mr. Lee's death, he worked as a fight coordinator on several martial arts movies, including "Black Belt Jones" (1974), starring one of his protégés, Jim Kelly, one of the first Black karate champions. He also gave private lessons to celebrities, including Steve McQueen and Elvis Presley.

By the mid-1970s Mr. Norris had decided to go into acting full time, and he and Mr. Wall sold their business in 1975. Mr. Wall turned his attention to real estate, launching a second career as a residential and commercial developer.

He didn't leave the world of martial arts, though. In addition to writing books and teaching seminars, he had a long-running and very public beef with Steven Seagal, another martial arts expert turned action star.

In a series of interviews in the mid-1980s, Mr. Seagal, who had taught aikido in Japan, insulted American martial arts, and Mr. Norris in particular. In response, Mr. Wall challenged him to a fight, though they never came to blows, and eventually they worked it out. But Mr. Wall refused to watch any of Mr. Seagal's movies.

Mr. Wall also remained close friends with Mr. Norris. He took small roles in several of his movies and on the TV series "Walker, Texas Ranger," which starred Mr. Norris and ran from 1993 to 2001.

It was just the right amount of fame for Mr. Wall.

"I'm famous enough that people who know martial arts or know Bruce Lee films know me," he said. "But I'm not so famous that I can't walk down a street. I can go in and out of a restaurant. I don't lose my privacy."

Kenneth H. Brown, 85, Playwright Who Was Best Known for 'The Brig'

By ALEX VADUKUL

Kenneth H. Brown, a New York playwright whose acclaimed 1963 Off Broadway play "The Brig," based on his experiences as a Marine, portrayed dehumanization inside a military prison during the Korean War, died on Feb. 5 at a hospice in Queens. He was 85.

A friend, the performance artist and writer Penny Arcade, said the cause was cancer.

After growing up in Brooklyn in the 1950s as something of a street tough, Mr. Brown, eager to serve his country, enlisted in the Marines at 18. But stationed in Japan, he found himself rattled by military life and was thrown into the brig for insubordination.

There, by his account, he was humiliated and abused. Guards called him "maggot"; he was punched in the gut for even minor infractions. Mornings started with garbage can lids being banged on bunk beds, and he and his fellow inmates were ordered to jog around their claustrophobic quarters for hours until they were breathless.

"I was always in trouble in the Marines," he said in an interview with the Lower East Side Biography Project. "I went to the brig twice. The first time I did 25 days." Of his military service, he said, "By the time I got out, I was a complete pacifist."

Back in New York, Mr. Brown worked as a bartender and studied at Columbia University on the G.I. Bill. In his spare time he wrote "The Brig," a hyper-realistic play depicting a grueling day in the life of 10 imprisoned Marines and the guards who brutalize them.

Mr. Brown didn't have any theater connections. But through a friend his manuscript made its way to the Living Theater, the revered avant-garde repertory



Kenneth Brown in an undated photo. "I was always in trouble in the Marines," he said.

company founded in the 1940s by Julian Beck and Judith Malina. They were captivated by "The Brig" and decided to produce it.

"I was a guy from the neighborhood," Mr. Brown said. "I never met people like Julian and Judith."

A Marine who wrote of being humiliated and abused inside a military prison.

"The Brig" made waves when it opened in 1963 at the Living Theater in Greenwich Village.

"If what happens on the stage of the Living Theater is a true representation of conditions in the brig, the president or his secretary of defense ought to order an investi-

gation," Howard Taubman wrote in his review for The New York Times. "Mr. Brown's obsessive script does not spare a detail of the devastating indictment."

The play won three Obie Awards and toured Europe. Jonas Mekas directed a film version.

"The Brig" became one of the Living Theater's great successes, but it also became inextricably linked to the company because of its anarchic last performance there. During the play's run, the authorities shut down the playhouse for delinquent taxes, but the cast and an audience broke into the padlocked theater for one final show.

"The play accomplished what I wanted it to accomplish," Mr. Brown said. "It revealed the horror of this condition, and it revealed it very clearly not through commenting on it, but doing it. Actually performing the ritual of sadism that was the Marine Corps."

Kenneth Howard Brown was born in Brooklyn on March, 9, 1936, to Kenneth and Helen (Bella) Brown. His mother was a bank officer, his father a police officer.

Growing up in the Bay Ridge section, Ken was known to brawl with youths in the neighborhood. But he also wrote poems and short stories in his teens while attending the Jesuit-run Brooklyn Prep.

After the success of "The Brig," Mr. Brown enjoyed the life of a celebrated young playwright. "I was off and running, with grants and fellowships, teaching jobs and jaunts to faraway places," he wrote in The New York Times Magazine in 1986. "Maybe I could make a go of it in the rarefied atmosphere of literature."

But "by the time the smoke cleared," he continued, "I was broke."

He went back to tending bar. He



A scene from the film version of "The Brig," which was directed by Jonas Mekas, in 1964.

worked at Bradley's, a jazz club on University Place, and helped run Phebe's, a Bowery haunt for the downtown theater crowd. In an essay published in the Times in 1972, he wryly addressed the realities of a writer's life in the city:

"That's right, I'm the guy who wrote 'The Brig.' What am I doing here running this restaurant? Well, I've got to pay the rent, you know. No, I can't get any fellowships and grants. I've had them all, and nobody will renew them until I make theater history again. Oh, yes, you have to do it again and again."

But Mr. Brown kept writing. In 1970, he published "The Narrows," an autobiographical novel about high schoolers growing up in Bay Ridge in the 1950s. "Nightlight," a drama set in a bleak city apart-

ment, was staged in 1973. "Hitler's Analyst," a novel about a Park Avenue psychiatrist who treats a couple who believe they are Adolf Hitler and Eva Braun, was published in 2000.

Mr. Brown grew old in Bay Ridge, living in a rent-controlled apartment passed down to him by his parents, and for years he headed into Manhattan to tend bar. He kept busy writing a sequel to "The Great Gatsby" titled "Carraway," based on the character who narrates the Fitzgerald novel. (Information on survivors was not immediately available.)

In 2007, long after the Living Theater's playhouse was closed and years after the company began moving from place to place, it settled into a new home on the Lower East Side. To Mr. Brown's

surprise, he received a call from Ms. Judith Malina, then 80, who told him that "The Brig" would be the inaugural production.

The play's revival was widely publicized, and Mr. Brown savored the triumph. But as Americans were still reckoning with reports of torture at the U.S. military prison at Abu Ghraib in Iraq, the revival was starkly timely. The coincidence wasn't lost on Mr. Brown.

"The Brig" has always been relevant," he said in an interview in 2010. "I guess as long as there's war and as long as there's a military and especially as long as one questions the ethical right to wage war."

"It's going to stay relevant," he added, "until there's peace throughout the world."



Artworks of a curious origin were installed at “Heroes & Monsters: Jean-Michel Basquiat, The Thaddeus Mumford, Jr. Venice Collection” at the Orlando Museum of Art in Florida, including, below, “Untitled (Boxer)” from 1982. PHOTOGRAPH BY MELANIE METZ FOR THE NEW YORK TIMES



Paintings said to be by the artist were found in the storage unit of a Hollywood screenwriter. Will a museum show resolve questions about their authenticity?

In Orlando, 25 Basquiats, Or Something Very Similar

By BRETT SOKOL

It seems like a story too good to be true, and for some in the art world, it is. Last weekend, 25 Jean-Michel Basquiat paintings were publicly unveiled at the Orlando Museum of Art in Florida before several thousand V.I.P.s. All of the paintings were said by the museum to have been created in late 1982 while Basquiat, 22, was living and working out of a studio space beneath Larry Gagosian’s home in Venice, Calif., preparing fresh canvases for a show at the art dealer’s

Los Angeles gallery.

According to the Orlando Museum of Art director and chief executive, Aaron De Groft, the vibrant artworks — layers of mixed media painted and drawn onto slabs of scavenged cardboard ranging in size from a 10-inch square featuring one of the artist’s iconic crowns to a nearly five-foot-high disembodied head — were sold by Basquiat directly to the television screenwriter Thad Mumford. The price? A quick \$5,000 in cash — about \$14,000 today — paid without Gagosian’s knowledge.

The 25 artworks then disappeared for three decades, the museum said, only resurfacing in 2012 after Mumford failed to pay the bill on his Los Angeles storage unit, and its contents — the Basquiats tucked in amid baseball memorabilia and TV industry ephemera — were auctioned off. William Force, a treasure-hunting picker, and Lee Mangin, his financial backer, who both scour small auctions for mislabeled items, saw photos of the colorful cardboards and eventually snagged the lot — for about

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JESSE GREEN | THEATER REVIEW

Erasing Race but Not the Roots of Hate

A musical considers the side effects of a decolorizing process.

THE 1931 AFROFUTURIST NOVEL from which the new musical “Black No More” takes its name is hardly subtle, starting with its title: “Being an Account of the Strange and Wonderful Workings of Science in the Land of the Free, A.D. 1933-1940.” George S. Schuyler’s satire is basically a thought experiment in which a procedure that decolorizes Black people solves America’s race

Black No More
Pershing Square Signature Center

problem but creates a new one when there’s no one left for haters to hate. The New Group’s musical version, which opened on Tuesday at the Pershing Square Signature Center, makes the smart decision to borrow only the novel’s rudiments. It dumps most of the silly names (Ezekiel Whooper, Rufus Kretin), thin caricatures (of W. E. B. Du Bois and Marcus Garvey, among others) and weirdly jovial tone in favor of a more serious look at internalized racism and the conundrums of assimilation. The result, directed by Scott Elliott, is a

CONTINUED ON PAGE C2



Jennifer Damiano, center left, with Brandon Victor Dixon and other members of the cast of “Black No More.”

JAMES PONIEWOZIK
CRITIC’S NOTEBOOK

A Super Bowl Drenched In Nostalgia

Present divisive? Future scary? Then look longingly to the past.

“THIS IS THE MILLENNIUM of Aftermath.” When Dr. Dre rapped that line on “Forgot About Dre,” from his 1999 album “2001,” he was referring to his record label. But from the vantage point of the 2022 Super Bowl, where he headlined the halftime show, it was also a pretty accurate forward-looking statement.

The big game, its spectacles, its ads and its trappings all shared a sense of looking backward — a nostalgia-saturated attitude that we were living in the aftermath of the best times, and that it was more comforting to look to the past than to the future. This is not a knock on Dr. Dre, or the incendiary legends-of-hip-hop show he put on. For the game to finally center America’s biggest music genre in front of America’s biggest audience was overdue and thrilling. But the calendar doesn’t lie. The Super

CONTINUED ON PAGE C4

JESSE GREEN | THEATER REVIEW

Erasing Race but Not the Roots of Hate

CONTINUED FROM PAGE C1
gorgeous mess. Though it forefronts Schuyler's central question — Is the goal of racial progress the ennoblement of Blackness or its disappearance into a "chromatic democracy"? — its tone is jumpy and its storytelling lumpy. The book by John Ridley, who wrote "12 Years a Slave," makes only half-way repairs to the original, while introducing new problems that music and dance can't solve.

But oh, what music and dance! That the score is the work of many hands — lyrics by Tariq Trotter of the Roots; music by Trotter, Anthony Tidd, James Poyser and Daryl Waters — seems to have been an advantage here, helping to establish the show's various moods and personalities.

With nods to Kurt Weill, "Hamilton," hip-hop, gospel, jazz, spoken word and Tin Pan Alley, among other aptly diverse inspirations and traditions, the songs reveal the characters' yearnings and aversions, which often amount to the same thing. As well, under Waters's musical supervision, they offer plenty of opportunities for phenomenal singing from the cast of 26, accompanied by a terrific band of seven.

The choreography, by Bill T. Jones, is likewise thrilling, sometimes illustrating specific ideas (like the differences between Black and white social dancing) and other times expressing the overall conflict between racial pride and frustration. Because that conflict remains unresolved in the story, Jones often declines to resolve it in movement; numbers build from tension to frenzy without the overfamiliar Broadway-style climax.

But the sung and danced elements of "Black No More" prove too exciting for its wobbly book to support. Making the inventor of the decolorizing process the narrator — his name, alas, is Dr. Junius Crookman — immediately sets the story on a strange footing; a neutral figure in the novel, he is here an amoral villain, and in Trotter's uneven performance (excellent with the rapping, stiff with the acting) a bit too Dr. Evil. This sidelines the actual central character, Max Disner, creating a blurry focus from which the show never fully recovers.

Still, by the time Disner (Brandon Victor Dixon) becomes Crookman's first patient, submitting to what looks like a dental procedure, "Black No More" has efficiently set up his reasons for choosing whiteness. Though he enjoys the "sporting life" he leads in Harlem, his safety there from the stings of overt racism comes at a cost. In "I Want It All," his introductory song, he explains that he is never a whole man within his community's confines, but merely "three-fifths" of one.

For others, though, Harlem is "heaven's gate" and "the Mecca of the Black race." Disner's best friend — a man named Bunny in the novel but here a woman named Buni — can't understand why anyone would leave a place "where a person knows what they're in for." (Buni is played by Tamika Lawrence, a stunning singer.) For Agamemnon (Ephraim Sykes), a character new to the story, Disner is simply a traitor, selling out the dream of Black excellence.

Both are especially unimpressed by Disner's baser motivations: to make more money in a more exciting career (he's an insurance salesman) and to hook up with the white woman from Atlanta he falls in love with one night in a club.

Follow Jesse Green on Twitter: @JesseKGreen.



PHOTOGRAPHS BY SARA KRULWICZ/THE NEW YORK TIMES



Top, Brandon Victor Dixon, center, in the New Group's production of the new musical "Black No More" at the Pershing Square Signature Center. Above, Lillias White, center, portrays a beauty impresario modeled on Madam C. J. Walker.

That woman, Helen Givens — played by Jennifer Damiano in a Veronica Lake wig — is the musical's most radically revamped character; she is much more complicated than the unreconstructed racist of the novel. Unfortunately, in their attempt to give her greater agency, the musical's authors make her motives and choices almost incoherent.

As the story begins to pile on plot — it feels too hasty even at a long two hours and 30 minutes — the problem spreads to everyone else. Especially after Disner and Givens marry in Georgia, and a baby of likely mixed race impends, the musical pushes too hard toward tragedy, winding up well short at melodrama.

And yet, melodrama can be effective, especially when sung; the "melo" part of the word, after all, means music. Except for

BLACK NO MORE

Tickets Through Feb. 27 at the Pershing Square Signature Center, Manhattan; thenewgroup.org. Running time: 2 hours 30 minutes.

Credits Book by John Ridley; directed by Scott Elliott; lyrics and music by Tariq Trotter; music by Anthony Tidd, James Poyser and Daryl Waters; choreographed by Bill T. Jones; sets by Derek McLane; costumes by Queen Jean; lighting by Jeff Croiter; sound by Nevin Steinberg; hair and wigs by Nikiya Mathis; props by Kathy Fabian; music direction and dance arrangements by Zane Mark; music coordinator, Kristy Norter; production stage manager, Valerie A. Peterson; associate director, Monet;

associate choreographer, Antonio Brown. Presented by The New Group, led by the artistic director Scott Elliott and the executive director Adam Bernstein.

Cast Jennifer Damiano, Brandon Victor Dixon, Tamika Lawrence, Howard McGillin, Tracy Shayne, Theo Stockman, Ephraim Sykes, Tariq Trotter, Edward Watts, Lillias White, Leanne Antonio, Elijah A. Carter, Gaelen Gilliland, Polanco Jones Jr., Zachary Daniel Jones, Sarah Meshi, Mary Page Nance, Oneika Phillips, Nicholas Ranauro, Mars Rucker, Akron Watson, Nyla Watson, Rhaamell Burke-Missouri, Ryan Fitzgerald, Malaiyka Reid and Angela M. Sauters.

understands that her vanishing trade in hair straighteners and skin lighteners is different only by degree from Crookman's. In the song "Right Amount of White" — "Just a little pinch of French/Just a slight touch of Dutch/Just a little bit of Brit" — she establishes the show's themes and relevance with humor and theatrical specificity that's mostly absent elsewhere.

As "Black No More" continues its development process, it will surely need to find more breathing space like that between the whimsy of the novel and its current chaotic gloom. (Except for Queen Jean's sexy costumes, the design is almost punitively cold.) I hope the authors can do so without losing what's already beautiful about this promising work — keeping in mind that beauty, if not (according to "Black No More") Blackness, is only skin deep.

MAYA PHILLIPS | THEATER REVIEW

To Go Where No Mutt Has Gone Before

A musical salutes the animals in the Cold War space race.

