From: Shelburn, Andrew
To: Shelburn, Andrew
Subject: Governor"s Office Daily Update - 5-10-22
Date: Tuesday, May 10, 2022 8:13:19 AM

AG VALLEY CO-OP

Eustis, NE

Commodity	Delivery	Price	Basis	Date (as of)
Corn	May 2022	7.62	-15.00	07:45
Corn	Oct 2022	6.65	-45.00	07:45
Milo	May 2022	7.17	-60.00	07:45
Milo	Oct 2022	6.55	-55.00	07:45
Soybeans	May 2022	15.02	-103.00	07:45
Soybeans	Oct 2022	13.85	-70.00	07:45
Wheat	May 2022	11.03	-85.00	07:57
Wheat	Jul 2022	11.03	-85.00	07:57

TV and Radio

KETV: Sarpy County landowners potentially impacted by big lake have big concerns
NCN: Pillen tours state in final campaign push, Ricketts goes after Herbster for taxes, allegations
NCN: Ricketts: Herbster role in beauty pageants 'weird', Team Herbster calls attacks a smear
NCN: Nebraska beauty pageant contestant: Attack ad 'untrue' as Ricketts claims Herbster's role 'weird'
KLKN: Charles Herbster says ‘people of Nebraska are not fooled’ by allegations
KSNB: Lindstrom and Pillen visit Hastings for final campaigning efforts
KPTM: Jim Pillen making last stops prior to election on Tuesday
KMTV: Nebraska candidates make final pitches before Tuesday primary; higher voter turnout expected
KETV: One last campaign push for Nebraska Gubernatorial candidates
WOWT: Election 2022: Nebraska GOP candidates for governor make last push before primary
NCN: Jim Pillen makes final push in Norfolk before Tuesday's election (no video)
NCN: Pillen makes last-minute stop in Hastings, pushes for God in public schools
KLKN: Jim Pillen stumps with prominent supporters on eve of Nebraska primary
KPTM: Many Nebraska Republicans undecided as gubernatorial candidates make final push
WOWT: Election 2022: What if Fortenberry gets re-elected? (no video)
NTV: Group says ranked-choice voting in Nebraska would give people more voice
NPR: 3 primary contests to watch Tuesday in West Virginia and Nebraska
NPR: Nebraska primary for governor is the latest test of Trump's endorsement
ABC News: Nebraska, West Virginia primaries highlight GOP divisions over Trump and the 'big lie'
KNOP: Meet the candidates for Nebraska Legislature District 42 (no video)
NPM: Republican Gubernatorial Frontrunners Campaign Across Nebraska (no video)
NPM: "Brain-Drain" Has Been Plaguing the State for a Decade. How Could Roe V Wade Complicate

the Issue?

Governor

OWH: What you need to know to vote in Nebraska's primary Tuesday

LJS: Trump involvement turns national eyes on Nebraska GOP gubernatorial race

Newsmax: Nebraska Gov. Race: Pillen Takes Lead With Ricketts Backing

The New Yorker: Tuesday's Nebraska Primary Is the Next Test of Trump's Power in the G.O.P.

AP: Election 2022: Groping claims roil Nebraska governor primary

Breitbart: Tuesday's Nebraska Governor's Primary to Test Trump Endorsement

Washington Post: Trump-backed candidate accused of groping is on Nebraska ballot today

NY Times: How Trump Helped Transform Nebraska Into a Toxic Political Wasteland

NY Times: What We're Watching For in the Nebraska and West Virginia Primaries

Coronavirus

OWH: Nebraska isn't seeing rise in COVID numbers reported elsewhere in US

OWH: Offutt airmen ask judge to block COVID vaccine mandate, citing religious beliefs

State, Local and Regional

Nebraska Examiner: Nurses say their field is challenging and rewarding, despite workforce challenges

LJS: One-third of registered voters expected to show up in Nebraska, Lancaster County

LJS: Average gas price now tops $4 in Lincoln

Opinion

OWH Midlands Voices: How Meyer v. Nebraska and the 14th Amendment are tied to Roe v. Wade

OWH Public Pulse

1. All-day two-way
2. Prioritize birth control
3. Take another look
4. Expand our roads
5. Keep abortion legal
6. 'No' to streetcar
7. Common ground
8. Top of the list
9. Act of kindness

LJS Local View: Investing in the future

LJS Letters

1. Let people judge information
2. Nurses rallying for change

National/Federal

Stateline.org: States wary of abortion prosecutions

Bloomberg: Tyson says high meat prices not yet hitting consumer demand

CNN: States receive billions in extra federal Medicaid funds to cover more Americans during the pandemic

OWH: What you need to know to vote in Nebraska's primary Tuesday

Polling places across Nebraska open Tuesday morning so voters can decide who should serve in local and statewide elected offices.

Election officials are expecting a high turnout.

The most high-profile primary contest this cycle is for the Republican nomination for governor. Gov. Pete Ricketts can't run again due to term limits, and the vacant seat left room for a bitterly contested race that has produced three front-runners: Conklin Co. CEO Charles W. Herbster, hog producer and University of Nebraska Regent Jim Pillen and State Sen. Brett Lindstrom.

Voters also will decide who will face off in November for seats in Congress, about half of the seats in the Nebraska Legislature and other state and local positions.

If people are registered as nonpartisan, they can vote in the primary election — but not in every race. The race for governor and other statewide and county-level races, along with the Nebraska Public Service Commission, are partisan races. Other races are nonpartisan, including the State Legislature. Nonpartisan voters can request a party's primary ballot — the Democratic, Libertarian and Marijuana NOW parties have opened their primary ballots, but the GOP did not.