WE'RE IN 1957, the height of the Cold War. The Soviets and Americans are racing to space, and the Soviets have pulled ahead by launching the first human-made object into the Earth's orbit. The next goal on the horizon: sending a man into space. But before that, there was Laika, a stray dog from Moscow who was the sole living occupant of the spacecraft Sputnik 2, which orbited Earth. Sputnik fell from space eventually, but Laika did not survive the trip.

Now Laika has been resurrected as the subject of a vivid new musical, "Space Dogs," an MCC Theater production that opened on Sunday and that stars its creators, Nick Blaemire and Van Hughes.

Directed by Ellie Heyman, "Space Dogs" recounts the story of Laika, the best known of the dogs that Soviet scientists trained for space travel. In this retelling, a scientist known by the code name Chief Designer led that initiative.

Parts of the show are told from Laika's perspective, from doggy diary entries and songs. (Laika is played by a plushie that is mostly handled and voiced by Blaemire.) Other parts come from the perspective of the chief designer, played by Hughes. The rest of the scenes break the fourth wall, providing historical and political context. It's informative, in a slipshod way, but also hopelessly cheesy, packed with dad jokes, puns, silly accents and even a doggy beauty contest. "Space Dogs" gives off the vibe of a B-grade educational children's show, though one with the occasional vulgarity amid the bleak material.

One oddly peppy song recounts how the chief designer, "driven by a void in the center of his chest," to use a cliché from the show, was imprisoned in the gulag and tortured during the height of Stalin's rule. And though no dogs were harmed in the making of this show, there are canine casualties and somber existential musings from the four-legged friends. Besides the Bowie-esque chorus and spoken word of "Fill the Void,"



SARA KRULWICZ/THE NEW YORK TIMES

and the alternating soft acoustic chords and heavy strumming of "Blessed by Two Great Oceans," most of the musical's songs are pretty uniform stylistically and generically upbeat, bouncy yet forgettable numbers that contribute little to the story.

"Space Dogs" also telegraphs Pixar-level heartbreak through mawkish tunes. "What if I die? What if I fall out of the sky?" Laika sings, and later croons from beyond the grave about her dashed hopes for a family and delicious steak. It's emotionally manipulative, especially for tenderhearted animal-lovers in the audience. The show then must walk a difficult line between celebration of Laika and her canine colleagues ("History was changed by dogs!" the two actors declare) and commentary on the ambitions of two countries on the brink of mutual annihilation.

Hughes and Blaemire attack their ma-

Laika is the dog in the spotlight of the musical "Space Dogs," an MCC Theater production focusing on the animals who preceded the Soviet cosmonauts in the Cold War space race.

SPACE DOGS

Tickets Through March 13 at MCC Theater, Manhattan; mcctheater.org. Running time: 1 hour 30 minutes.

Credits Music and lyrics by Van Hughes and Nick Blaemire; directed by Ellie Heyman; choreographed by Darrell Grand Moultrie; sets by Wilson Chin; costumes by Haydee Zelideth Antufano; lighting by Mary Ellen Stebbins; sound by Nathan Leigh; projections by Stefania Bulbarella and Alex Basco Koch; puppets and props by Amanda Villalobos; orchestrations by Van Hughes; music coordination by Michael Aarons; production stage manager, Katherine Wallace; production manager, Steve Rosenberg. Presented by artistic directors Robert Lupone, Bernard Tesley and William Cantler, and executive director Blake West.

Cast Van Hughes and Nick Blaemire.

terial with such enthusiasm; their earnestness is palpable, even taking into account the corniness of the book and their imperfect vocals (the songs they wrote accommodate their range and abilities).

The rest of the production appears poised to overshadow the two stars and their story. Wilson Chin's scenic design is compact and cluttered, full of drawers and speakers of different shapes and sizes stacked together Tetris-style alongside Soviet and American flags. Amanda Villalobos offers some fabulous puppet and prop design that, unfortunately, isn't prominently showcased until the last third of the show.

The lighting design (Mary Ellen Stebbins) is the boldest, full of neons and strobes. Projections, green screens and live cameras all figure prominently as well, and though the celestial lights and scenery are dazzling, all of these elements together offer a glut of visual information that is often overwhelming.

What would my own dog think of such a show, I wondered as I left the theater. I'm betting he would prefer to keep his paws on the ground.

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An Exhilarating Jazz Set Arrives, 49 Years Later

In a Town Hall concert from 1973, the pianist Cecil Taylor is seen at his innovative best.

By ALAN SCHERSTUHL

Creative jazz at its best is a music of discovery: improvisers caught up together in a moment that's passing even as they conjure it, with the next already materializing between them.

The jazz business, meanwhile, is often about rediscovery, as newly issued recordings from canonized greats frequently out-sell and out-stream the releases of contemporary musicians, even those certain to be canonized themselves someday.

The digital-only arrival on Tuesday of a mostly lost concert from the innovative pianist Cecil Taylor exemplifies both points. Recorded at the Town Hall in New York on Nov. 4, 1973, the music gushes as if it were an uncapped fireplug. Previously unreleased, the relentless 88-minute track "Autumn/Parade" catches the inexhaustible Cecil Taylor Unit in the grip of one revelation after another, playing free jazz, a style of improvisation, in the purest definition of free.

Unburdened by the boundaries of keys, structures, time signatures and the dictates of each piece's composer, Taylor, Andrew Cyrille (percussion), Jimmy Lyons (alto saxophone), and Sirone (bass) formed an organic whole, making — discovering — one torrent of sound together.

"He never told me what to play," Cyrille, now 82, said of Taylor last week. "He would say, 'Play what you hear. Play what you want.'"

Or, as Cyrille put it at a 2020 Village Vanguard performance, such in-the-moment musical freedom is "playing life."

Free jazz liberated rhythm sections from the traditional role of keeping time in favor of making sound, as Cyrille does throughout "Autumn/Parade." Taylor, who died in 2018, famously hit his keys with a percussionist's force, and for all the considerable harmonic excitement of his runs, what's most immediately striking on the new release is the Unit's restless, driving polyrhythms, pulsing clots of tones and beats.

"No other pianist I know plays with such physicality at the piano," Kris Davis, a singular improvising pianist and composer in her own right, said in an interview. "Every idea, whether gestural, melodic or harmonic, is expressed through rhythm."

Davis noted that Taylor's technique of composing fragments of notes in "cells" that he then would "develop, expand and turn upside down" at times appealed more to classical musicians than to jazz musicians, though today his influence is heard widely among improvising pianists. (She cited an expansive list, among them Marilyn Crispell, Jason Moran, Craig Taborn, Myra Melford, Alexander Hawkins, Angelica Sanchez and Vijay Iyer.)

But on the nightclub scene of the '60s and '70s, genius didn't always mean drink sales, and being in the vanguard of a new approach meant it could be a challenge finding suitable collaborators. Oblivion, the label putting out this release, has called it "The Return Concert" because in '73, Taylor, then



Top, the pianist Cecil Taylor. Much of a concert he recorded in 1973 at the Town Hall in Manhattan went unreleased until this week. "The Return Concert," as the recording is called, featured the quartet of Taylor, the percussionist Andrew Cyrille, the alto saxophonist Jimmy Lyons and the bassist Sirone.

44, had been mostly absent from recording and being in the New York scene for five years as he pioneered another aspect of avant-garde jazz life: turning to academia. (He taught at Antioch College and the University of Wisconsin, not without controversy.)

The taping of the Town Hall concert was another feat of improvisation. Taylor had recorded significant LPs ("Conquistador!", "Unit Structures") for Blue Note in the late 1960s, but, at this point, was independent. Planning a release for Taylor's nascent Unit Core label, his sort-of manager, David Laura, turned to an unlikely source: a Columbia student, Fred Seibert, who had recorded concerts for the university radio station and released several blues LPs on the independent Oblivion label with cohorts from a Long Island record store.

With borrowed equipment and much youthful confidence, Seibert took the gig — and faced a torrent of music. "I felt like I was under Niagara Falls with every sound coming at me from 360 degrees and fighting for space in my head," said Seibert, who would go on to engineer and produce records for Muse Records before leaving the music industry at the dawn of the 1980s for Hollywood, where he became a storied producer of animated television. (Series launched under his aegis include "Dexter's Laboratory," "Powerpuff Girls" and "Adventure Time.")

For Taylor, "free" also meant freedom from the restraints of the commercial music industry. Releasing the first set would have demanded making a double LP and fading

down the music at the end of each side, which Seibert considered contrary to its spirit. A shorter second set proved a better fit: Split between a 16-minute solo Taylor piece and a side-length band workout, the encore performance had a limited 1974 release as "Spring of Two Blue J's." One of the 2,000 copies made it to the critic Gary Giddins at The Village Voice; he called it "probably my favorite album made in the last year."

The other 88 minutes of music remained on Seibert's tapes, though he always hoped to put them out in the world. Now, taking advantage of digital music's lack of physical limitations, he's unleashing "The Complete, Legendary, Live Return Concert" on the newly reconstituted Oblivion Records. Seibert's conviction not to fade or shorten the first set, "April/Parade," and his disinterest in taking on the hassle of traditional distribution has led him to rule out the deluxe CD or vinyl package that such rediscoveries typically enjoy.

Critics and fans often view jazz history as a succession of giants making artistic breakthroughs, as the music itself changes in their wake. That accounts for some of the trepidation and revulsion that, decades ago, some critics expressed toward free jazz in general and Taylor in particular — was this the direction it all would go? It perhaps also explains the tendency of some of Taylor's champions to emphasize what was new in his music (especially techniques inspired by classical composition) to the detriment of its roots in Black American jazz.

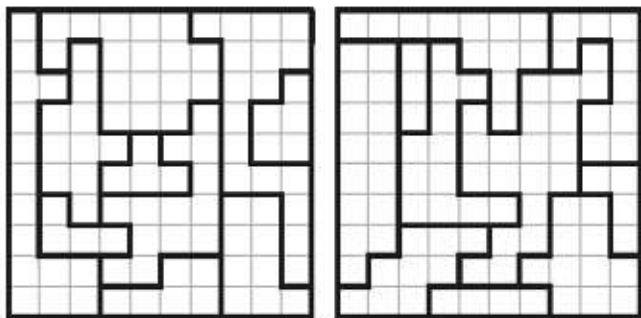
"He didn't just come out of the blue and say, 'I'm Cecil Taylor. I'm doing what I do, and it's always been this,'" Cyrille said. "He learned from a lot of other people. He played with Johnny Hodges and Hot Lips Page. He observed Thelonious Monk. Now, the concepts were different, but all of those musicians before him played who they were, too — they played their freedom."

Almost 50 years after that Town Hall concert, Cyrille is still doing the same. At Dizzy's Club on Feb. 5, his longstanding group Trio 3 — with the bassist Reggie Workman and the alto saxophonist Oliver Lake — played its last-ever concerts, with guest appearances from Iyer and the altoist Bruce Williams. Cyrille, though, will continue playing live and recording, and he has performances scheduled at the Big Ears Festival in Knoxville, Tenn., in March.

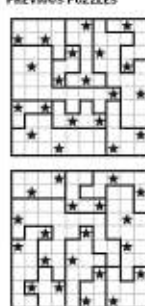
Cyrille calls playing "therapeutic" and refers to the music he has made with Taylor and so many others over more than 60 years as "democratic." Whether in the '70s with Taylor or with his own groups today, "It's about self expression," he said, "and the spiritual signature of the players."

He recalled the Taylor of the Town Hall era, hearing the other players' discoveries, which then fed his own. "Whatever the rest of us played, he used it," he said. "He absorbed music. And in his playing, you hear how he would deal with it as it entered his body, and how he felt about what was being offered to him. It all came out through the piano."

Two Not Touch



ANSWERS TO PREVIOUS PUZZLES



Put two stars in each row, column and region of the grid. No two stars may touch, not even diagonally.

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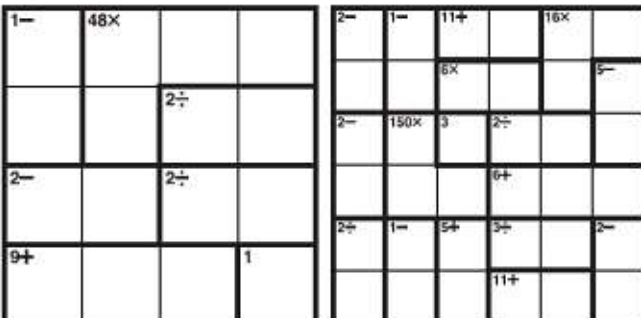
Brain Tickler

Rearrange the letters of CO-HEADLINERS to make two languages.

PUZZLE BY WILL SHORTZ

YESTERDAY'S ANSWER: Texas is so large that El Paso is actually closer to San Diego than it is to Houston.

KenKen



ANSWERS TO PREVIOUS PUZZLES



Fill the grid with digits so as not to repeat a digit in any row or column, and so that the digits within each heavily outlined box will produce the target number shown, by using addition, subtraction, multiplication or division, as indicated in the box. A 4x4 grid will use the digits 1-4. A 6x6 grid will use 1-6.

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Crossword Edited by Will Shortz

ACROSS

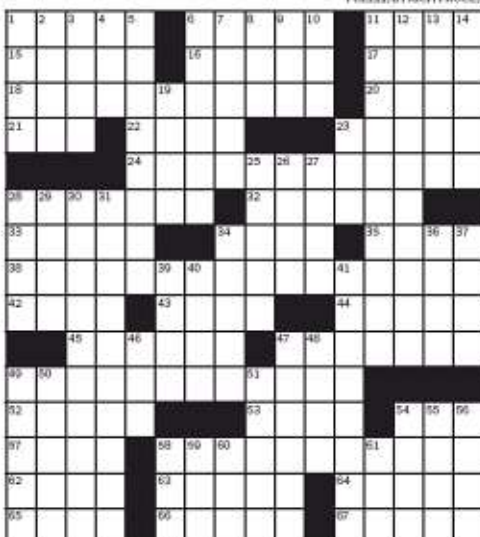
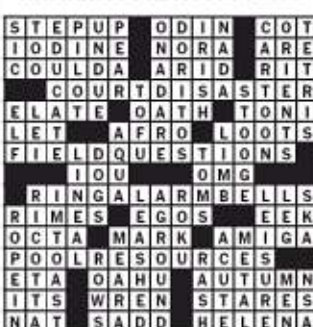
- 1 Weak hit
- 6 Big hit
- 11 Speak disrespectfully to
- 15 Hindi for "palace"
- 16 Mischievous fairy
- 17 "Homo" (Nietzsche book)
- 18 Worker designation coined by Upton Sinclair
- 20 Key that's never used alone: Abbr.
- 21 Sign of a packed house
- 22 "Confound it!"
- 23 Disney mermaid
- 24 Traditional folk song played by British and Australian ice cream trucks
- 28 Devoid of pleasure
- 32 French trick-taking game
- 33 Really bothered
- 34 Doughnut shapes
- 35 Get ready
- 38 Envy source in Genesis 37 that hints at 18-, 24-, 49- and 58-Across
- 42 Steve with eight N.B.A. championships

- 43 They're placed in locks
- 44 Signs of saints
- 45 Cry for help
- 47 Most likely to preen
- 49 Upside, when down
- 52 Characteristic
- 53 "Understood"
- 54 "The Problem With ____" (documentary related to "The Simpsons")
- 57 Letter after theta
- 58 Some sushi menu fish
- 62 Tech review site
- 63 Like prunes vis-à-vis plums
- 64 Nonstudio film
- 65 Sedgwick of "The Closer"
- 66 "The Lorax" author
- 67 Stun gun

DOWN

- 1 X1, M2 and i3
- 2 Cowardly Lion portrayer
- 3 Lima's home
- 4 Nondairy milk option
- 5 Promise that one will

ANSWER TO PREVIOUS PUZZLE



2/16/22

6 Mushrooms produce them

7 Children's author who wrote "People say nothing is impossible, but I do nothing every day"

8 Rose of Guns N' Roses

9 "Cheap Thrills" singer, 2016

10 That ship

11 Scheme

12 Important part

13 Rocky debris

14 What sex does, they say

19 Train units

23 ____ Lingus

25 Highlighter shades

26 Prognosticate with a crystal ball

27 Secular

28 Plug receptacle

29 First Native American tribe to meet with Lewis and Clark

30 After quite some time

31 Verdi opera originally titled "Amore e Morte" ("Love and Death")

34 Foot bones

36 Cherubic god

37 "You there!"