Here's what else you need to know

Poll hours: Polls are open from 8 a.m. to 8 p.m. Central time and 7 a.m. to 7 p.m. Mountain time.

Find your polling place: If you don't know where you're supposed to go, you can contact the county clerk or election commissioner for the county where you're registered or search your name in the Nebraska Voter Information Lookup (www.votercheck.necvr.ne.gov/voterview/), which you can access online by visiting the Elections Division of the Nebraska secretary of state's website. In Douglas County, the election commission's website home page also features a tool to find your voting information (www.votedouglascounty.com/).

Get a ride: In Omaha, Metro and ORBT buses and MOBY paratransit vans are providing fare-free rides Tuesday. A map of polling locations and routes is on Metro's website (https://www.ometro.com/wp-content/uploads/2020/09/Metro-Polling-Locations-BusToBallot_2022-1.pdf)

If you got your ballot by mail: The cutoff for the county election official's office to receive your completed ballot is 8 p.m. Central time or 7 p.m. Mountain time. At this point, that means you should drop your early ballot in a drop box rather than mail it (be sure to sign the envelope). No early ballots are accepted at polling places or election offices on election day.

Find a drop box: The Douglas County Election Commission's website features a list and map of the county's 13 drop boxes (www.votedouglascounty.com/early_voting.aspx#dropboxes). Sarpy County has a list online, too (www.sarpy.gov/857/Ballot-Drop-Box-Locations) and the nonprofit Civic Nebraska has a statewide interactive map on its website (www.civicnebraska.org/election-2022/dropbox-locations/). Note: Civic Nebraska's map depicts multiple drop boxes in Lancaster County, but only the drop box at the Election Commissioner's office at 601 N. 46th St. is available for the primary.

Track your early ballot on Nebraska Voter Information Lookup after you turn it in (www.votercheck.necvr.ne.gov/voterview/).

By Sara Gentzler

LJS: Trump involvement turns national eyes on Nebraska GOP gubernatorial race

Former President Donald Trump's personal involvement in Tuesday's Republican gubernatorial primary battle in Nebraska has turned national attention on a contest that appears to be too close to call.

Trump is accompanied by a spotlight wherever he chooses to go and his trip to a raceway near Greenwood halfway between Lincoln and Omaha eight days ago to voice his strong support for Charles Herbster raised the ante in this hard-fought battle, with the former president's power within the party now a factor on the Nebraska ballot too.

Trump's "immense sway within the Republican Party is on the line," Fox News stated in an online news story.

"The battle to succeed term-limited Gov. Pete Ricketts of Nebraska has turned into a heated three-way fistfight that has grabbed attention far beyond the Great Plains state's borders," the Fox online story said.

The New York Times wrote that "Herbster is doing his best imitation of former President Donald J. Trump (and) has cracked his party into three camps, with Trump supporters, established conservatives and business-friendly moderates battling for power."

Ricketts has endorsed Jim Pillen of Columbus; Sen. Brett Lindstrom of Omaha has support from an array of business-oriented Republicans.

"Conversations with voters suggested that Ricketts' support of Pillen could ultimately carry greater weight on Tuesday than Trump's backing of Herbster," a CNN News report suggested.

Citing late-in-the-campaign accusations that Herbster had improperly touched or groped a number of women at public events, Newsweek suggested that "Donald Trump's knack for endorsing primary candidates who go on to win their respective elections may come to an end on Tuesday."

Herbster has vigorously denied the allegations and suggested he is being attacked by "a smear campaign."

The Newsweek report stated that the most recent polls, along with online bookmakers, now are "suggesting (Trump's) pick in the Nebraska gubernatorial race will lose."

All the analysis and speculation will give way to voters' decisions Tuesday.

Pillen, a Columbus pork producer and University of Nebraska regent, wrapped up his campaign Monday with a statewide fly-around tour that took him to appearances in Omaha, Norfolk, Lincoln, Hastings, Scottsbluff and Columbus.

Herbster, a Falls City cattle producer and businessman, finished with campaign stops in tiny Byron in Thayer County, a village that counts fewer than 100 residents, and Seward, followed by a telephone town hall with Kellyanne Conway, the former Trump White House adviser who has been assisting his campaign.

Lindstrom, who is completing his eighth and final year in the Legislature, closed his campaign with stops in Grand Island, Hastings, Lincoln and Omaha.

"Although I don't have a crystal ball, looking at the current number of early ballots that have been returned, a rough prediction for voter turnout in the 2022 primary election is trending about 35%,"

Secretary of State Bob Evnen said.
As of the weekend, 122,679 ballots had already been cast, largely by mail.
A factor that could conceivably be determinative in a tight race is the switch of voter registration from Democratic to Republican by thousands of Nebraska Democrats in advance of Tuesday's primary election.
By Don Walton