39 Author Jonathan Safran ____

40 Rough up

41 Line when you're late to the punch line

46 Dog doc

47 Features of some bike helmets

48 Freshly

49 Carrot's counterpart

50 Complaining about social media on Facebook, say

51 Frasier's brother on "Frasier"

54 Gives a hand

55 Ballet bend

56 Employer

58 R.B.'s stat

59 Before, to Shakespeare

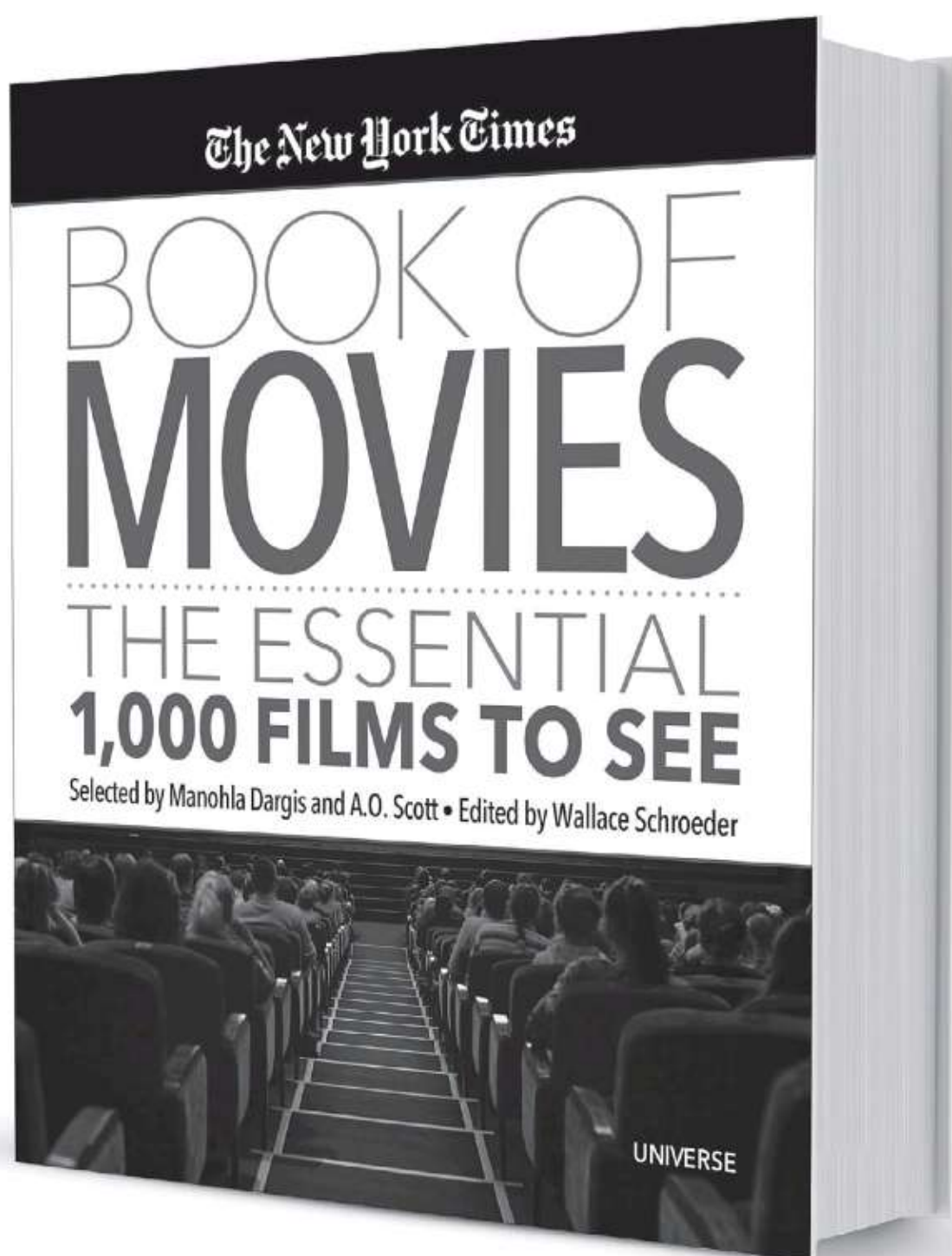
60 Simu ____, star of "Shang-Chi and the Legend of the Ten Rings"

61 Santa ____, Calif.

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UNIVERSE



ALEXIS SOLOSKI | THEATER REVIEW



John Douglas Thompson as Shylock in "The Merchant of Venice," at Theater for a New Audience.

An Expert Practitioner Administers the Pain

John Douglas Thompson stars in a new take on Shakespeare.

MORE THAN 30 YEARS AGO, John Douglas Thompson, then a successful salesman at a Fortune 500 company, saw a play in New Haven, Conn. When it was over, he offered up a prayer: "Please, God, make me an actor. Teach me how to do that, and make this possible for me."

Thompson told me this five years ago, on the floor of a Broadway lobby after finishing a performance of August Wilson's "Jitney." And I remembered it last week, watching him as Shylock in Arin Arbus's caustic, provocative production of Shakespeare's "The Merchant of Venice" at Theater for a New Audience.

That prayer has been answered. Since 2009, when he played Othello — also for Arbus, also at Theater for a New Audience — audiences have recognized Thompson as an outstanding classical actor, perhaps the greatest Shakespeare interpreter in contemporary America theater. There are actors of greater plasticity, better grace, lusher voice. But Thompson, a virtuoso of psychological insight and emotional specificity, makes each centuries-old line sound like it has occurred to him in the moment. In his distinctive sandpaper rasp, he takes what's timeless and transmutes it to the present. To watch him work is to feel fluttery, lightheaded. Blessed, maybe.

"The Merchant of Venice" is a fairy tale with a corrosive center, a chocolate filled with battery acid. Its plot joins two folk tales, three love stories and a nerve-splintering trial scene that puts "Perry Mason" to shame. It concerns a melancholy Christian merchant, Antonio (Alfredo Narciso), who borrows 3,000 ducats from a Jewish usurer, Shylock (Thompson), to fund his friend Bassanio (Sanjit De Silva) — a close friendship that Arbus renders as explicitly romantic. Shylock forgoes interest in favor of an unusual condition: If Antonio forfeits, Shylock will extract a pound of flesh from his body.

Despite his relationship with Antonio, Bassanio is wooing Portia (a flexible and elegant Isabel Arraiza). To confound her suitors, her father has set them a challenge. They have to choose among three caskets: one gold, one silver, one lead. If a suitor chooses correctly, he will find Portia's portrait. Otherwise, he has to leave, with the promise that he will never marry. The plots combine in that harrowing courtroom scene, where Portia gives her "quality of mercy" speech.

Over the past century, scholars have debated whether "Merchant" should be staged at all, particularly after the play was deployed in Germany in the 1940s as Nazi propaganda. Every responsible production has to contend with its uneasy legacy.

Arbus's solution is to emphasize the awfulness of everyone in Venice, not Shylock alone. Mercy? Look elsewhere. On Ric-

The Merchant of Venice

Through March 6 at Theater for a New Audience, Brooklyn; ifana.org. Running time: 2 hours 40 minutes.

cardo Hernandez's set, a doge's palace given a Brutalist remodel, and under Marcus Doshi's grim lights, the characters demean and betray one another. Even the virtuous Portia displays casual racism and less-casual hypocrisy. No one else behaves any better. Emily Rebholz's costumes — athleisure, Vans, a hoodie with "Brooklyn" printed on it — confirm this atmosphere of treachery as neither long ago nor far away.

Casting Thompson complicates the prejudices at work in the play, superimposing Blackness on Shylock's Jewishness. Black Jews of course exist, but despite the interpolation of some lines from a Yom Kippur prayer at the play's end, it is this Shylock's Blackness and not his Jewishness that Arbus's production emphasizes. "By casting a Black man as Shylock in America in 2021, one becomes painfully aware of the connections between Shakespeare's 16th-century Venice and our world now," she said in a news release.

This pays certain dividends, giving some lines particular resonance, as when Shylock, in his speech to the Venetian court, says:

You have among you many a purchased slave,
Which, like your asses and your dogs and mules,
You use in abject and in slavish parts
Because you bought them. Shall I say to you
Let them be free! Marry them to your heirs!
Why sweat they under burdens? Let their beds
Be made as soft as yours?

In laying bare Antonio's prejudices during the first act, Thompson mockingly assumes the cringing tones of a racist caricature, a barbed and devastating choice that shows his anguished self-awareness. He knows how the others see him and how they want him to behave. He refuses. But in exacting revenge on those who perceive him as less than fully human, he loses his own humanity, which is his tragedy.

And yet, this doubling feels like displacement — diminishment, perhaps — especially as it sidesteps the thorny questions of the play's own attitudes toward Jews. Threats against American Jews have risen precipitously in recent years, as has online harassment. The hostage situation at a Texas synagogue last month was a sobering reminder of hatred with a long history. None of this necessarily makes Arbus's focus on Blackness wrong. (And who would deny Thompson any role he wanted?) But anti-Blackness and antisemitism aren't identical. And both continue. Which is to say: Wasn't this painful enough? Weren't we aware already?

In Orlando, 25 Basquiats, Or Something Very Similar

CONTINUED FROM PAGE C1

\$15,000.

Mangin provided receipts of the purchase and recounted the thrill of the hunt: "It's sort of a deep hook that goes inside of you," he said, likening it to being an art world Indiana Jones digging for lost artifacts. It certainly sounds like a tale straight out of Hollywood, or perhaps a script by the Emmy Award-winning Mumford. Indeed, Gagosian, in a response to this reporter about the 1982 creation of these Basquiats, said he "finds the scenario of the story highly unlikely." Gagosian's concerns were echoed by several curators known to write widely on Basquiat's work, who have greeted the Orlando museum's show with a stony public silence.

De Groft, the museum director, bristled at such skepticism. "My reputation is at stake as well," he said in an interview. "And I've absolutely no doubt these are Basquiats." Beyond his own trained eye — he has a Ph.D. in art history from Florida State University — he cited a battery of reports commissioned by the artworks' current owners.

These include a 2017 forensic investigation by the handwriting expert James Blanco, which identified the signatures that appear on many of the paintings as being Basquiat's; a 2017 analysis by the University of Maryland associate professor of art Jordana Moore Saggese, author of "Reading Basquiat: Exploring Ambivalence in American Art," in which she too attributed the paintings to Basquiat; and signed 2018-19 statements from the curator Diego Cortez, an early supporter of the artist and founding member of his estate's now-disolved authentication committee, which declared each of the paintings to be genuine Basquiats. (Cortez died last year.) In light of the imprimatur Cortez's name carries with historians, his certifications were accompanied by photographs showing the curator mid-signature.

But the foremost proof in De Groft's mind was a short poem by Mumford in 1982 commemorating the artworks' creation and the meeting that the owners say occurred between Basquiat, then an artist on the rise, and Mumford, then one of the few Black screenwriters working within network TV and riding high as a producer and writer for the top-rated "M*A*S*H."

Lines from the poem seem to refer both to Mumford's '70s work voicing a "Dr. Thad" for "Sesame Street," his upcoming script for the "M*A*S*H" series finale, the "25 paintings bringing riches," and the two men's shared spirit as "no longer outsiders, industry insiders golden crowns receiving... We film, we write, we film, we paint."

It is said to have been written and typed up by Mumford, then initialed in oilstick by Basquiat (and confirmed as genuine by Blanco). The poem was not in Mumford's storage locker contents, according to Mangin, but was handed to him by Mumford in 2012. After buying the paintings, Mangin said he and Force tracked down the screenwriter, who told them over lunch how he had bought the Basquiats in 1982 as an investment on the recommendation of a friend.

"The poem is almost like a receipt, it refers to the works, it refers to the inscriptions in the works, it refers to the time," De Groft said. "I've absolutely no doubt."

Before his death in 1988 from a drug overdose, Basquiat is believed to have made approximately 2,100 artworks, from small drawings to a paint-adorned refrigerator door, according to the Brooklyn Museum. Could these slices of cardboard have been among them? While it's certainly difficult to imagine Gagosian, living just one floor above Basquiat and keeping close tabs on his studio progress, or Basquiat's gallery-employed studio assistant and de facto

chauffeur, John Seed, not noticing the creation and sale of 25 detailed paintings on canvas, those painted on cardboard are more easily concealable.

Seed has written about driving Basquiat to an appointment with a doctor whose medical bill was paid with drawings. And as noted by Phoebe Hoban in her 1998 biography, "Basquiat," "Anybody with the right attitude and the right amount of money could purchase something from the painter, who was constantly in need of cash to support his various habits." Gagosian himself conceded to Hoban that his own accounting methods with Basquiat were hardly traditional: "It was the way he chose to be paid, in cash, or in barter, or with clothes, or like he'd say, 'Well, buy my girlfriend a trip to Paris.'"

More than just professional reputations now rest on the question of these paintings' true background. The value of Basquiat's work has soared: In 2017 one of his paintings sold for \$110.5 million at Sotheby's — the current auction high for an American artwork. If the 25 Mumford-purchased paintings are authenticated as actual Basquiats, Putnam Fine Art and Antique Appraisals puts their total worth at close to \$100 million.

An official verdict on this whodunit by the Basquiat estate is now impossible — it closed its authentication committee in 2012 in the aftermath of a lawsuit over Basquiat artworks initially deemed fake. (Amid simi-

'That poem is so revealing, and Basquiat's initials are on it.'

PIERCE O'DONNELL
PARTIAL OWNER OF DISPUTED ARTWORKS

lar time-consuming and expensive litigation, the Andy Warhol estate closed its own authentication committee that same year.) Yet without such a stamp of estate approval, or an established provenance, major auction houses and heavyweight art dealers are reluctant to handle such works. Despite several years of being quietly shopped around the secondary art market, these Basquiats have to date found no takers, according to the owners. The Orlando museum showing could help dispel that market wariness, lending them a new air of institutional legitimacy.

Sotheby's declined to comment on the authenticity of these paintings. Several art world professionals were similarly gun-shy, citing the experience of the estate's authentication committee and their fear that publicly weighing in could embroil them in a lawsuit with the paintings' current owners. One dealer who personally worked with Basquiat and saw photographs of the paintings in the Orlando museum, said, "the way Basquiat places elements in the composition has an interior logic which is missing in these images."

In addition to Force and Mangin, partial ownership of the artworks now lies with one of Los Angeles's most prominent trial lawyers, Pierce O'Donnell, famed for successful litigation against a veritable who's who of the city's glitterati, from the actor Brad Pitt (on behalf of his ex-wife Angelina Jolie) to the former Los Angeles Clippers owner Donald Sterling.

O'Donnell told The New York Times that he purchased an interest in six of the 25 paintings after Force, who had read about his authentication efforts on behalf of a disputed Jackson Pollock painting, approached him for help with the Basquiats. It was news coverage of this same Pollock legal standoff that also led De Groft of the Or-

This poem is said to have been written by the television screenwriter Thad Mumford and initialed in oilstick by Jean-Michel Basquiat to commemorate the creation of artworks.

The start of a new day
in finger paintings
Industry insiders golden crowns receiving
Brooklyn brothers hands creating
Drawing writing bridging gaps
(A summer bright)
Sewers the fleeing wretched loneliness

25 paintings bringing riches
Ring along Dr. Thad sing alone
Breaking bread this our summer
Wrapping alone last scene alone
Eat drink celebrate
Chaos made intriguing
A serious quest we undertake.

Now sections of a child
did you know
We film, we write, we film, we paint
Crowning glory brings cheers and statues
Oh how grand we feel
Oh how lovely our life will be
A baseball a bird a television our play a future bright

JMB
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SculptureCenter Taps One of Its Own to Lead

By SARAH BAHR

SculptureCenter, the bold institution in Long Island City, Queens, that focuses on contemporary works by emerging and undervalued artists, has named a new director. To fill the shoes of its last leader, who resigned in September 2020 after less than a year, it has tapped one of its own: Sohrab Mohebbi, a curator at large.



Sohrab Mohebbi

Mohebbi, 41, ascends to the top role at SculptureCenter after having been at the Carnegie Museum of Art in Pittsburgh, organizing the Carnegie International, since June 2020. He had been a curator at SculptureCenter from 2018 to 2020, and has continued to work as a curator at large there concurrently with his post in Pittsburgh.

"He brings an energy, perspective and

deep understanding of global cultural movements," Carol Bove, SculptureCenter's board chair, said of Mohebbi. His new role was announced on Tuesday.

Kyle Danciewicz, who has been SculptureCenter's interim director since September 2020, will be deputy director under Mohebbi.

"As a director, it's thinking about how we can run the institution curatorially, how we can be at the service of the artists," Mohebbi said in a phone interview. "That's what turns it into a dream job for me."

Mohebbi will assume his new SculptureCenter role in March, and see through the Carnegie International in September.