Newsmax: Nebraska Gov. Race: Pillen Takes Lead With Ricketts Backing

The Nebraska governor's race is going down to the wire with the primary slated for Tuesday.
Conservative Jim Pillen, a University of Nebraska regent who has Gov. Pete Ricketts' endorsement, now leads among likely Republican voters with 31%.
Pillen is trailed by businessman Charles Herbster at 27%, according to WPAi Intelligence Survey completed last week.
Ricketts has been a popular governor, but can't run for a third term for governor of Nebraska.
But Ricketts has strongly backed Pillen, with the governor unleashing a seven-figure expenditure from his PAC to slam the two leading opponents.
Ricketts has spent an estimated $1 million through his Super PAC on negative ads against State Sen. Brett Lindstrom and roughly $500,000 against Herbster.
After three weeks on the airwaves, Ricketts' broadside appear to be taking their toll.
The same survey showed Lindstrom, a favorite of the more moderate wing of the GOP, with 16% and 8% favoring other candidates.
Herbster had initially been the front-runner, but that lead quickly eroded after he was hit with six allegations of sexual harassment, including a complaint from a Republican state senator, Julie Slama.
The multiple harassment charges against Herbster appear serious. He missed a deposition Friday in the case just after slapping Slama with a defamation lawsuit.
Former Omaha Mayor Hal Daub, a Herbster backer told Newsmax, admitted that Ricketts' media blitz had put Pillen ahead, but that the race remains open.
"It's now neck-and-neck," added Daub.
What may decide a tight contest are the more than 8,500 Democrats and independents who changed parties this year to vote in the Republican primary. A similar move by outsiders in 2014 helped to put Ricketts over the top by a slim 2,000 votes in his first winning bid for governor.
By John Gizzi

The New Yorker: Tuesday's Nebraska Primary Is the Next Test of Trump's Power in the G.O.P.

Late last month, as long lines of cars and pickups neared the I-80 Speedway—a dirt car racetrack in

eastern Nebraska—a row of signs touting Charles Herbster's campaign for governor appeared on nearby roads. Printed in black letters against a white background, the signs made their point bluntly: "herbster—governor—trump endorsed." Inside, Trump 2024 flags flapped in a strong wind that would soon force a postponement of Herbster's scheduled appearance with the former President. Inside the raceway, the gubernatorial candidate himself was there, wearing a cap that read "Donald Trump 45th President."

An executive who owns multiple cattle-and-agriculture companies, Herbster donated $1.3 million to Trump's Presidential campaigns and attended the January 6, 2021, Stop the Steal rally, on the Ellipse. He has spent nearly nine million dollars of his own money on a gubernatorial campaign pinned almost entirely to Trump's endorsement. Herbster's candidacy and his fervent embrace of Trumpism have, ahead of Tuesday's primary, bitterly divided Republicans in the state, which has a long history of sending centrists to Washington, from Republican Senator Chuck Hagel to Democratic Senator Ben Nelson. His candidacy is also another test of Trump's sway over G.O.P. voters—and the direction of the Party itself.

Last month, Herbster was accused of conduct that would likely have disqualified him in the eyes of many Nebraskans in the pre-Trump era. Eight women, including a strongly conservative Republican state senator, said that Herbster had groped them or touched them inappropriately, Aaron Sanderford, a political reporter for the Nebraska Examiner, a nonprofit startup, revealed. All the women were in their teens or early twenties when the alleged conduct occurred. Witnesses corroborated six of the incidents. Julie Slama, the state senator, said Herbster reached up her dress at a Republican event in 2019, when she was twenty-two years old. "I was in shock. I was mortified. It's one of the most traumatizing things I've ever been through," Slama later said, in an interview on local radio. "I was scared then and I'm scared now."

Herbster's response to the allegations was Trumpian. In a thirty-second video ad, he said Slama's claim was an "attack" that was "built on lies" and made no mention of the other seven women or the six witnesses. He has repeatedly cast himself as the victim of a conspiracy by the state's Republican establishment. The claims, Herbster has said, were "libelous fake news," a plot by the state's current Governor, Pete Ricketts, and his favored candidate to derail his campaign. Ricketts said it was "ridiculous" to suggest that he "conspired to talk eight women and even more witnesses to make up stories about Charles Herbster." (Herbster did not respond to a request for comment.)

Since the news broke, all thirteen women who serve in Nebraska's forty-nine-seat state legislature have signed a letter declaring Herbster "unfit to serve." A second victim has gone public, and Herbster has sued Slama for slander. Undaunted, Slama has countersued. When a former Omaha mayor, Hal Daub, said, "I'd like to ask her what she was wearing," Slama tweeted a photograph of her dress. "Clothes don't equal consent," she said, in the radio interview.

At the rescheduled rally at the racetrack, on May 1st, Trump, who has been repeatedly accused of sexually harassing women and once boasted of grabbing them by the genitals, doubled down on his support. Trump predicted that Herbster will be elected Nebraska's next governor. "He's been badly maligned, and it's a shame," the former President said. "That's why I came out here."

Trump supporters told me that they don't believe the allegations against Herbster. A husband and wife drove more than two hours from rural central Nebraska, in hopes of seeing Trump. They were making their way to their car, amid blue "Trump Won" flags and T-shirts for sale that said "Mean Tweets and Cheap Gas 2024." They told me that there was something suspicious about the allegations, coming so soon before the election. "Probably fake" and ginned up by the opposition to smear Herbster, "just like they did against Trump," said the husband.

John McCollister, an anti-Trump Republican state senator, who once tweeted that the G.O.P. is "enabling white supremacy," told me that the race was a chance for Republicans to repudiate Trump. "All the rules and norms about what a Republican is are up for grabs," he said. "There's a fifty-fifty chance that we'll gravitate toward a more responsible Republican Party." But Herbster may benefit from a dynamic that has aided Trump allies in other primaries: a splintered Republican opposition to Trump and Trumpism. Last week, in Ohio, J. D. Vance, the Trump-endorsed candidate, won the Republican Senate primary with more than thirty per cent of the vote. His two Republican opponents received roughly twenty-three per cent each.

In Nebraska, recent polls show Herbster in a three-way tie ahead of Tuesday's G.O.P. primary. His chief rival when the race started was Jim Pillen, a veterinarian, livestock producer, and former University of Nebraska football star who is backed by Ricketts, the outgoing, term-limited Governor. Pillen is relying on small gatherings and advertising that conveys his deeply conservative positions and pitches his close ties to Ricketts. In one twist, more than eight thousand voters have switched their registration from Democratic or nonpartisan to Republican in the past two months, allowing them to vote in the G.O.P. primary.