SculptureCenter's previous director, Christian Rattemeyer, stepped down after 10 months. (A spokeswoman for SculptureCenter, Jillian Scott, said this week that at the time the institution's board had "decided to realign its management to better achieve their mission.")

Another arts institution in Long Island City also named a new leader this week: Socrates Sculpture Park appointed Tamsin Dillon, previously with Art in Public, to the post. She begins her new role on Tuesday.

lando museum to contact O'Donnell and then offer to exhibit the Basquiats. If Force and Mangin are seeking a payday, and De Groft hopes for a blockbuster exhibition, O'Donnell seems driven by the courtroom-like drama of it all.

"I treated these paintings as a client," the lawyer said. "I believe I could win this case nine and a half out of 10 times with a jury. I'm not bragging. I'm just saying the evidence is compelling." He cited various reports on the paintings, and, like De Groft, the Mumford-penned and Basquiat-signed poem that definitively sealed his case. "That poem is so revealing, and Basquiat's initials are on it," he continued. "It's autobiographical and you can't make up this stuff, you just can't."

Except that sometimes you can. As early as 1994, seemingly beautifully executed Basquiats later deemed to be well-made fakes — accompanied by bogus letters of provenance — were in circulation. And just last July the F.B.I. arrested a man in New York City that it said was trying to sell artworks he falsely claimed were collaborations between Basquiat and Keith Haring, also complete with forged letters of provenance.

O'Donnell had no patience for such comparisons. "You would have to have a big old conspiracy that would rival the Jan. 6 insurrection for these things not to be authentic," he scoffed, adding that it just didn't make sense. "A forger who wanted to make big hay over Basquiat would paint one extraordinary Basquiat, or maybe two or three, all large on canvas. He wouldn't just go out and get cardboard from a supermarket or liquor store and create 25 paintings."

What of Mumford's family, who only learned of the museum's exhibition of "The Thaddeus Mumford Jr. Venice Collection" from this reporter? "It's all very strange," said Jeffrey Mumford, Thad's younger brother, a Guggenheim Fellowship-winning classical composer and music professor at Lorain County Community College, near Cleveland. Not only did Thad never once mention to him buying the Basquiats, "he was someone who didn't really go to art galleries very often, was often intimidated by the idea of going to them because he felt he had to have a degree in art in order to appreciate the work."

Moreover, if Thad had ever wanted to discuss a promising new artist, he could have spoken with Jeffrey's wife, Donna Coleman, an accomplished painter who had lived in New York City at the same time Basquiat was first making a name for himself. Coleman, in an interview, recalled walking in downtown Manhattan in 1978 "when I would see his SAMO graffiti on the wall fresh from the day before."

Coleman, who helped settle Thad's estate upon his death in 2018, said it seemed believable to her that he had simply stopped making payments on his storage unit "because he didn't care about these works, or he didn't recognize their worth, or maybe he was tipped off that they were not real." The last years leading up to his death "were very, very fraught," she said. His career in television had essentially dried up, he was severely depressed and in poor health, and "he was just letting go of a lot of things." But if by 2012 he no longer cared about the paintings, then why did he hold onto a poem about that same artist for all those years? "It does seem odd, doesn't it?" Coleman mused.

One clue to the paintings' authenticity may lie with the cardboard on which Basquiat would have applied his layers of paint, crayon, and oilstick. Mangin said he consulted several paper experts to confirm its age, but was told that the composition of cardboard from the 1980s was impossible to differentiate from that of recent years. "Nobody had an answer," Mangin explained. "Cardboard is cardboard."

Yet flip over one of the works and you will find that it was painted on the back of a shipping box with a clearly visible company imprint: "Align top of FedEx Shipping Label here." According to Lindon Leader, an independent brand expert consulted by The Times, who was shown a photo of the cardboard, the typeface in the imprint was not used by Federal Express before 1994. He should know: That was the year he personally redesigned the company's logo and its typefaces while working as senior design director at the Landor Associates advertising firm.

"It appears to be set in the Univers 67 Bold Condensed," Leader said of the label's distinctive purplish font. In 1982, "they were not using Univers at that time."

So the piece of cardboard could not have been produced until 12 years after Basquiat



VIA ORLANDO MUSEUM OF ART



VIA ORLANDO MUSEUM OF ART

supposedly painted on it and six years after the artist's death.

According to a person close to the Orlando museum, who asked to remain anonymous because they were not authorized to reveal internal discussions, its curatorial staff expressed their concern to De Groft that the FedEx text did not seem to be from 1982. "This show raised red flags for them," the person said, but the director brushed off their concerns.

Asked about his staff's reaction this week, De Groft insisted, "The cardboard is legit." He added, "I believe deeply these are

authentic Basquiats. I can't answer the question on FedEx, there's an anomaly there." But he said the evidence provided by the artworks' owners — from the Basquiat-signed poem to the Cortez report — was credible.

Yet as O'Donnell, the lawyer, has himself argued in a catalog essay for Orlando's Basquiat exhibition, one small discovery can undermine a seemingly rock-solid claim: "Over my four decades in the trenches, cases have been won or lost based on a single piece of evidence." The key to winning, he concludes, is "finding a 'smok-

ing gun' document buried in millions of pages of records. If this sounds like Perry Mason, it is."

Asked this week if the FedEx-imprinted cardboard was that veritable "smoking gun," O'Donnell remained unshaken. "If there's a question about one painting, it doesn't cast doubt on all the other ones." He called the typography question "a subject of expert debate" — one he almost seemed to relish and was confident he would win. "If I presented all this evidence to a jury — including this thing about FedEx — I have no doubt how it would come out."



Thad Mumford, who is said to have originally bought the 25 paintings at issue.

Top left, "Untitled (Self-Portrait or Crown Face II)," said to have been created in 1982, was made on a FedEx box; left, the typeface used for the FedEx wording on the back has raised suspicion. The corporate typeface on the cardboard was created in 1994, according to its designer, not 1982, as the paintings' owners assert.



MELANIE METZ FOR THE NEW YORK TIMES



VIA ORLANDO MUSEUM OF ART

Far left, Aaron De Groft, director of the Orlando Museum of Art, with one of the works from the Mumford storage locker said to be a Basquiat, "Untitled (Industry Insider)"; left, "Untitled (Self-portrait with his cowboy hat and wearing Leonardo da Vinci's flying suit)."

Brilliant Career: A Guided Tour

Isabelle Huppert received a lifetime achievement award. She takes us through some of the highlights.

By THOMAS ROGERS

BERLIN — Isabelle Huppert isn't fond of nostalgia. In her five-decade career, the 68-year-old French actress has appeared in over 120 films, including recurring collaborations with some of the most important filmmakers in postwar European cinema. Her ability to channel brittle vulnerability, intellectual forcefulness and icy hauteur (often simultaneously) in films like Michael Haneke's "The Piano Teacher" and Paul Verhoeven's "Elle" have made her one of the few true superstars of international art house film.

The Berlin International Film Festival awarded her an honorary Golden Bear for lifetime achievement on Tuesday, which Huppert did not accept in person after testing positive for the coronavirus, according to a news release from the festival.

The festival will still celebrate her career by showing seven of her films, although Huppert said in a recent phone interview that she had little interest in looking back. She explained that the award was "as much about the present and the future than about the past." She added that she rarely re-watched her old films: "I don't have time to see new films. Why should I lose time watching my previous ones?"

Huppert's schedule is almost comically packed. She has one film ("Promises") currently in French cinemas and three more set for release in the coming months. Another, "About Joan," is screening at this



JUTTER FILMS



SAGA PRODUCTIONS



WEGA FILM

Top right, Isabelle Huppert in 2019. The Berlin International Film Festival is honoring the superstar of art house cinema. Clockwise, from top left: Huppert and Yves Beneyton in "The Lacemaker"; Sandrine Bonnaire, left, and Huppert in "La Cérémonie"; Benoît Magimel and Huppert in "The Piano Teacher"; Huppert in "Every Man for Himself."

year's Berlin Film Festival. She is currently shooting "The Union Lady" with the French director Jean-Paul Salomé, and this year, Huppert is going on tour with two plays as well. She also revealed that she was slated to appear in the next film by François Ozon.

Nevertheless, Huppert said she saw the Golden Bear "as a recognition for the directors I've worked with." With that in mind, the actress shared insights about her experiences working on the films being screened at the Berlin retrospective. Here are edited extracts from that conversation.

'The Lacemaker' (1977)

In this slow-paced drama directed by Claude Goretta, Huppert plays Pomme, a shy salon employee who embarks on a romance with a university student.

I had done films before, but this was the film that defined me as a young actress, because it was so much about interiority. It was a great role as a career starter — one of these roles that imprints itself on you. She is a young lady who does not speak much, who has a relationship with this intellectual. It was very dramatic and emotional, but it didn't play with the seduction and physicality that is usually connected to young people.

I've never played soft characters. They were always very powerful, and very intense. They could be silent, but they were never soft. She expresses herself more with looks and with her eyes and her physical attitude than with words. Cinema is the perfect medium for revealing the unsaid, and "The Lacemaker" is really about this.



CELESTE SLOMAN FOR THE NEW YORK TIMES



BURNEY NASSER



CG CINEMA

'Every Man for Himself' (1980)

In this French New Wave classic by Jean-Luc Godard, Huppert portrays a prostitute navigating her clients' absurd fantasies.

My character was a very unusual way to show a prostitute: I didn't really look like what you'd expect, and there was a poetry to it. The movie is about money and bodies, not really about prostitution, and there was very little sexuality shown in front of the camera.

Godard has a special way of working: There was no script and there were very few people, sometimes just images or music. We went to a shopping mall and bought our costumes. It went against all principles of organization and preparation. I wasn't intimidated by Godard. I was never intimidated by anyone, at least no directors. If you are intimidated, things become impossible. I was always confident.

I like what Godard once said about me: "It's visible when she is thinking." That is probably one of the best compliments I've gotten in my life.

'La Cérémonie' (1995)

Huppert plays Jeanne, a postal worker in a small town with a grudge against a wealthy family, in this film by Claude Chabrol.

I've always worked with unsentimental directors who make no attempt to make people better than they are, and this was really Chabrol's specialty. We were exactly in tune, like in music. He asked me which role I

wanted and I said the post office girl. Compared to some of the previous characters I had played, she was very talkative. She kills with words and speaks and speaks and speaks.

I don't think much before I act. I just do it. It's instinctive and very intuitive and certainly I don't have thorough discussions with the director beforehand. The relationship between a director and an actress is so powerful and fascinating. Why does a director want to film you? Why is he interested in what you are, your face, your body, your way of moving or talking? It's unconscious and conscious, it's an invisible and mute language, but it is a language. It's what I cherish and love most about cinema.

'The Piano Teacher' (2001)

Directed by Michael Haneke, Huppert plays a Viennese piano teacher who has a boundary-pushing sadomasochistic relationship with a student.

Against all odds, Haneke is so easy to work with. He is very pragmatic and concrete. Even in the most daring scenes, the most incredible scenes, it's about how to place the frame, it's technical. Some scenes go quite far, but Haneke is a master of making the audience think they see things that he doesn't show. His direction, his mise-en-scène is very protective for the actors. As an actress, I never felt exposed.

I don't think when you do a film you go, "Oh my God, I'm going to do a provocative film." Of course, it's also a game, to go as far

as you want, to show things people have difficulty watching. At the end of the day, it's a very strange love story, but it's also an exploration of the mystery of love and of how this woman wants to impose her own view of love.

'8 Women' (2002)

In François Ozon's musical murder mystery with an all-star cast including Catherine Deneuve and Fanny Ardant, Huppert portrays Augustine, an uptight woman with a secret.

That was my first time working with François Ozon and "8 Women" was, of course, a comedy: He had all the characters sing and dance and be very funny, almost like caricatures of themselves — especially my character. On the set, there was none of the things people thought would happen with these eight women together — no competition, just great friendship and the pleasure of being together.

I'm not especially interested in being funny — there are comedies and there are dramas, and obviously I'm not going to tell you that some films are dramas if they are really comedies, but all of these movies have very funny moments. Maybe one of my contributions is to act as much as I can with a certain distance, which allows space for not necessarily a laugh, but for something very unsentimental.

'Things to Come' (2016)

Huppert plays a philosophy teacher navigating her husband's infidelity and her mother's declining health in this subtle drama from Mia Hansen-Love.

I think this is one of Mia's best films. I'm always walking in this film, because it's a woman who doesn't stop, whatever happens to her, even if it's self-destructive, she could fall, she just keeps going. Of all the directors I've been talking about, Mia is probably the most directive. She was very specific in her direction, and what she said was very subtle, very accurate. I usually don't like it when directors tell me too many things. Michael Haneke, Chabrol, Verhoeven, they never told me anything, not a word. I have no pride in saying this, it's just the way it is.

For viewers, I can imagine this role seems a bit closer to [my offscreen self] than something like "The Piano Teacher." Certainly in a geographic sense it is. I'm not Austrian or a piano teacher. But even when you are playing someone seemingly closer to who you are as a person, it's still a fiction, it still has to go through the process of inventing the character.

'Elle' (2016)

In this provocative erotic thriller from Paul Verhoeven, Huppert plays a woman seeking a unique form of revenge after being raped in her home.

My character has a fight to win, but she has decided to win it alone, without the help of officials, the police, no psychological help. The way that it was filmed gave me incredible freedom. You can be funny, you can be dramatic, you can also keep that distance with your character, which is important again, never sentimental, and that gives you an extreme freedom when you do a character with a certain kind of insolence. It's a real pleasure to be able to be as insolent as this. It gives you strength.

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Low-alcohol beers are a new focus. BY JOSHUA M. BERNSTEIN

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Food

The New York Times

WEDNESDAY, FEBRUARY 16, 2022 D1



A bite of chicken breast grown at Upside Foods, one of several companies around the world trying to develop commercially viable meat from animal stem cells.

Brave New Bird

An early taste of the lab-grown meat that companies are racing to bring to market, and the many questions it raises.

By KIM SEVERSON

EMERYVILLE, CALIF. — Until I read the release form, I wasn't concerned that the bite of sautéed chicken breast I was about to eat had taken less than three weeks to grow from a few cells inside a laboratory tank to a thick sheet of meat.

Would I assume full responsibility, the form asked, for any personal injury, property damage or death that came from ingesting meat "whose properties are not completely known?"

I was in the airy test kitchen and production center that Upside Foods opened four months ago in a Bay Area residential shopping district as part of its quest to sell chicken grown from animal stem cells, first in the United States and then globally. The company hopes other foods, including beef, duck and lobster, won't be far behind.

"We just cannot take for granted that what we eat now is the gold standard," said Dr. Uma Valeti, the cardiologist who helped start the company in 2015 after he became convinced that the same medical technology used to grow stem cells to repair a human heart could also grow food.

"We are changing the paradigm," he said. "We are detaching the meat from the animal."

Tissue engineers and scientists in several countries are trying to find a commercially viable way to transform animal stem cells into a marbled Wagyu steak, briny oysters or sushi-grade salmon. Their work is fed by nearly \$3 billion in investments from com-

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CARIELA HARRIS FOR THE NEW YORK TIMES

GENEVIEVE KO

When Little Things Yield a Lot

Full of cacao solids, chocolate chips play a key role in enhancing structure and flavor.

IT TOOK TWO MONTHS for Claudia Martínez, the executive pastry chef at Miller Union in Atlanta, to perfect her salted chocolate-chip cookie recipe. For the morsels, she ended up using a high-end chocolate — Lactée Barry Equilibre from the French chocolate company Cacao Barry — and was happy with her results. But when she tried some cookies that her regulars had made for her as gifts, she thought they tasted "way better" than her own.

They were baked with Toll House chocolate chips.

"As pastry chefs, we're always trying to use the fanciest chocolates," said Ms.



In a flourless chocolate cake, melted chocolate chips shine through the creaminess of the butter and the richness of the eggs.

Martínez, 29. "Sometimes, people just want that flavor they can recognize." Including her. Toll House morsels were in her mother's cookies and in treats made by her childhood babysitter long before she attended culinary school.

Nostalgia is only one reason to love chocolate chips. Aside from their obvious convenience — no messy chopping — they hold their shape better in the oven when stirred into doughs and batters, and deliver more flavor in baked goods than some expensive bar chocolates. And it's all because they're relatively low in cocoa butter and high in cacao solids.

Donald Wressell, an executive chef of the Guittard Chocolate Company, said, "At face value, sure, the most expensive chocolate is the best," but he emphasized that how you plan to use the chocolate should determine

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MELISSA CLARK FOR THE NEW YORK TIMES

A Smoky Variation On an Old Favorite

Melissa Clark tops her roasted sweet potatoes with eggs and a dash of paprika. Page 3.