As Herbster struggles with character issues and Pillen avoids debates in favor of candidate forums, Brett Lindstrom, a state senator, has climbed into the race as a credible alternative to both. At forty-one, Lindstrom is a generation younger than Herbster and Pillen. At campaign events in populous Omaha and across the state, he delves into policy details and refrains from personal attacks. When asked by voters how he will accomplish his goals, Lindstrom pledges to build coalitions among legislators and interest groups that do not agree on every issue.

Pillen's backers, though, are pushing back. Governor Ricketts has helped fund a dark-money group that launched a series of ads accusing Lindstrom of being overly liberal. (Ricketts did not respond to a request for comment.) By one count, published Monday, Lindstrom has been pummeled by $1.6 million in negative advertising. Yet he has voted to ban abortion without exceptions, possesses a top rating from the National Rifle Association, and warned in one of his campaign flyers that "the radical left will stop at nothing."

When I met Lindstrom, at E'Z Place, a sports bar in west Omaha, where he was pitching his candidacy to several dozen voters, he appeared relaxed. There were no maga hats in the crowd, and Trump's name did not come up. When Lindstrom promised not to attack Herbster or Pillen personally, many people applauded. "I want to show that you can win an election without cutting people down," he said. During an interview, he acknowledged that nuance and teamwork don't always translate into votes in a Republican Party increasingly steeped in absolutes. "I try to be logical about these things rather than hyper-political," Lindstrom told me. "And sometimes that doesn't go over well." (Herbster, mimicking Trump, rails against China, "illegals," critical race theory, "the fake-news media," sex education in schools, and government itself, which "produces absolutely zero.")

At the bar, where signed Pittsburgh Steelers jerseys incongruously lined the walls, Lindstrom led his audience through his legislative successes, which he said ranged from lowering state taxes and finding ways to pay for infrastructure improvements, to equalizing per-pupil education funding formulas. He spoke of relieving Nebraska's overcrowded prisons, not by building more cells but by developing drug courts and mental-health and addiction programs. "We're all in this together," he said, referring to Nebraska's 1.9 million residents. "We've got to do the right thing." After he finished, I spoke with Tyler Gloe, who works at the nearby headquarters of Boys Town. He said Nebraska is "stuck" after eight years of Ricketts's leadership. He sees Lindstrom as "young and refreshing. He actually has ideas. He wants to solve things."

Lindstrom, a financial adviser and former Nebraska football walk-on, hopes to appeal to G.O.P. voters, especially in cities and suburbs. He hearkens to the big-tent conservatism of Ronald Reagan. "Right now," Lindstrom told me, "people are trying to find the identity of the Party. What we're trying to do is cut through all the noise, and just talk about what I believe as a Republican—individual freedoms and individual liberties and creating your own destiny. Oftentimes with the government getting out of the way, but, when it can't, step alongside." In a sign that Lindstrom is gaining traction, Ricketts recently told a reporter that he is still backing Pillen, but would support Lindstrom if he wins on Tuesday. He offered no such promise to Herbster.

Ryan Horn, a Republican media strategist, is watching to see whether Lindstrom's lower-key, suburban profile will be a help or a hindrance amid the state's shifting demographic and political trends. Either way, he sees a clear path to the governorship for Tuesday's Republican winner. Eighteen months ago, Trump defeated Joe Biden by nineteen points in Nebraska, although Biden won an electoral vote in the Second District, centered on Omaha. "It's almost not sporting for us," Horn joked, referring to the Republican dominance of the state. "What are people most worried about? The border. Inflation. A narrow third: increasing taxes and spending. What are Democrats talking about? Are they talking about any of those three? They're putting their heads in the sand, not bothering to come up with any kind of solution."

Lou Ann Linehan is a Republican state senator who reflects the state's deep Republican divide. Linehan is loyal to Ricketts, and filmed an advertisement for Pillen. She loathes Herbster, whom she called a predator. "Twenty years ago, it would be over by now, right?" she asked me. She was appalled by his behavior, from the alleged groping to the denials: "Not even, 'Well, maybe there was a misunderstanding' or 'I'm sorry if I offended somebody.' But to come out and just say she's lying? They're all lying? It's a conspiracy?" Nor is she a fan of the way that Herbster and his patron, Trump, crow about themselves and their achievements. "We need leaders," she said. "We've overdone the 'It's about me.'"

I met Linehan on a Saturday morning in Omaha's Old Market neighborhood, a magnet for Nebraska's increasingly urban population, which Lindstrom is mining for votes. She has been working in Nebraska politics for thirty years, starting when Nebraska had a Democratic governor and two Democratic senators. She worked as former Senator Hagel's chief of staff, and remembers when politics were different. "We need to get back to understanding that I don't care if you're Republican or Democrat—you're American, and we're very damn lucky to be Americans, and we have to take care of our country. And that doesn't mean dividing or splitting, or preaching hate."

She plans to vote for Pillen but called Lindstrom capable and a team player. "He's more willing to listen, and I think maybe young people are attracted to that." One of her children plans to vote for him. "This is going to sound really corny," she said. "Maybe the future is back to the past."