YEWANDE KOMOLAFE

Just One Pot, but Plenty of Meals

A hearty German stew that is brimming with memories.

IF YOU NEED a little extra warmth this winter, let eintopf be your go-to.

There are as many versions of eintopf, a hearty German stew, as there are people who love it. A traditional eintopf may include bratwurst and sauerkraut, but how it is cooked (eintopf translates to “one pot”) is more important than what goes in the pot. As long as you have meat and vegetables, you have the basis for eintopf.

I first got to know eintopf as a child. My parents moved us back to Lagos after completing graduate school in Berlin, and they shared eintopf with me and my siblings. They didn’t have a singular approach to it, and I don’t either. It’s a dish I am constantly refining and most likely always will be.

That’s because eintopf is as generous as it is brilliant for how well it takes to substitutions. Any root vegetable you have on hand will work, and any combination of two or three works best: Carrots, parsnips, beets, sunchokes and potatoes are just some options. Spicy greens, hearty greens or cabbages are ideal for finishing the stew, adding a bit of crunch.

This recipe highlights bone-in short ribs, which, like other tough but flavorful cuts of meat, will need time to break down, but they’ll eventually reach a point where the bones, juices and fat all make indiscernible contributions to the broth. The coconut milk provides a finish that suits me — an avoider of dairy — but you can add heavy cream or any other ingredient that thickens quickly without watering down the dish.

Once it’s out of the oven, you can then separate what you’ll save for the days ahead. To the portions I’ll be serving right away, I add kale, followed by a toss of reserved fennel fronds. At this point, the broth holds a certain brightness, but, if after tasting, a lime wedge or a quick zest of another citrus peel suits you, that would be lovely, too.

I’m a tireless devotee of one-pot meals. From them, I’ve learned new techniques, and about cuisines and ingredients that are unfamiliar to me. But my favorite one-pot meals are the ones that get better in the days after the cooking is done. By the second or third day, all the flavors you’ve developed have had time to get to know one another.

It’s the kind of cooking my parents did as students: building something in a single pot for a week’s worth of meals. For them, and now for me, there is comfort in returning to a good meal, especially one that holds as much warmth and memory as this cozy one-pot dish.

Yewande Komolafe is on parental leave. Her column will resume this summer.



PHOTOGRAPH BY KELLY MARSHALL FOR THE NEW YORK TIMES. FOOD STYLING: JESSICA REYNOLDS. PROP STYLING: MAEVE MURRIHAN

EINTOPF (BRAISED SHORT RIBS WITH FENNEL, SQUASH AND SWEET POTATO)

TIME: 4 HOURS
YIELD: 6 TO 8 SERVINGS

- 4 pounds meaty, bone-in short ribs, cut into single-bone portions
- Salt
- 1 tablespoon neutral oil, such as grapeseed, canola or vegetable oil
- 1 small fennel bulb, trimmed and chopped (about 2½ cups), top with fronds separated from bulb and thinly sliced
- 6 shallots, peeled and halved lengthwise
- 6 garlic cloves, smashed and peeled
- 1 teaspoon fennel seeds, crushed

- ½ teaspoon ground turmeric
- 1 (28-ounce) can whole peeled tomatoes
- 4 cups chicken stock
- 1 white sweet potato, such as Japanese sweet potatoes, peeled and cut into 2-inch pieces, or use an orange sweet potato (2 loose cups)
- ½ small butternut squash (about 1 pound 3 ounces), seeds removed, peeled and cut into 2-inch pieces
- 1 (14½-ounce) can full-fat coconut milk
- 1 teaspoon freshly ground black pepper
- 1 (1-inch) piece fresh ginger, scrubbed and grated
- 4 cups torn or cut fresh greens, such as kale, mature spinach, mustard greens or dandelion greens
- Warm crusty bread, for serving

- Season the short ribs with a sprinkle of salt on all sides. Heat the oil in a large Dutch oven set over medium-high. Working in batches if necessary, brown the tops and sides of short ribs, about 3 minutes per side. Transfer to a large plate and repeat the browning process with the remaining ribs.
- Heat the oven to 350 degrees. Pour off all but 2 tablespoons of fat from the pot. Add the chopped fennel bulb, (reserve the top and fronds for garnish), shallots and garlic to the pot, season with salt, and toss to coat in the pan drippings. Sauté over medium-high heat, stirring frequently until softened, 3 minutes. Add the fennel seeds and turmeric, and cook until fragrant, 1 minute. Add the tomatoes and

break apart the whole pieces with a wooden spoon or other cooking utensil. Cook until the tomato juices are thickened, about 6 minutes. Return the browned short ribs, bone side up, to the pot along with any drippings from the plate. Pour in the chicken stock and bring up to a simmer. Cover and transfer pot to the oven. Braise until the meat is tender, but not falling off the bone, about 2 to 2½ hours.

3. Increase the oven temperature to 375 degrees. Transfer the cooked short ribs to a plate. Using a colander or sieve set over a bowl, drain out the vegetable solids from the pot and discard, reserving the liquid broth. Skim off and discard as much oil as you can from the surface of the liquid using a spoon or a ladle. (You should have about 3 to 4 cups of broth.) Return the broth to the pot, add the potato and squash, and pour in the coconut milk. Season to taste with salt and the 1 teaspoon black pepper. Add the ginger and return the short ribs to the pot, nestling the pieces between the vegetables so that the meat is mostly submerged in the liquid. Return the pot to the oven and braise uncovered until the potato and squash are tender, the meat is falling off the bone, and the liquid is slightly reduced, 50 minutes to 1 hour.

4. On the stovetop but off heat, stir in the greens: The heat from the stew should gently wilt the leaves. Top with the thinly sliced fennel top and fronds. Serve hot in bowls with warm crusty bread for dipping.

AND TO DRINK ...



I think of this dish as a hearty beef stew, though one ingredient, coco-

nut milk, makes for a trickier pairing. Coconut milk often turns up in Asian seafood or poultry preparations and curries, dishes I would reflexively pair with a white, but with this rendition of eintopf I emphatically want a generous red. The coconut milk will add richness, but the dominant flavors will best be complemented by reds. My reflex is to pick a savory syrah, either from the Northern Rhône, Australia or the West Coast of the United States. A grenache from the Southern Rhône, Spain or the West Coast would be delicious, too. Other options? A Loire Valley cabernet franc, a Douro red from Portugal and maybe an aglianico from Campania.

ERIC ASIMOV



When Little Things Yield a Lot

CONTINUED FROM PAGE D1

what you use. “What is the right chocolate for what you’re trying to do?”

If it’s baking, the right choice is probably chocolate chips.

Chocolate varies widely, but most is a blend of sugar and cocoa solids, which is made up of ground cacao mass and cocoa butter, the fat from cacao beans. Fat carries flavor, so more cocoa butter means more of the cacao solids’ flavor coats your tongue when you’re eating chocolate on its own. Cocoa butter also helps temper the bitterness inherent in chocolate and smooths both the texture and taste. So if you take a bite of a pricey bar and then try a chocolate chip, the bar probably will taste better.

But a higher proportion of cocoa butter also makes chocolate more fluid when it’s melted. That’s ideal for coating confections — think shiny, snappy shells enrobing truffles and caramel — but it isn’t necessary or even useful for baking, said Jacques Dahhan, the president of the chocolate company Michel Cluizel USA. In fact, he said, “you want less cocoa butter for chocolate that you bake with.”

That’s in large part because cocoa butter is very expensive for chocolate manufacturers, and the extra cost, which is then passed on to consumers, isn’t worth it for many baked goods. Cocoa butter adds fat, but you can’t really taste it once it’s baked with other ingredients. And most baked goods include added fat like dairy butter anyway, so the cocoa butter isn’t necessary.

Since chocolate chips have less cocoa butter, they have more cacao solids instead. Some chocolate chips, such as those from Michel Cluizel, Guittard and Valrhona, keep the amount of cocoa butter low for all the benefits of a baking chocolate, but are higher-end options with fewer, if any, additives. In all baking morsels, the higher proportion of cacao solids yields a lot more flavor in baked goods because “solids are where the flavor’s at,” Mr. Wressell said. And you need stronger flavor when chocolate is blended with other ingredients, as it

is in brownies. In a flourless chocolate cake, melted chips shine through the creaminess of butter and the richness of eggs. They also help bind the ingredients in the absence of flour for a fudgy yet tender texture.

When chocolate chips are simply stirred whole into dough or batter, they showcase their most distinctive property: their ability to hold their perky shape in a hot oven. Because chips have more cacao solids and the solids themselves don’t melt, the chips stay intact enough to give structure and height to chunky cookies and banana bread, like throw cushions in a pillow fort.

Since Nestlé began manufacturing the morsels in the 1940s — thanks to Ruth Wakefield’s invention of the chocolate chip cookie in the 1930s — many companies have inundated the American market with options, especially over the last few decades. Among all the products, there is no one best chocolate chip, only your preferred choice for any given dessert. To find what you like, Mr. Wressell recommends not only tasting different chocolate chips, but also baking with them.

That’s what Jacqueline Eng, the head baker and co-owner of Partybus Bakeshop in New York City, does. Because she thinks of herself as a bread baker first, she feels like she’s experimenting when she works with sweets. “Approaching chocolate is intimidating because you can deep dive into sourcing beans from different countries,” she said. “Instead of being intimidated, I decided to just make what I thought tasted good, just by trial and error.”

After mixing different products into her cookies, Ms. Eng opted for Callebaut 54-percent cacao callets. But, for a stretch of the pandemic, supply chain issues made it difficult for her to find them, so she substituted chocolate chips from the grocery store.

FLOURLESS CHOCOLATE CAKE

TIME: 1 HOUR 15 MINUTES
YIELD: 6 TO 12 SERVINGS

- ¾ cup/ 168 grams unsalted butter, cut up, plus more for greasing the pan
- 1 cup/ 173 grams bittersweet or semisweet chocolate chips
- ½ cup/ 50 grams unsweetened natural cocoa powder
- ¾ cup/ 150 grams granulated sugar
- 4 large eggs
- 1 teaspoon pure vanilla extract
- Whipped cream or ice cream, for serving (optional)

- Heat oven to 350 degrees. Generously butter the bottom and sides of an 8-inch springform pan, or press a large sheet of foil into the bottom and up the sides of an 8-inch round cake pan, smoothing the sides, and generously butter the foil.
- Bring a few inches of water in a large saucepan to a simmer over medium heat. Set a large heatproof bowl over the saucepan and add the chocolate. When the chips look soft and melty, stir gently until smooth. Turn off the heat, and add the butter to the bowl. Stir gently until melted and smooth. Add the cocoa powder and stir until smooth, then take the bowl off the saucepan.
- Stir in the granulated sugar until incorporated, then add the eggs, one at a time, and beat well after each addition. Stir in the vanilla, then scrape the batter into the prepared pan and smooth the top.
- Bake until crackly and dry on top, and a toothpick inserted 2 inches from the edge comes out clean, 40 to 50 minutes. A toothpick inserted in the center should come out with some crumbs attached.
- Cool in the pan on a rack, then remove the



JENNY HUIANG FOR THE NEW YORK TIMES. FOOD STYLING: JESSICA REYNOLDS. PROP STYLING: MAEVE MURRIHAN

sides of the springform pan or lift the cake out of the cake pan using the foil overhang. You can slice and serve warm or at room temperature. Or, to cut very neat slices, freeze the cooled cake until firm. Slice and warm up in the microwave or oven, if preferred. Serve the cake with whipped cream or ice cream, if you’d like. The cake can be wrapped and kept at room temperature for up to 3 days, in the refrigerator for up to 1 week or in the freezer for up to 1 month.

Front Burner

FLORENCE FABRICANT

TO INDULGE

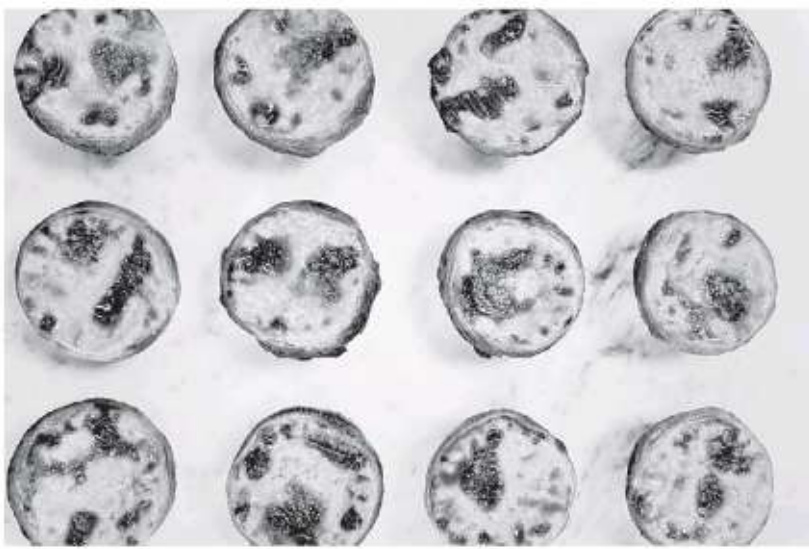
Flaky Custard Tartlets With Holy Origins

► The bakery and cafe Pastéis de Belém 1837, near the waterfront in Lisbon, is bound to have a line outside for its pastéis de Belém, flaky tartlets with a lightly spiced custard filling. Now, George Mendes, the chef and an owner of Veranda in SoHo, whose roots are Portuguese, is baking the treats, also known as pastéis de nata; they're available to order only for pick up. The recipe originated at the Monastery of Jerónimos in Belém, now part of Lisbon, in the 17th century. The monks and nuns would use egg whites to starch their habits and they had to do something with the yolks, so they began selling the pastries. Thankfully for New Yorkers, SoHo is a lot closer than Portugal: *Pastéis de Nata*, \$8 for two, \$24 for six, *Veranda*, 23 Grand Street (Avenue of the Americas), 212-201-9117, verandasoho.com.

TO DISCOVER

A Place to Start For Balkan Wines

▼ Wine&More, a website devoted mainly to the wines of the Balkan countries, was started to put "Croatian wines on the map," according to Dario Drmac, a wine lover and marketing expert from Croatia. (His partner in this venture, Nenad Trifunovic, is a Croatian wine educator and writer.) They started in Europe and now have a selection of hundreds of



wines, with about 50 labels of sparklers, reds and whites available in the United States. So if you would like to sample Edivo plavac mali from Croatia, \$35, which is made in ancient-style amphoras and left to age for two years in a wine cellar deep in the Adriatic Sea, this is where you can find it. Plavac mali is one of several indigenous grapes, some of which are ancestors of zinfandel, that go into these wines. You should also get to know zilavka and blatina. The website offers wines from Slovenia, Serbia, North Macedonia, Bosnia and Herzegovina in addition to Croatia, as well as beers and olive oils from the region: thewineandmore.com.



TO SPOON

Prizewinning Preserves From Ladera Patisserie

▲ The sweet scent of eucalyptus in her neighborhood of Woodside, Calif., in the Bay Area, inspired Fatiha Id Boubrik, the French confectioner, pastry chef and an owner of Ladera Patisserie, to add eucalyptus leaves to some of her marmalades and jams. They give the Meyer lemon variety a sweetly minty allure. Another intriguing flavor is a blend of Mandarin, passion fruit and mango. Her raspberry rose evokes Morocco, the birthplace of her husband, Mustapha Khen-niba, and the thickly textured apricot is pure sunshine. Ladera's preserves won top awards last year at Confituriades in France and Dalemmain Cumbria in England. The jams and marmalades are sold online, \$10 to \$15 for 7.16 ounces: laderapatisserie.com.

TO SAVOR

Pineapples Go Pink For Fresh Del Monte

▼ Pinkglow pineapples, the pink-fleshed fruit that Fresh Del Monte has been cultivating since 2005 in Costa Rica, are now more widely available from major grocers. It's not just about the color; they're deliciously sweeter and have less acid than regular pineapples. But if G.M.O.s are on your no-fly list, you can move on. The company's website for the pineapples says: "This product was made possible through bioengineering." In its statement approving the pineapple in 2016, the Food and Drug Administration said: "The new



pineapple has been genetically engineered to produce lower levels of the enzymes already in conventional pineapple that convert the pink pigment lycopene to the yellow pigment beta carotene. Lycopene is the pigment that makes tomatoes red and water-melons pink, so it is commonly and safely consumed." The pineapples are sold without leaves; the crowns are used to propagate the fruit: *Pinkglow Pineapples*, \$12.99 each, \$75.95 for six from *Baldor Food*, baldorfood.com; about \$30 each from *Melissa's*, *Tropical Fruit Box* and *Full Moon Fruits*. They're also sold at some supermarkets, including *Wegman's*.



TO LEARN

'Africa Eats' Cookbook Leads to Virtual Program

▲ Pauline Awino Pinnock (above), a chef and native of Nairobi, Kenya, has written her first cookbook, "Africa Eats: Traditional &

Ancient Foods for the Modern Kitchen," to be published in May. Among the recipes she covers in the book are several from East Africa: matoke, a green banana stew from Uganda; bhajia potatoes fried in chickpea flour from Kenya; and baris iskukaris, a dish of generously spiced rice from Somalia. She will discuss the book at a virtual program for Les Dames d'Escoffier New York, a nonprofit organization to support women in the hospitality industry, where she is a member. There will be a demonstration of how to make fresh ginger tea; participants on Zoom who have registered in advance for the tea-making kit can prepare it during the program: *Africa Eats: Traditional & Ancient Foods for the Modern Kitchen*, Feb. 24 at 6:30 p.m., \$20, with kit for fresh ginger tea, \$30, ldny.org.

TO BAKE

The Perfect Sheet Pan For a Batch of Brownies

▼ It's a half-sheet pan. Or is it? With 2.2-inch sides, this 19.5 by 12.8-inch new Nordic Ware baking pan is on its way to becoming a roasting pan or an oversize lasagna pan, enhancing its versatility. Consider it for making a big batch of chilaquiles or brownies. It's aluminum with a nonstick finish and comes fitted with a rack, also nonstick: *Nordic Ware Nonstick High-Sided Oven Crisp Baking Tray*, \$42.50, nordicware.com.



FREDERICK AQUINO (TARTLETS), THE WINE&MORE BOTTLES, FRESH DEL MONTE (PINEAPPLE), NORDIC WARE (PAN)

MELISSA CLARK | A GOOD APPETITE

Sweet Potatoes And Eggs Meet

Smoky and meatless, a 2011 recipe gets a tweaking.

THE ONLY COMPLAINT my husband, Daniel, has about my cooking is that every time I make something he loves, I never cook it again.

It's not that I mean to never cook it again; it's that I can't help wondering, What would happen if I stirred in a pinch of this or a drizzle of that? Would it make the dish brighter, fuller, tastier? To me, this tweaking is part of the fun, one of the main reasons I love to cook.

And so it went recently when I set out to make some coconut oil roasted sweet potatoes, a recipe I developed in 2011 and still regularly riff on.

Over the past decade, I've switched up the spices, added other vegetables, layered on sauces, proteins and herbs. As long as I didn't mess with the bones of the recipe — the coconut oil, the sweet potatoes, the roasting temperature — I really couldn't go wrong. The sweet potatoes would always end up richly flavored and delicately crisp on the outside, velvety within.

That is, as long as I didn't take the sweet potatoes out of the oven early.

As Steven D., a reader, wrote in the notes of the original recipe online at New York Times Cooking, "The potatoes are soft after a half-hour or so, but then the crusts harden in the second half-hour, giving them the delicious texture that makes the dish unique."

The last time I made this dish, I wanted to serve it as a main course rather than as a side. So I took the well-trodden path of putting an egg on top — in this case, fried in coconut oil until the edges ruffled and crisped, turning brittle and brown.

Of course, thinking about fried eggs made me crave a side of bacon. But since I wanted to go meatless, I approximated bacon's brawniness with a dash of smoked paprika. It added complexity to the potatoes and gave a jolt of color to the eggs right at the end, the deep red powder streaking orange in the yolks.

I also added chopped salted almonds for crunch, and a creamy, garlicky yogurt sauce to bring together the elements. It made for a wonderfully cozy, satisfying meal that I'll probably never make again.

But you can make it as often as you like, tweaked to your heart's content.



SMOKY SWEET POTATOES WITH EGGS AND ALMONDS

TIME: 1 HOUR 15 MINUTES
YIELD: 2 TO 3 SERVINGS

- 3 tablespoons coconut oil
- 2 pounds sweet potatoes, peeled or unpeeled, and cut into ½-inch chunks
- ¾ teaspoon fine sea or table salt, plus more as needed
- ¾ teaspoon garam masala, Baharat, curry powder or another spice mix
- ½ teaspoon smoked paprika, plus more as needed
- ¼ teaspoon ground cumin
- ¼ teaspoon freshly ground black pepper, plus more as needed
- 3 to 5 thyme sprigs
- ½ cup plain Greek yogurt
- 1 small garlic clove, finely grated, passed through a press or minced
- Eggs, for frying, as many as you like
- ½ cup chopped Marcona or salted, roasted almonds
- Soft herbs, such as parsley, mint or cilantro, for serving



PHOTOGRAPHS BY CHRISTOPHER SIMPSON FOR THE NEW YORK TIMES. FOOD STYLING: SIMON ANDREWS.

1. Heat oven to 350 degrees. Melt 2 tablespoons coconut oil in a small saucepan over low heat or in the microwave. In a large bowl, toss together sweet potatoes, melted coconut oil, salt, spice mix, smoked paprika, cumin, black pepper and thyme.
2. Spread the potatoes in an even layer on a large rimmed baking sheet.
3. Roast, stirring and flipping the potatoes occasionally, until soft and caramelized, about 1 hour.
4. As the potatoes roast, place yogurt in a small bowl. Stir in garlic, a large pinch or two of

smoked paprika, and salt and black pepper to taste.

5. In a large skillet, add remaining 1 tablespoon of coconut oil over medium-high heat and let it heat up for 20 to 30 seconds. Crack eggs into skillet and season with salt. Cook until the whites have set with crispy edges and the yolks are still runny, about 2 to 3 minutes (or cook the eggs for a few minutes longer for a medium or firm yolk, if you prefer).

6. To serve, spoon sweet potatoes onto individual plates and top with yogurt sauce and almonds. Place eggs on top, and sprinkle with paprika and herbs. Serve immediately.



Low-Buzz Beer, the Next Round for Brewers

Aiming for the spot between strong and alcohol-free.

By JOSHUA M. BERNSTEIN

One summer day in 2018, Sean Boisson was washing his car in Sonoma, Calif., when a bubbly little epiphany arrived. He asked his younger sister, Brittany Rossi, who was helping, if she wanted a second beer — a domestic lager low in alcohol, but not quite low enough. “She was like: ‘No, I’ve got to drive. I can only have one,’” Mr. Boisson recalled.

What about a lower-alcohol beer? “I had the spark on a Wednesday, and I quit my job on Friday,” said Mr. Boisson, who has worked for SpikedSeltzer and for Vita Coco, a coconut-water brand.

Mr. Boisson partnered with a friend, Mathew Rohrs, to found Bella Snow Soft Ale, focusing on ales with no more than 2.4 percent alcohol by volume (A.B.V.), about half the strength of a Budweiser. (The federal government lets breweries label beers less than 2.5 percent “low alcohol.”) “There’s just this completely unexplored space,” said Mr. Boisson, who started Bella Snow in June 2020.

American brewing excels at extremes, delivering brawny stouts and I.P.A.s as well as nonalcoholic beers that are growing in quality and sales. But for drinkers seeking a moderate option, not abstinence, breweries are increasingly making compelling beers that weigh in at 2 and 3 percent alcohol, below the typical 4 percent floor for light lagers. (Bud Light is 4.2 percent.)

Jack’s Abby Craft Lagers, in Framingham, Mass., created a series of low-A.B.V. beers. It calls the 2% Beer Initiative, and one of the best sellers at Hermit Thrush Brewery, in Brattleboro, Vt., is Party Guy, a sour ale with an alcohol level of 3 percent. “I would much rather have two beers and not fall over,” said Christophe Gagné, an owner and the brewmaster.

Lower-alcohol beers are stitched into the drinking fabric of Scandinavia and pub-rich England, where taxation increases as alcohol content rises. In the United States, lower-alcohol beers align with the growing popularity of moderate-strength wine and spirits like Easy Wine and Lo-Fi Aperitifs.

“You don’t need to blast people in the face with alcohol,” said Todd DiMatteo, an owner and the brewer of Good Word Brewing & Public House, which in April is to host its second annual Little Beer festival in Duluth, Ga.

American craft brewing is entering its fifth decade, and the industry’s audience is maturing as well. “We’re not surprised that lower-A.B.V. beers are coming of age because, well, millennials are coming of age,” said Lester Jones, the chief economist for the National Beer Wholesalers Association.

As people get older and responsibilities stack up, they tend to consume less alcohol. “The 40-year-old liver is not the same as a 25-year-old liver,” said Garrett Oliver, the brewmaster at Brooklyn Brewery, which introduced Fuzzy Details, a hazy I.P.A. that is 2.5 percent alcohol, at its taproom in December. Mr. Oliver fondly recalled the brewery’s Black Light, a 2.2 percent stout. “I could have a pint and just go straight to the gym,” Mr. Oliver said.

When Luc Lafontaine brews, he doesn’t drink much water. “I drink beer,” said Mr. Lafontaine, an owner and the brewmaster of Godspeed Brewery in Toronto. His go-to is Baby Svetly, his Czech-style pale lager that, at 1.5 percent alcohol, is a warm-weather favorite.

Building quality low-alcohol beer is a balancing act. Brewers must use less malt — the grains supplying the sugars that are fermented into alcohol; and too many hops can create clashing bitterness and flavor. Mr. Lafontaine uses imported Czech malt and



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Clockwise from top left: Brett Taylor of Wild East Brewery in Brooklyn; a brewing tank at Wild East; Robyn Gustard, an assistant brewer at Wild East; Cheyne and Erika Tessie of Origin Beer Project in Cranston, R.I.; a sampling of the Origin Beer Project offerings; Sean Boisson, left, and Mathew Rohrs of Bella Snow Brewery in Sonoma, Calif.; and Lindsay Steen, left, Tyler March and Mr. Taylor of Wild East.



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hops, and carefully adjusts water chemistry. “I want to go as low as 1 percent, he said of Baby Svetly’s alcohol level.

One complaint about low-alcohol beers is that they can taste watery. To brew Buzzard, a 3 percent “hoppy small beer” released in January, Matt Young, the director of brewing operations at the Chicago brew-

ery Half Acre, boosted the body with wheat. He also leaned on fragrant hop extracts and Cosmic Punch, a yeast strain that imparts complementary tropical aromas. Buzzard costs \$10.99 for four 16-ounce cans, or \$1 less than several stronger I.P.A.s.

“Just because there’s less alcohol doesn’t mean that it was cheaper to produce,” Mr. Young said.

Mr. Boisson released two versions of Bella Snow Soft Ale, flavored with mandarin or grapefruit, in four-packs of 12-ounce cans sold for \$7.99. “It was a low enough price point where people would try it,” Mr. Boisson said, adding that half the return customers are baby boomer men. After decades of drinking, “they just know they shouldn’t have as much,” he said.

Going low while others go high can also help breweries stand apart. Wild East Brewing, in Brooklyn, conceived Temperance, a 3.5 percent English-inspired dark mild, as a one-off, “but it sells consistently year-round,” said Brett Taylor, a founder and the head of brewing. Wild East produces other low-alcohol beers, like a 3 percent farmhouse ale aged in oak and scheduled for release in April. After years of high-intensity beers, “I think this is a natural correction,” Mr. Taylor said.

When Cheyne Tessier and his wife, Erika, opened Origin Beer Project in Cranston, R.I., in fall 2020, their first release was Small Victories, a 3.5 percent Czech-style pale lager aged on oak staves. “No one was doing that in Rhode Island,” said Mr. Tessier, the brewer.

Strong consumer response led the couple to make lower-alcohol beers that have become central to Origin’s lineup of beers and branding. They’ve sold sweatshirts proclaiming “low ABV” and rustic ales like the 2.5 percent Dystopian Fields, which is seasoned with rose hips, spruce tips and pineapple sage. It delivers a memorable flavor, interesting without being inebriating even if you have a few.

“It’s not about consuming alcohol to get drunk,” Mr. Tessier said.

Five Examples Ready to Sample

Hermit Thrush Brewery Party Guy (3 percent A.B.V.), Brattleboro, Vt., 16 ounces, \$3 to \$4

Lemony and lively, this sour ale is an ideal aperitif.

Wild East Brewing Co. Temperance (3.5 percent A.B.V.), New York, 16 ounces, \$4

English brewing traditions inform this midday-friendly dark ale redolent of roasted coffee.

Live Oak Brewing Company Grodziskie (3 percent A.B.V.), Del Valley, Texas, 12 ounces, \$2

Inspired by an ancient Polish beer, the spritzzy Grodziskie stars oak-smoked wheat malt. Try one with barbecue.

Bell’s Brewery Light Hearted Ale (3.7 percent A.B.V.), Comstock, Mich., 12 ounces, \$2

The lower-strength sibling to well-known Two Hearted Ale, an I.P.A., delivers scents of citrus and pine.

Jester King Le Petit Prince (3.4 percent A.B.V.), Austin, Texas, 750ml, \$11

The bone-dry farmhouse ale is fermented with wild yeast and bacteria captured near the brewery.

Restaurant’s Move Is Risky in Miami

Café Habana invokes communism and draws fire.

By CHRISTINA MORALES

MIAMI — A Manhattan restaurant planning an expansion to Miami has drawn the ire of some Cuban Americans after its use of Communist lore was pointed out on social media.

Café Habana, which plans to open a branch in the Brickell neighborhood this spring, was inspired by the Mexico City restaurant where Fidel Castro and Che Guevara were rumored to have planned the Cuban revolution, according to a history now deleted from the restaurant’s website. The Miami Herald first reported the story.

This is the latest stumble for an out-of-town restaurant tone deaf to the histories of the local residents, many of whom still blame Castro and Guevara for upending their lives in Cuba. In 2017, the Turkish chef Nusret Gökçe, known as Salt Bae, faced criticism online when he posted a photo of himself posed as Castro, according to The Miami Herald. He later opened a restaurant in Miami. Last weekend, protesters demonstrated outside the proposed Café Habana.

“Many Cubans living in Miami now, and its descendants, blame Fidel personally for being here,” said Jorge Duany, the director of the Cuban Research Institute at Florida International University. “The level of hatred, for quite a number of Cuban immigrants, is quite intense.”

Café Habana, which at its location in the NoLiTa neighborhood of Manhattan sells Mexican-style grilled corn and a Cubano sandwich with chipotle mayonnaise, has

opened branches in Malibu and Tokyo. Sean Meenan, the chain’s founder, did not return repeated calls for comment, nor did others affiliated with the restaurant, including the company’s chief executive and partner, Luke Thomas.

In the past, Mr. Meenan has also played on the imagery of Cuban communism with a large mural in Fort Greene, Brooklyn, which married the iconic Alberto Korda photograph of Guevara with the face of the rapper the Notorious B.I.G. That mural was painted more than a decade ago for the chain’s Habana Outpost location, which has since closed.

“I was honestly shocked they had the audacity to open up in Miami,” said Josue Alvarez, 31, the son of Cubans who left the island in 1980. He was inspired to post a TikTok that spread on social media.

Lillian May, 62, took issue with the politics and the menu. “He has no right to be appropriating something for his own benefit and hurting the community he’s appropriating the culture of,” she said.

Others, like Jose Manuel Palli, 70, of Miami, were not bothered. Mr. Palli, who was born in Cuba and moved to Argentina when he was 8 years old, said it wasn’t surprising to see the community in an uproar, and added that he views the response as “just a way of trying to re-fight a battle that they lost many years ago.” He feels that many Cubans and their descendants have “built their lives and their identities on their anti-Castro stance.”

Mr. Palli said he would eat at the restaurant when it opens. “My fellow Cubans will brand me as a Communist, but I’d love to make a statement there.”



SCOTT MCINTYRE FOR THE NEW YORK TIMES



JOSE A. ALVARADO JR. FOR THE NEW YORK TIMES



Above left, Café Habana, opening in Miami’s Brickell neighborhood, has cited inspiration from Che Guevara and Fidel Castro. Left, the original Café Habana in Manhattan. Above, a mural of the rapper the Notorious B.I.G. in Fort Greene, Brooklyn, where Café Habana had another location called Habana Outpost.

PHOTOS BY SCOTT MCINTYRE FOR THE NEW YORK TIMES

THE POUR | ERIC ASIMOV

Natural Wines to Drink Now

Organic farming is risky, and production principles take precedence over profits. But the market is growing. Here are 12 worthy bottles.

AS POLARIZING AS natural wine has been, as heated and contentious as the arguments have gotten over its name and its reasons for being, its audience continues to expand, as do the number of producers.