By Peter Slevin

AP: Election 2022: Groping claims roil Nebraska governor primary

OMAHA, Neb. (AP) — Nebraska Republicans will pick a nominee for governor Tuesday in a bitter primary race that was upended in recent weeks after a leading candidate endorsed by former

President Donald Trump was accused of groping at least eight women over the last few years. Charles Herbster, a businessman and cattle breeder who has denied the allegations, is in a nine-way GOP primary to replace Republican Gov. Pete Ricketts, who's prevented by term limit laws from running again. Other leading candidates include Jim Pillen, a veterinarian and hog farm owner endorsed by Ricketts, and state Sen. Brett Lindstrom, an Omaha financial adviser who gained traction recently with a surge of money and support from the city's Republican mayor.

The winner will emerge as a strong favorite in November's general election in Republican-dominated Nebraska. State Sen. Carol Blood is the top candidate for the Democratic nomination for governor.

Both Nebraska and West Virginia are holding primary elections on Tuesday night, with select races providing some measure of the former president's enduring sway with GOP voters. In addition to the Nebraska governor's race, Trump has weighed in on a West Virginia congressional primary between two Republican incumbents. The former president backed Rep. Alex Mooney over Rep. David McKinley, who angered Trump by voting for President Joe Biden's bipartisan infrastructure package and the creation of the House committee investigating the Jan. 6 attack on the Capitol.

Trump is facing some of the biggest tests of his influence in Republican primary elections later this month. In Pennsylvania, his endorsed Senate candidate, TV's Dr. Mehmet Oz, is locked in a competitive race against former hedge fund CEO David McCormick and five others, while his candidate in North Carolina, U.S. Rep. Ted Budd, is competing in a field that includes a dozen other Republicans. In Georgia, Trump has endorsed primary challengers to Gov. Brian Kemp and Secretary of State Brad Raffensperger, both of whom defied him by rejecting his false claims of voter fraud in the 2020 election.

In Nebraska, the allegations against Herbster, a longtime supporter of Trump's, didn't stop the former president from holding a rally with him earlier this month.

"I really think he's going to do just a fantastic job, and if I didn't feel that, I wouldn't be here," Trump said at the rally at a racetrack outside Omaha.

In a story last month, the Nebraska Examiner interviewed six women who claimed Herbster had groped their buttocks, outside of their clothes, during political events or beauty pageants. A seventh woman said Herbster once cornered her privately and kissed her forcibly.

One of the accusers, Republican state Sen. Julie Slama, said Herbster reached up her skirt and touched her inappropriately at the Douglas County Republican Party's annual Elephant Remembers dinner in 2019. The Associated Press does not typically identify people who say they are victims of sexual assault unless they choose to come forward publicly, as Slama has done.

Herbster filed a defamation lawsuit against Slama, saying she falsely accused him in an effort to derail his campaign. Slama responded with a countersuit against Herbster, alleging sexual battery. Herbster has suggested in television ads that Pillen and Ricketts conspired with Slama to falsely accuse him of sexual assault — allegations the three deny.

Lindstrom has faced a barrage of attacks as well, with third-party television ads funded by Ricketts that portray him as too liberal for the conservative state. One digitally altered ad shows Lindstrom standing in front of a rainbow flag with a coronavirus mask superimposed over his face. A mail ad notes that Lindstrom was endorsed by U.S. Rep. Brad Ashford, a moderate Republican-turned-Democrat who died last month of brain cancer.

Nebraska Secretary of State Bob Evnen, a Republican, predicted that 35% of registered voters will cast ballots in the primary, the highest percentage since 2006, based on what he's seen so far.

Nebraska Republicans and Democrats will also pick their candidates to run for the seat previously held by Republican U.S. Rep. Jeff Fortenberry, who resigned from office and ended his reelection bid

in March after he was convicted of federal corruption charges.
State Sen. Mike Flood, a former speaker of the Nebraska Legislature, is a top contender for the Republican nomination, while state Sen. Patty Pansing Brooks is likely to win the Democratic nod. Flood will enter the race as a strong favorite in the Republican-heavy 1st Congressional District, which includes Lincoln, small towns and a large swath of eastern Nebraska farmland.
In the Omaha area, Republican U.S. Rep. Don Bacon faces a long-shot primary challenge from Omaha consultant Steve Kuehl in the 2nd Congressional District. Democrats Alisha Shelton and state Sen. Tony Vargas are running for their party's nomination as well in Nebraska's only competitive congressional district.
Trump blasted Bacon during his visit, calling him a "bad guy." The former president has criticized the three-term Republican for supporting Biden's infrastructure law. Bacon has been mildly critical of Trump in the past, saying he bore some responsibility for the Jan. 6 attack.
Trump stopped short of officially endorsing Kuehl, however, saying: "I think Steve will do well. Good luck, Steve, whoever the hell you are."
By Grant Schulte

Breitbart: Tuesday's Nebraska Governor's Primary to Test Trump Endorsement

A hotly contested gubernatorial primary happening in Nebraska on Tuesday could put an end to former President Donald Trump's current primary winning streak.
The primary will follow Trump seeing sweeping victories for his endorsed candidates in Texas, Ohio, and Indiana. Trump went 33 for 33 in Texas as his endorsees there all won or advanced to runoffs, and last week, 22 out of 22 of his candidates won their races in Ohio and Indiana.
But Nebraska's gubernatorial race shows signs of uncertainty for Trump.
Two wealthy agriculture businessmen stand out as frontrunners in the primary: the Trump-endorsed candidate, Charles Herbster, and Jim Pillen, who is backed by Nebraska Gov. Pete Ricketts (R) and the powerful Ricketts family. Ricketts is term-limited this year and unable to seek reelection.
A third candidate, state Sen. Brett Lindstrom, is also considered a frontrunner and campaigns as the most moderate of the three candidates.
Herbster, an early supporter of Trump who appeared at Trump's 2015 campaign launch and donated to him in the primary, has heavily promoted the former president's endorsement as part of his campaign for governor. Trump, for his part, endorsed Herbster in October, praising him as having been "a tremendous supporter of America First and Make America Great Again, right from the beginning."
Herbster's campaign took a hit in April after allegations that he inappropriately touched multiple women surfaced in the Nebraska Examiner. Herbster's campaign "unequivocally" denied the allegations, calling them "a political hit-piece built on 100% false and baseless claims."
Trump, undeterred, has doubled down on his support for Herbster, holding a rally in Greenwood for him on May 1 and a tele-rally last week.
The Greenwood rally, which took place about two weeks after the misconduct allegations broke, "drew thousands" of Trump supporters, according to local outlet WOWT. Trump said at the event, "I