Recently, I went shopping online for natural wines and found a dozen that are a pleasure to recommend. I might have included twice that many as I found bottles everywhere and from all over. The 12 I recommend are from New York, California, Australia, Chile, the Czech Republic, Spain, Germany, Austria, Italy and France.

Among natural wine's growing audience, some have surely been attracted because they think it's fashionable. Others are curious about wines made outside the norm, wines that combine a respect for nature with traditional methods of production and that both taste and feel really good.

Regardless of the initial allure, for many the appeal has lasted. Most striking is how popular natural wine seems to be among younger people, the demographic that the mainstream wine industry has the most difficulty reaching.

But though the number of producers has grown, the production of natural wine is

necessarily small and labor intensive.

The ethos of the genre is to farm organically; to ferment the grapes while adding nothing except, perhaps, a little sulfur dioxide, an antioxidant and stabilizer that has long been used in wine; and to remove nothing. It is a hands-on process that cannot be automated or mechanized for efficiency's sake.

Natural wine is ultimately an ideal that producers aim for, but are not always able to meet. So it is fitting that these winemakers' intentions are idealistic. Whether their objective is to work in harmony with nature rather than exploiting it, to preserve local traditions and culture or simply to make the best-tasting wine for themselves and their customers, the wines and the production principles take precedence over profits.

In mass-market winemaking, wine must be protected against possible spoilage during every step of the production process. The cultured yeast, the enzymes and the overuse of sulfur dioxide are all compromises aimed at protecting the investment.

By contrast, natural winemaking is risky. It requires meticulous care in both the vineyard and the cellar as overly casual viticul-

ture or winemaking can doom a batch of wine. To look at it another way, making natural wine requires great skill because mistakes can't be undone with additions or technology.

It's an arduous task, but the results can be thrilling.

This is not to say that people should drink only natural wine. An entire spectrum of methods and intentions exists between the poles of natural and industrial, and consumers have their reasons for selecting what they like, whether preference, convenience or budget.

I'm drawn to natural wines because I love the unmediated flavors and expressions that come from grape to glass. I love the clear sense of place I often find and being able to sense the personalities of the producers in the glass. I'm moved by the respect for culture and tradition inherent in natural wine.

This last point is important. Natural wine producers in historic regions are largely responsible for rediscovering and protecting local grapes and styles, which, if bureaucrats and powerful critics had their way, might have disappeared. Instead, we have

the diversity of grapes and styles that is the joy of wine culture today.

I'm not blindly devoted to natural wines. Certain flaws occur that I don't see in more mainstream bottles, like mousiness, an odd quality reminiscent of cedar shavings in mouse cages that can only be sensed retroactively, after the wine has been in the mouth.

I found a few mousy bottles in this batch and did not include them among the 12 bottles, just as I would not recommend unbalanced or insipid wines, flaws more typical of mainstream labels.

Because it is so laborious and personal to produce, natural wine is hard to scale up. It is necessarily made in small quantities, so these wines may be available only in certain parts of the country.

One characteristic of natural wine culture is to question authority, including that of wine critics. So, even if you do find these bottles, feel free to experiment, to try others. Good wine shops ought to have at least a small selection, so ask for suggestions and make your own discoveries.

Here are my 12 recommendations, from lowest to highest price.



ROBERTO HENRÍQUEZ SECANO INTERIOR ITATA RIVERA DEL NOTRO BLANCO 2020, 12 PERCENT, \$23

Roberto Henríquez Ascencio made wine in Canada, South Africa and the Loire Valley before settling in the Bio Bio region of Chile. He works with very old vines that have been farmed organically or biodynamically. This fresh orange wine is made of roughly equal parts semillon, muscat of Alexandria and corinto, better known as Pedro Ximénez. It's intensely floral, lightly textured and altogether delicious. (T. Edward Wine, New York)



ABSENTEE WINERY CALIFORNIA RED WINE 2019, 14.5 PERCENT, \$26

The minimalist label on this bottle tells you almost everything you need to know. The wine? It's red. The ingredients? Grapes. That's it. The proprietor, Avram Deider, worked all over the world before setting up shop in Point Reyes Station in northern Marin County, where he grew up. This bottle, as I later learned, is made with carignan, syrah, zinfandel, petite sirah and abouriou, all grown organically in Mendocino County. The wine is fresh and alive, mildly tannic, direct and to the point. It's potent, but wears its power lightly. Abouriou, by the way, is a grape from southwestern France that used to be popular in California, where it was known as "early burgundy" for its tendency to ripen quickly.



CA' DE NOCI EMILIA ROSSO BIO SOTTOBOSCO 2020, 10 PERCENT, \$27

When I drank this earthy, savory, sparkling red wine from Emilia-Romagna I imagined I had gotten it directly from a farmhouse there. It's not rustic; it's simply wonderful — bone-dry, moderately tannic, fruity and stony, unaffected by commercial polish or marketing sensibilities. Not surprising, given Ca' de Noci's excellent track record of making superb wines without sulfur dioxide, this wine was perfectly stable. Drink it with pizza, Italian sausages or just for fun. (Louis/Dressner Selections, New York)



MICROBIO CORRECAMINOS CASTILLA Y LEÓN 2020, 13 PERCENT, \$29

Ismael Gozalo is the founder and proprietor of MicroBio. He gets grapes from a variety of sources, but his home territory is the village of Nieva in Castilla y León, northwest of Madrid. This particular wine, Correcaminos, was made of old vines of verdejo, farmed organically, aged in steel vats and bottled without sulfur dioxide. It's slightly cloudy, fresh and alive, with earthy, refreshing flavors of fruits, flowers and herbs. (Selections de la Viña/Fruit of the Vines, Long Island City, N.Y.)



WILD ARC FARM NEW YORK STATE BLACKBIRD 2020, 10.5 PERCENT, \$30

Wild Arc Farm in the Hudson Valley got its start in 2016 and already is in the vanguard of young, imaginative producers working with hybrid grapes. It is best known for its revival of piquette, a lowly beverage given by preindustrial landowners to their agricultural workers, which historically was made by refermenting grape pomace with water. Wild Arc turned it into a delicious, sparkling, low-alcohol beverage that has been widely embraced. Blackbird is not piquette. Rather, it's a blend of riesling and noiret, a red hybrid, which are fermented together. The result is a thirst-quenching, deliciously refreshing, spicy wine that goes down easy.



MILAN NESTAREC CZECH REPUBLIC OKR 2020, 12.5 PERCENT, \$30, 1 LITER

Milan Nestarec makes natural wines using grapes from his family vineyards in the Moravia region of the Czech Republic, which is closer to Vienna than to Prague. Over the last decade his wines have gotten better and better. This easy-drinking white blend of chardonnay, grüner veltliner, sauvignon blanc and savagnin is macerated with the skins briefly for a touch of texture and a hint of tannins. With its lively acidity, OKR is like a bolt of energy, dry and thoroughly refreshing. (Jenny & François Selections, New York)



2NATURKINDER BLACK BETTY LANDWEIN 2019 11.5 PERCENT, \$30

Michael Völker and Melanie Drese, the proprietors of 2Naturkinder (meaning two children of nature in German), make luminous wines from sometimes unlikely combinations of grapes. This one is made mostly of dominica, a cross between blauer portugieser, a once popular German grape, with pinot meunier and a little bit of pinot noir. It's pale garnet, and though dominica has the reputation of making tannic wines, this is delicate, almost fragile in its purity and loveliness. The wine is named Betty after the first lamb born in their dominica vineyard. (Jenny & François Selections)



FLORÉZ WINES SANTA CLARA VALLEY FREE SOLO OLD VINE HERITAGE BLEND RED WINE 2020, 13.4 PERCENT, \$32

James Jelks works with dry-farmed, organic and sustainable vineyards in the Santa Cruz area. Free Solo is made with a half dozen different grapes including zinfandel, mourvèdre, carignan, alicante bouschet, petite sirah and black muscat. Made without additives, it is lively and fragrant, with aromas and flavors of flowers, herbs and red fruits.



PARTIDA CREUS CATALONIA BB 2020, 13 PERCENT, \$33

Massimo Marchiori and Antonella Gerosa, the proprietors of Partida Creus, are originally from Italy but settled in Catalonia, about an hour southwest of Barcelona. They make wines largely from little-known indigenous varieties. This red wine, made with bobal, is a bit of an oddity in that bobal is more typically found down the Mediterranean coast in Valencia. In their hands the wine is fresh and pure, full of energy and tasting deeply of spices, herbs and red fruits. (Selections de la Viña/Fruit of the Vines)



LUCY M ADELAIDE HILLS STUPEFACENTE SANGIOVESE 2020, 12.5 PERCENT, \$35

The Basket Range region in the Adelaide Hills of South Australia is home to a thriving natural wine community. Anton van Klopper, the proprietor of Lucy M, works resolutely without additions and is one of its leading lights. When I took my first taste of Stupefacente, it seemed bright, brashly angular and vibrant, but nothing like sangiovese in my experience. After giving it time in the glass, though, the sharp edges receded and the wine settled into an earthy, dusty, lightly tannic deliciousness. By the way, those who read Rachel Signer's recent memoir "You Had Me at Pét-Nat" might recognize Mr. van Klopper as the character she called Wildman and later married. (Terrell Wines, San Francisco)



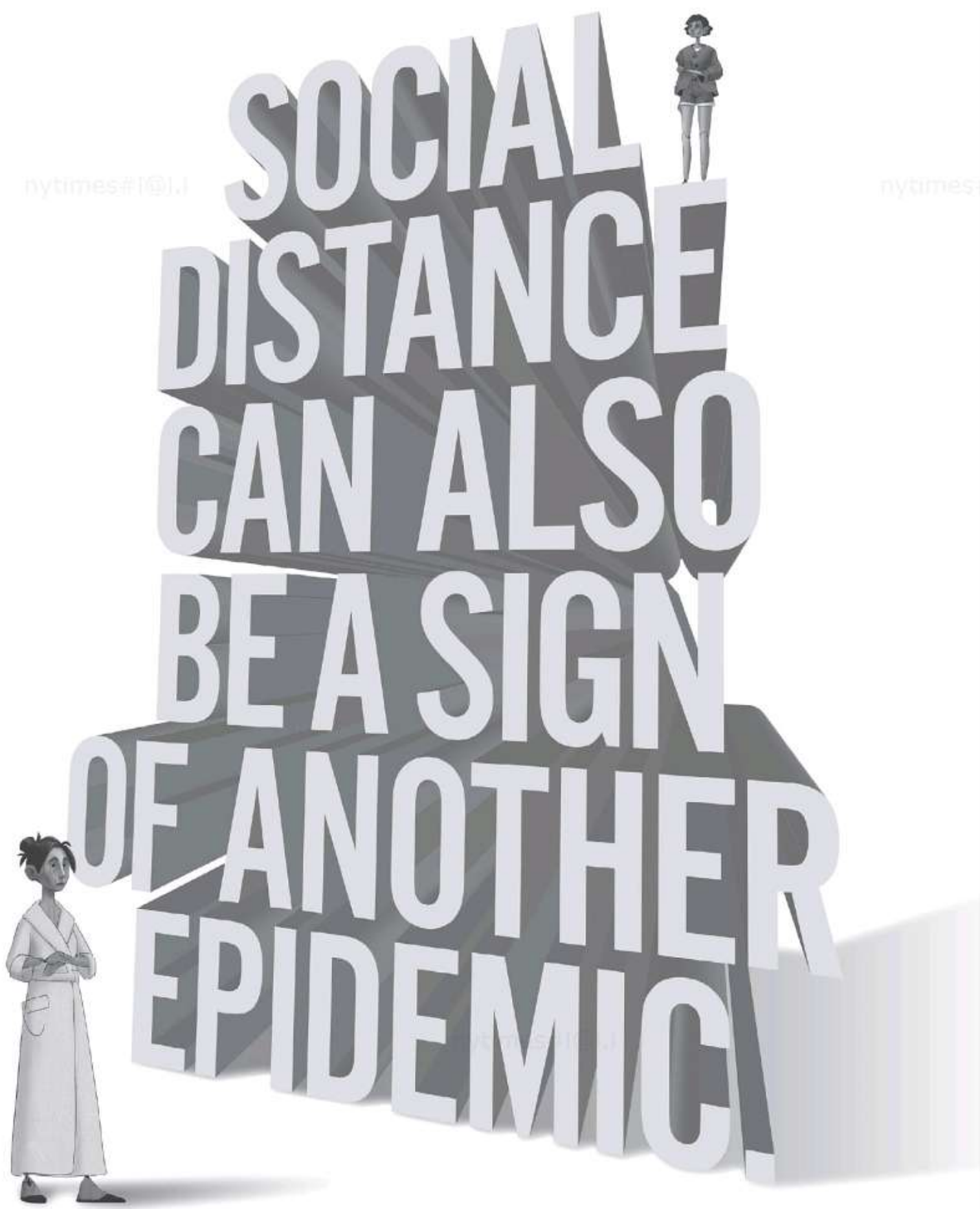
CHRISTIAN TSCHIDA AUSTRIA HIMMEL AUF ERDEN WEISS 2020, 11.5 PERCENT, \$40

Christian Tschida is an uncompromising grower and producer. He farms organically and biodynamically and uses no sulfur dioxide in his winemaking except a little bit in a few reds. This white wine is made from old vines of weissburgunder (or pinot blanc) and scheurebe, both grapes that have not been held in particularly high esteem. Himmel auf Erden Weiss is a dry, refreshing wine of depth and beautiful texture. In the mouth it seems opaque and mysterious, with each swallow inviting another sip in an effort to get to the center of the riddle. (Jenny & François Selections)



MATASSA VIN DE FRANCE TATTOUINE ROUGE 2020, 10 PERCENT, \$42

Tom Lubbe, the proprietor of Domaine Matassa, was born in New Zealand. He came to Roussillon in the south of France 20 years ago from South Africa, where he was working. He bought land and started Matassa, where he practices regenerative farming and makes wine with minimal additives. This pale, unfiltered red represents the union of carignan and grenache gris. It's spicy, earthy and floral and though only 10 percent alcohol, it's tannic enough to make itself felt on the lips and insides of the cheeks. (Louis/Dressner Selections)



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RESTAURANTS | PETE WELLS

Danny Meyer's Group Rekindles the Flame

An Italian menu and a wood-fired hearth warm up a windswept Midtown complex.

IT'S NOT AS IF I hadn't seen all the red circles on Resy's calendar telling me there were no reservations at Ci Siamo each time I checked, and I checked often. Still, when I finally showed up to eat in the restaurant's hangarlike dining hall, I was surprised to see how many other people were there, too.

Omicron had begun slashing through the city — my guests and I nervously exchanged test results for several days before and after one meal. New Yorkers were said to be hunkering down again, sticking close to home. For most people, that would seem to rule out an expedition to a windswept plaza west of the Moynihan Train Hall.

But I'd forgotten one of the truisms of the restaurant business: If Danny Meyer builds it, they will come.

Whether they will keep coming is another question, one that hangs not just on the progress of the pandemic but also on the ability of Ci Siamo to engender long-term devotion after its novelty fades. Mr. Meyer's Union Square Hospitality Group once seemed to have that down to a formula. But it closed one of its restaurants, North End Grill, in 2018. Another, Manhatta, still hasn't emerged from its Covid-induced closing; its most recent Instagram post, seeking cooks, servers and other new hires to prepare for its reopening, is more than a year old.

The two restaurants had something in common besides ownership: Neither quite escaped the suspicion that it mainly existed to take advantage of a sweet real estate deal. They resembled those political candidates whose campaigns sink because they



Above, the exterior of Ci Siamo. Left, Hillary Sterling, the chef, with the wood-burning hearth that has widened the scope of her cooking. Ms. Sterling, at far right, is often stationed at the edge of the dining room, overseeing the open kitchen. Below, from top: a selection of wines; and a lemon torta. Below right, from top: stracchi, served with rabbit in a white-wine sauce; rapini agnolotti; and caramelized onion torta.



plate, like honeybees. At Ci Siamo, they really dig in.

The skin on a whole trout, browned over the flames, cracked between my teeth like a seaweed chip; wilted mustard greens sweetened with pine nuts and golden raisins spilled from the belly. Nothing was left of the fish when I was through with it except the tail and part of the head, minus the cheeks.

A big fist of swordfish got gentler treatment from the hearth, if not from me. Under a version of the Sicilian lemon and herb sauce salmoriglio smartly extended with chopped artichoke hearts, the fish was creamy and juicy, its softly penetrating smokiness the only evidence of the fire.