think Charles is going to do very well, and if he [wins], you'll be very happy and you're gonna have an even more prosperous state. We've made it very prosperous, and I really think he's going to do just a fantastic job, and if I didn't feel that, I wouldn't be here."

Several in Trump's orbit have also rallied behind Herbster, including Trump's 2016 campaign manager Kellyanne Conway, who has been active in supporting Herbster from the outset of his campaign, as well as others such as Trump economic adviser Stephen Moore, Trump adviser Kimberly Guilfoyle, Rep. Matt Gaetz (R-FL), and CPAC chair Matt Schlapp.

Meanwhile, Pillen, a University of Nebraska regent with the prominent Ricketts family in his corner, has picked up endorsements from a slew of state lawmakers, the Nebraska Farm Bureau, and personalities such as Larry the Cable Guy and the former longtime University of Nebraska football coach and former Rep. Tom Osborne.

The latest polling, conducted April 30 to May 2 and released by the Pillen campaign, showed Pillen in first place, boasting a lead that had widened from the same polling firm's previous survey. Pillen came in five points ahead of Herbster, at 31 percent compared to Herbster's 26 percent. Lindstrom received 16 percent, while 19 percent said they were undecided.

A poll conducted in early March on behalf of Herbster by Conway's firm painted a different picture, however, showing Herbster up nine points over Pillen and ten points over Lindstrom. Herbster received 27 percent support, Pillen 18 percent, and Lindstrom 17 percent. A plurality of respondents, 35 percent, said they were undecided.

The race has also been one of the most expensive state contests in history. Herbster, who has far outspent his opponents, has been largely self-funded, having donated to his campaign $11.5 million of the $11.8 million he has raised, according to the most recent financials reported in the Nebraska Examiner. Pillen has raised $8.4 million, and Lindstrom has raised $2.5 million.

Herbster is characterizing his campaign in part as a battle against Pillen and the Nebraska establishment and, evoking Trump, vows to "make Nebraska great again." His ability to prevail against Pillen, or Lindstrom, would be owed in no small part to Trump's influence.

In Ohio, Trump's endorsement was undoubtedly game-changing for Senate candidate J.D. Vance, who won a heated five-way primary contest after surging in momentum right as Trump endorsed him late in the election.

In another instance of Trump being at odds with the wealthy Ricketts family, Todd Ricketts, Pete Ricketts' brother, poured cash into supporting Vance's opponent Jane Timken, though Todd Ricketts told Breitbart News he had backed Timken well before Trump weighed in on the race. The Rickettses also donated against Trump in early 2016, but in his endorsement announcement of Herbster, Trump showed no sign of animosity, stating, "It is particularly important that a great Governor (Pete Ricketts has been terrific!) be elected to help fortify the State."

In addition to Herbster in Nebraska, Trump faces a difficult road ahead with multiple other candidates. While some, such as Rep. Ted Budd in North Carolina, are soaring in polls and favored to win, others may serve to test Trump's influence.

Former Sen. David Perdue, whom Trump has been highly vocal in supporting, is trailing Trump nemesis Gov. Brian Kemp by a wider and wider margin ahead of the May 24 primary in Georgia. Dr. Mehmet Oz, who shares Trump's TV celebrity background, is also in a tight seemingly three-way race in Pennsylvania, and when Trump endorsed Oz, he was met with significant backlash from some of his more prominent supporters.

Trump is well-liked in Nebraska, a solid red state he won by nearly 20 points in 2020. Nevertheless, the Pillen campaign anticipates a victory on Tuesday. Spokesman John Gage told Breitbart News in

no uncertain terms, “We are confident Jim Pillen will be the winner on May 10th.”
There is no runoff in Nebraska, and the race could easily come down to a handful of votes. A closely divided primary battle occurred not too long ago, in 2014, when Ricketts defeated Jon Bruning by about one percent, or 2,300 votes, in that gubernatorial primary.
Polls will close in Nebraska on Tuesday at 8:00 p.m. Central time and 7:00 p.m. Mountain time.
By Ashley Oliver

Washington Post: Trump-backed candidate accused of groping is on Nebraska ballot today