Before going out on her own, Ms. Sterling had the luck to cook for Bobby Flay and



Missy Robbins, and the judgment to know what to take from them. She has Mr. Flay's skill at lighting up every taste bud at once; the mussels, lobster, scallops and swordfish in her seafood salad get salt and bitterness from the brine of Castelvetro olives, acid

CI SIAMO

365 NINTH AVENUE IN MANHATTAN WEST PLAZA (31ST STREET), CHELSEA; 212-219-6559

Atmosphere An intimate lounge and a more grand dining hall use rustic touches — open flames, terra-cotta tiles, vintage drawings and paintings — to soften the very unrustic skyscraper architecture.

Service Even by the chipper standards of the Union Square Hospitality Group, Ci Siamo's service is incandescently outgoing.

Sound level Moderately loud.

Recommended Insalata di mare; caramelized onion torta; braised shelling beans; tagliatelle with tomato and buffalo butter; stracchi with rabbit; rigatoni alla Gricia; wood-fired whole trout; smoked swordfish; roasted half chicken; lemon torta; bomboloni; chocolate budino.

Drinks and wine Cocktails, mostly bittersweet in the aperitivo style, are very good; the wine list is notable for its (nonexclusive) coverage of Italy and its attention to bottles under \$75.

Prices Appetizers and pastas, \$9 to \$28; main courses, \$29 to \$43.

Open Monday to Saturday for dinner.

Reservations Accepted.

Wheelchair access The dining room and accessible restrooms, one story above the plaza, can be reached by an elevator.

What the stars mean Because of the pandemic, restaurants are not being given star ratings.

from fresh lemon, heat from whole Calabrian chiles and a prodigal shake of Aleppo pepper.

She doesn't crank up the volume as high as he does, but even in relatively restrained amounts her enthusiasm for seasoning in multiple dimensions gives her Italian food a distinctly American crackle. Shell beans of various colors and sizes and flavors, stewed with plenty of sage and rosemary, are punctuated by oil-cured black olives. I could see making a meal of it some chilly, abstemious night.

Her time with Ms. Robbins pays off in Ci Siamo's pastas, which are supple, skillful and housemade. I am not as wild about the toponi — flying saucers filled with wet mashed potatoes — as my servers seemed to be, but the stracchi is probably the best rabbit pasta I've ever met, and the tomato sauce with tagliatelle made me dizzy, not just because heaps of butter are folded into the tomatoes but also because the butter is made from the milk of water buffalo.

Desserts are in the hands of Claudia Fleming. That is a sentence I've wanted to write for a long time. When Ms. Fleming last worked in a New York City restaurant, "Friends" was still running on NBC. This was at Gramercy Tavern, where she showed that minimalist rigor in tarts, cakes and cookies could lead to maximal enjoyment.

Now that she is overseeing the pastry kitchens for the whole Union Square group, including Ci Siamo, it's clear that her aesthetic is ideal for borderline-sweet Italian desserts. Her dense chocolate budino is buried under an airy, lightly bitter espresso zabaglione studded with shingles of dark chocolate. A long, sharp wedge of torta holds a lemon custard just tart enough to make you welcome the sugary relief of the soft, toasted meringue. And there are sugared bomboloni formed like daisies, with six petals you can pull apart and dip into warm chocolate sauce spiked with amaro in a magically correct ratio.

Over the past two years, a lot of New Yorkers came to a fresh appreciation for the low-key neighborhood restaurants, the mom-and-pops we sometimes take for granted. Places like Ci Siamo play a different role in our lives. I don't need to eat food cooked in a lion-size hearth, but given the occasional chance to find out what a chef like Ms. Sterling can do with one, I'll take it.

And sometimes I wanted to hide under the table when I saw Danny Meyer's young, bright-eyed servers heading straight for me like ambassadors from a nation of chipmunks, but there is something awesome about the presence of mind and professionalism on display at Ci Siamo — awesome and, given the beleaguered state of the restaurant business, hopeful. I left the restaurant thinking: It can be done.

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OFF THE MENU | FLORENCE FABRICANT

HEADLINER Bar Tulix

John McDonald has revamped his long-established Burger & Barrel at the edge of SoHo and made it a Mexican restaurant. Mr. McDonald (far right), who owns several establishments nearby, is collaborating with his friend Justin Bazdarich (near right), the chef and an owner of Oxomoco in Greenpoint, Brooklyn, and Speedy Romeo in Clinton Hill, to open this restaurant at the end of the month. "Justin and I have been wanting to do something together for years," Mr. McDonald said. Glossy black walls are the backdrop for vibrant colors. Mr. Bazdarich's Mexican-inspired menu with a seafood focus explores the Pacific Coast from California, with a farmers' market escabeche and a Caesar salad, on down through Mexico. Also on the menu are smoked shrimp chicharrón, fresh tuna slathered with salsa macha, tostada mixto piled high with marinated seafood, branzino with a masa crust in a red sauce, and octopus with fried potatoes and romesco sauce. Tequila, mezcal and sotol are a significant presence on the bar display, and the drinks are by Trey Bliss, who was at Mr. Bazdarich's now-closed Xilonen. Examples of folk art and works by local New York artists are displayed throughout. This is not Mr. McDonald's debut in Mexican restaurants: He helped start the Dos Caminos chain with Stephen Hanson, and was the owner of El Toro Blanco in the West Village, which closed during the pandemic and became Hancock St. (Opens Feb. 28) 25 West Houston Street (Mercer Street), 212-334-7320, bartulix.com.

OPENING

Charles Pan-Fried Chicken This Harlem favorite has moved south and reopened on the Upper West Side. It's had many names and

locations since 1995, when Charles Gabriel first started selling his pan-fried chicken as a stand on the street. He's enlarged his menu to include smoked



pulled pork and ribs. Additionally, he's opening another location at 340 West 145th Street and has more in the works. 146 West 72nd Street, 646-590-0662, charlespanfriedchicken.com.

UnPublished by Serafina Sequestered in Serafina in the Sky, the new restaurant off the upper-level lobby in the Pod Hotel on

West 42nd Street is a speakeasy-style evening spot and a joint venture from the Serafina Restaurant Group and the nightlife impresario Karim Amatullah of KRM Group. The secret code needed for entry can be obtained upon making a reservation. The menu is the same as that served at Serafina in the Sky. (Wednesday) Pod Hotel, 400 West 42nd

Street, 212-776-4140, serafinarestaurant.com.

Moynihan Food Hall The food hall on the concourse level of the Moynihan Train Hall is finally getting up to speed. Dining stations are by familiar New York names like Jacob's Pickles, E.A.K. Ramen, Chop't, Maman, Alidoro, Naya, Burger Joint and Sauce. The central highlight is the Bar at Moynihan Food Hall, operated by HPH, the company that runs the Dead Rabbit and Bathub Gin, among others. It's done in a vintage style with polished walnut and brass. Elsewhere in the station, H&H Bagels and Magnolia Bakery have opened. Outlets for La Maison du Chocolat, Threes Brewing and Vesuvio Bakery are yet to come. Moynihan Train Hall, 421 Eighth Avenue (33rd Street), moynihanfoodhall.com.

Kinky's Dessert Bar Bakeries specializing in X-rated cakes are nothing new, but what about those specializing in X-rated waffles? August and John DeWindt, who own Fluffy's, at

Smorgasborg in Williamsburg, Brooklyn, have come up with this adults-only spot where the waffles, cookies and cupcakes are explicit. (You must be 18 to enter.) It's in a pink and purple storefront designed like an old-fashioned ice cream parlor. But naughty: Such waffles have been popular in Asia for several years. 181 Orchard Street (East Houston Street), kinkysdessertbar.com.

CLOSED

I Trulli After 27 years of steadfastly serving the hearty food of his native Apulia, Italy, Nicola Marzovilla has closed his rustic garden restaurant on East 27th Street. The restaurant stopped serving at the end of last year, because of Covid, and Mr. Marzovilla thought he might reopen. That never happened. He said he had been contemplating closing for some time. Now, in the spirit of Voltaire's Candide, he will tend his vineyard in Tuscany.

More restaurant news is online at nytimes.com/food.

Brave New Meat Frontier

CONTINUED FROM PAGE D1

panies like Archer-Daniels-Midland and the Brazilian meat giant JBS; billionaires like Bill Gates; environmentally minded celebrities like Leonardo DiCaprio; and government agencies including the Agriculture Department and the Qatar Investment Authority.

The global market for what is most commonly known as cell-based or cultivated meat could reach \$25 billion by 2030, according to the consultants McKinsey & Company. That would be a tiny slice of the projected \$1.4 trillion meat market, but one that food companies see as a key player in the fast-growing category called alternative meat.

Growing cells into meat remains the Wild West of food production. Although companies are racing to file for patents, and guard breakthroughs in cell technology like gold, almost a decade after the first cell-grown hamburger was introduced at a packed media event, the notion of buying an engineered steak at the grocery store remains an expensive theory.

Only about 700 people in the world have ever purchased cellular meat — most of it ground, breaded and fried, and all of it in Singapore, which became the first nation to grant regulatory approval in 2020. And though the United States isn't far behind (the Agriculture Department and the Food and Drug Administration could finish writing rules about how to produce and sell cultured meat by the end of the year) all of this is still a long way from the grocery store.

There are plenty of questions about whether producers will ever master the technology and build plants big enough to make commercially viable amounts of the meat at a price consumers will pay.

But as the theoretical keeps inching closer to reality, curious cooks and adventurous diners are taking a closer look at whether farming meat cells will — or should — be widely embraced, the way plant-based meat substitutes have been.



"I'm not excited about it, but I wouldn't bet against it," said the restaurateur Danny Meyer, who added that he has yet to see evidence that cell-based meat is healthier, better for the planet or not just for elite diners. "I want to buy food for dinner, not a science experiment."

For true believers, growing meat in tanks is a way to lessen the environmental impact of industrial meat production and relieve animal suffering. It could reduce food-borne illnesses, they say, and create an abundant meat supply to feed the world.

Opponents say the process ignores both culture and nature, and could be scientifically risky, creating potential allergens and untested byproducts, along with waste that might be a biohazard. And it ignores the value of time-tested regenerative agricultural practices in favor of unproven claims of environmental gain.

"If for any reason someone wants to avoid animal protein, why not just eat plants and foods made with plants?" said Alan Lewis, who oversees governmental affairs for the Natural Grocers health food chain. "The obsession with the taste and texture of meat I can understand. But taking the leap of faith to consuming synthetic protein seems entirely unnecessary."

THE CHEF JOSÉ ANDRÉS believes in the potential of cell-based meat, and plans to serve it at one of his restaurants once it becomes available. He recently joined the board of Good Meat, a division of Eat Just that makes plant-based eggs from mung beans. In 2020, Good Meat became the first company to sell cultivated meat. It debuted at a private club in Singapore, which tucked the meat into a bao bun and turned it into a crisp patty on a maple waffle.

Upside Foods has signed a multiyear consulting contract with Dominique Crenn, whose San Francisco restaurant Atelier Crenn has three Michelin stars. She serves no chicken or red meat on her tasting menu, but has promised to add the company's chicken and help promote it.

When Dr. Valeti approached Ms. Crenn last year, her initial thought was, "No way." But then she thought, why not? "I love farmers and ranchers. That is not what I am against. I am against factory farming. That is not sustainable."

At her first tasting, she thought the breast meat was a bit mushy, but the flavor reminded her of poulet rouge, a heritage breed from France.

Michal Ansky, a journalist who hosts "MasterChef Israel" and has opened several farmers' markets, also is a fan. She tried cell-based chicken during a blind tasting set up by SuperMeat, one of several cell-based meat companies in Israel.

She and a panel sampled it alongside traditionally grown minced chicken. Ms. Ansky was convinced that the better-tasting chicken came from an animal. She was wrong, and became a convert. She even thinks the meat could find a place at farmers' markets.*



PHOTOGRAPH BY GABRIELA HADJUS FOR THE NEW YORK TIMES



"Food is more than ingredients," Ms. Ansky said in a phone interview from Tel Aviv. "Food is about memory and tradition and identity and longing. If my grandmother was still alive and could make her chicken soup with the lab meat, many lives would be better."

In 20 years, she said, "people will look at us as crazy people who slaughtered chickens."

The chef Dan Barber, co-owner of the Blue Hill restaurants in New York State, said lab-grown food enriches no one but the investors, and ignores the environmental and phytochemical benefits that come when animals feed on pasture, which trans-

'We just cannot take for granted that what we eat now is the gold standard.'

lates into both flavor and better nutrition. "As they say, 'It's not the cow, it's the how,'" he said.

THE METEORIC RISE of highly processed plant-based proteins has kicked open the door for cellular agriculture. It's been only six years since Impossible Foods introduced a patty made with soy leghemoglobin to mimic beef blood. Now McDonald's is testing a McPlant burger, and KFC is selling plant-based chicken nuggets from Beyond Meat.

Cultivated meat is an entirely different creature. It begins with stem cells from an animal biopsy, an egg or even a feather that multiply rapidly in a stainless steel tank called a bioreactor or cultivator. The cells feed on a complex broth that contains nutri-

ents like carbohydrates and amino acids, and some type of growth factor, to become muscle, fat or connective tissue. Taste and nutrition are controlled by cell selection and the broth they grow in.

Making a product that looks like ground meat is easier than replicating traditional cuts. To create something that looks like a steak or a chop, some companies use an edible scaffold that the cells can attach to. Scientists are experimenting with biological 3-D printing technology originally designed to rebuild human tissue, using it instead to turn layers of muscle and fat tissue into Wagyu-style beef.

And the taste? In the Upside Food test kitchen, I sampled a slightly grainy chicken pâté and a perfectly round breakfast patty blended with plant-based proteins that fried



Left, the new Upside Foods research and production center in Emeryville, Calif. Above, Dr. Uma Valeti at the center. Dr. Valeti, a cardiologist, helped start Upside Foods in 2015 after he became convinced that the same technology used to grow stem cells to repair a human heart could also grow food. Right, minced cultivated chicken served as pâté.



up nicely. Generous seasoning masked the flavor of the meat.

The breast I ate came from tissue that had grown short meat fibers and had been pressed into plastic molds to approximate the size and shape of a small boneless breast. It had less chew but much more flavor than a typical grocery-store breast. The biggest difference was how the meat reacted in a pan. As it browned, the surface looked more like coarsely ground meat than whole muscle.

What to call meat grown in tanks remains a battle. The United States Cattlemen's Association petitioned the Agriculture Department in 2018 to limit the definition of meat and beef to products derived from animals born, raised and harvested in the traditional manner. The request was denied. States have jumped in. In Georgia, cell-cultured products have to be labeled "lab-grown," "lab-created" or "grown in a lab."

Most producers prefer the term cultivated meat, or cultured meat. The terms slaughter-free meat or clean meat are favored by some in the animal-rights contingent. Cooks, ranchers and others who oppose it call it synthetic, fake or engineered meat. The debate is likely to be settled, at least legally, when the Agriculture Department decides what to require on the label.

David Kaplan oversees the new National Institute for Cellular Agriculture at Tufts University, which in October received a \$10 million grant from the Agriculture Department to study cellular meat, from production to consumer acceptance. He prefers the term cultured meat. "Really, there is nothing artificial about this," he said.

Dr. Kaplan and others acknowledge that squeamishness about the technology remains a hurdle. In a consumer survey released this year by Britain's Food Standards Agency, only a third of those polled said they would try the meat. Just one in 10 Americans would be interested in trying food or beverages grown from cells, said Dasha Shor, an associate director of the market research firm Mintel.

The first consumer products will most likely be a blend of plant-based proteins and cell-grown meat, she said, adding that younger people are more open to cultivated meat than their elders, which is why companies like Aleph Farms, in Israel, are recruiting members of Generation Z as cell-meat ambassadors.

Josh Tetrick, a founder and the chief executive of Eat Just, thinks acceptance is just a matter of time. "When the freezer came out, people thought it was bizarre, too," he said.

Isha Datar is the executive director of New Harvest, a nonprofit institute that funds open, public research into cellular agriculture. In an October TED Talk that's been viewed 1.6 million times, she contends that growing cells for meat offers a once-in-a-lifetime opportunity to fix a broken agricultural system. It could be as revolutionary, she says, as the transition from hunting to farming.

But she cautions that investors and companies have too much control over a process that, like making beer or cheese or growing vegetables, shouldn't be treated as intellectual property.

"What does it mean for one company to own the recipe for meat?" she said. "It has the capacity to be very good and to be very bad."

Above row, from left: Dr. Valeti; Daniel Davila, a product development scientist for Upside Foods, inside the company's test kitchen; a breakfast patty made from cell-grown chicken. Left, a sautéed cultivated chicken breast with beurre blanc, tomatoes and charred scallions. Below, Mr. Davila with Maria Occarina Macedo, left, the brand and creative director, and Amy Chen, the chief operating officer.