A Republican candidate for governor of Nebraska accused of sexually assaulting multiple women is on the ballot Tuesday, as voters head to the polls in Nebraska and West Virginia for the primaries that will put the final test of the ability of former President Donald Trump to influence the choice of his party candidates.
Charles Herbster, a Trump-backed farm executive, was accused by eight women of touching them inappropriately; two publicly told the Nebraska Examiner that Herbster did so at a fundraiser in 2019. Herbster, who has denied the allegations, turns up in a crowded field that includes a candidate backed by incumbent Governor Pete Ricketts (R), who is time-limited, and much of the Republican establishment in the state, Regent Jim Pillen of the University of Nebraska.
Trump makes closing speech for Nebraska candidate accused of fumbling
The Nebraska primary is one of two closely watched races in which Trump is pitted against local Republican leaders. The former president is also backing Rep. Alex Mooney (RW.Va.), a member of the conservative House Freedom Caucus who faces a primary against a colleague who ran far more money into his home — traditionally an asset in the state – Rep. David B. McKinley (RW.Va.).
The contests are two of many primaries this month that will show how much GOP primary voters have invested in Trump’s endorsements 16 months after he left office. Trump-endorsed candidate in Ohio’s Republican primary for the U.S. Senate, venture capitalist and author JD Vance, prevailed last week, an early show of strength for the former president. Some Republicans have warned that Trump could face tougher dynamics in upcoming contests.
Trump, Biden prevail as party leaders in Ohio primary results
In Nebraska, a Republican state senator accused Herbster of lifting her skirt at a local GOP fundraiser in 2019. Another woman, who is a former aide to a state senator , said Herbster grabbed her butt after she stopped to wave at her table at the same time. Event. Trump, who himself has denied multiple allegations ranging from sexual harassment to rape over the years, recently traveled to Nebraska to campaign for Herbster and defend his former farm policy adviser and campaign donor.
“He’s the most innocent human being,” Trump said, embracing Herbster at an eastern Nebraska fair. “He’s the last person to do all of this.”
Trump’s endorsement of Mooney, who was dragged into a new district with McKinley after the state lost a House seat, was less personal. McKinley had voted for last year’s bipartisan infrastructure bill and to create a congressional commission to investigate the deadly Jan. 6, 2021, attack on the U.S. Capitol by a pro-Trump mob. Last year, Mooney sat down with Trump for an hour, sharing a 15-page memo on the race with the former president and walking away with an endorsement.

“My opponent is a total RINO,” Mooney said during a rain-soaked rally with Trump in western Pennsylvania on Friday, not far from West Virginia’s 2nd congressional district. “For our party to succeed, we need to eliminate these RINOs in the primaries,” he added, repeating the derogatory acronym of “Republican in Name Only.”

Mooney, whose potential use of campaign funds for personal expenses is being investigated by a congressional ethics committee, represented far less of the new district than McKinley. Republican Gov. Jim Justice (R) backs McKinley.

Trump won West Virginia in a landslide in 2020, and national Democrats do not plan to aim for the seat in November. Sen. Joe Manchin III (DW.Va.) offered bipartisan support for McKinley last week, appearing in a TV ad to help him refute bogus attack ads that confused the infrastructure bill with a larger set of social spending that the senator helped block in the past year, says the “Build Back Better” plan.

“For Alex Mooney and his out-of-state supporters to suggest that David McKinley supported Build Back Better is an outright lie,” Manchin said. “David McKinley has always opposed reckless spending because it doesn’t make sense for West Virginia.”

McKinley defended his infrastructure vote at the track, backed by groups such as the state Chamber of Commerce, which also backed him. He sought to steer his own vote for a Jan. 6 bipartisan Labor commission away from panel-appointed Democrats, though ads from conservative groups such as the Club for Growth have used him to try to tie him to the Liberals.

“Who were the culprits here? What was the real genesis of this problem? McKinley said in an interview, explaining why it was believed a bipartisan committee was needed. “I don’t learn of this through Nancy Pelosi’s select committee.”

Mooney and his allies outspent McKinley, but internal polls for both candidates found a close race. Party strategists will be watching closely when the polls close at 7:30 p.m. EST.

Nebraska’s gubernatorial race has been costlier and more divisive for Republicans, with Democrats hoping to take advantage in November. Trump endorsed Herbster six months ago, even though Ricketts advised against it, and in January the governor backed Pillen.

“No one has run a grassroots campaign like us,” Pillen said in an interview. “Neighbors talking to neighbors, eyeball to eyeball, win votes. It has always mattered in Nebraska.

The endorsements set up an uphill battle between Herbster and Ricketts. Members of the governor’s family spent big on opposing Trump in the 2016 presidential primary.

Ricketts strongly criticized Herbster, backing ads from a political action committee called Conservative Nebraska that called the candidate a “Missouri millionaire.” Last month, when the Nebraska Examiner first reported women who said Herbster groped them, Ricketts said he believed the accusers.

Herbster quickly denied the allegations, adopting a defiant posture similar to that Trump has often adopted. He compared himself to conservatives who he said had been sullied by false attacks, including Trump and Supreme Court justices Clarence Thomas and Brett M. Kavanaugh.

“They’re trying to scare me away from this race and it’s not going to happen,” Herbster said at the May Day rally with Trump. “We’re going to take Nebraska back.”

Other candidates are trying to gain an advantage amid attacks and counterattacks. Former state senator Theresa Thibodeau entered the race after a brief stint as Herbster’s running mate, concluding the wealthy executive should not be governor. State Sen. Brett Lindstrom, a conservative with moderate views on issues such as medical marijuana legislation, hoped to benefit from the split, though the Nebraska conservative also sued him.

“At first, to be honest, we saw a pretty narrow path,” Lindstrom said in a recent interview after walking past Herbster and Pillen at Nebraska City’s annual Arbor Day Parade. “That path has widened because the other two sides are fighting pretty hard. We were able to fly under the radar and get the job done.

Nebraska is a heavily conservative state where Democrats haven’t held the governorship in Lincoln since the 1990s, but they say they see an opportunity in the messy Republican primary. State Senator Carol Blood, who won in a district Trump carried twice, had co-signed a bipartisan statement of female senators backing Herbster’s accusers. If the GOP focused on national politics instead of Nebraska’s needs, she said, the Democrats could win.

“I look at the Republican Party and I don’t recognize it anymore,” Blood said in an interview. “I am not a sacrificial lamb. Nobody told me about that. I don’t run for anything unless I think I can win.

Voters in eastern Nebraska will also choose candidates for Congress, with four Republicans vying to replace former Republican Rep. Jeff Fortenberry, who resigned after being found guilty of lying to federal investigators about contributions illegal in the countryside. Republican Sen. Mike Flood and Democratic Sen. Patty Pansing Brooks are running in both the primary and a June 28 special election to fill Fortenberry’s term.

In the Omaha-based 2nd congressional district, one of the few to have re-elected a Republican in 2020 while supporting Joe Biden for president, two Democrats are vying to take on Republican Rep. Don Bacon. Bacon also has a challenger: Steve Kuehl, a roofer who criticized Bacon for supporting the infrastructure bill.

Trump stayed out of the Bacon-Kuehl race, although he previously noted that Kuehl was in the crowd at a rally and called him a “nice guy.” During his rally in West Virginia, he did not go into details of the McKinley-Mooney race, but said the stakes were high.

“Alex is in for a big ride,” Trump said. “This is one of the races that they keep saying, ‘Is Mooney going to win because Mooney is backed by Trump?’ ”

By David Weigel

NY Times: How Trump Helped Transform Nebraska Into a Toxic Political Wasteland

LINCOLN, Neb. — In the old days, Charles W. Herbster, a cattle baron and bull semen tycoon who used his fortune and influence to get into Donald Trump’s good graces, almost certainly would have been forced to pull out of Nebraska’s Republican primary for governor by now. In recent weeks, eight women, including a state senator, have come forward to allege that Mr. Herbster groped them at various Republican events or at beauty pageants at which he was a judge.

But this is post-shame, post-“Access Hollywood” America, so Mr. Trump traveled to Nebraska last week for a rally at the I-80 Speedway between Lincoln and Omaha to show his continued support for Mr. Herbster. “He is innocent of these despicable charges,” Mr. Trump said. And Mr. Herbster, in true Trump fashion, has not only denied the allegations but also filed a defamation suit against one of his accusers and started running a television ad suggesting that the claims are part of a political conspiracy.

Mr. Herbster sees conspiracies everywhere — conspiracies to destroy him, conspiracies to

undermine Mr. Trump, conspiracies to unravel the very fabric of the nation. “This country is in a war within the borders of the country,” he told the crowd at the Starlite Event Center in Wahoo on Thursday, a few days before Tuesday’s primary election. Over more than an hour, Mr. Herbster, dressed in his trademark cowboy hat and vest, unspooled a complex and meandering tale of the threat to America, interspersed with labyrinthine personal yarns and long diatribes about taxes.

It was convoluted but (as best I can understand) goes something like this: The coronavirus was manufactured in a lab in China and released into the United States in early 2020 by “illegals” from Mexico who were also smuggling Chinese-made fentanyl across the border. One of the smugglers, he said, had enough fentanyl in a single backpack to kill the entire population of Nebraska and South Dakota. The goal of this two-pronged attack, he explained, was to create a panic, stoked by Facebook and $400 million of Mark Zuckerberg’s money, to justify allowing voting by mail. Then, through unspecified means, the Chinese government used those mail-in ballots to steal the election — though Mr. Herbster hates that word. “They didn’t ‘steal’ it,” he told the crowd, his finger raised. “Do not use that terminology. They did not ‘steal’ it. They rigged it.”

To state the obvious: This is not what political speech in Nebraska used to sound like.

For half a century, from 1959 to the inauguration of Barack Obama as president in 2009, my home state, the state near the geographical middle of the country, prided itself on being politically centrist as well. Over that span, it elected four Democrats and three Republicans to the U.S. Senate. We had six Republican governors and five Democratic. The congressional delegations were predominately Republican, but Omaha and Lincoln elected Democrats as their mayors more often than not. The Nebraska Legislature remains officially nonpartisan, and as the country’s only unicameral legislature, it forced lawmakers for many years to engage in a politics of pragmatism.

Now, Nebraska is so unfailingly Republican that the party’s primaries most often determine the outcomes of statewide races. How did the state become so right wing and devoted to Mr. Trump?

Part of the answer is that Nebraska’s Democrats of a generation ago were never very liberal. They were usually socially moderate, pro-business, pro-military white guys, making them all but indistinguishable from old-line, Chamber of Commerce Republicans from the coasts. Senator Edward Zorinsky aggressively advocated military aid for Nicaragua during the Carter years. Senator Bob Kerrey voted for NAFTA. Senator Ben Nelson cast his vote in favor of Obamacare only after Senator Harry Reid promised him tens of millions in federal funding for Nebraska that came to be known as the Cornhusker Kickback.

But it wasn’t just the Democrats who were middle of the road. Even our Republican senators were sometimes so moderate that you could barely distinguish them from centrist Democrats. Chuck Hagel, for example, was a two-term Republican senator during Bill Clinton’s and George W. Bush’s presidencies but later was Mr. Obama’s secretary of defense. Likewise, our Republican governors were fiscally and socially conservative, but they generally avoided the culture wars.

Mr. Herbster told the crowd in Wahoo that that era is over. “This isn’t the good-old Dave Heineman days. This isn’t the good-old Charles Thone days. This isn’t the good-old Exon days,” he said, invoking the names of three centrist Nebraska governors, including J. James Exon, a Democrat who won over many Republicans by opposing tax increases and gay rights during the Carter administration.

In Nebraska — as in the rest of the country — the polarization seemed to hasten about the time that Mr. Obama won the presidency. To be sure, much of the hardening against the Democratic Party specifically and ideals of tolerance and diversity more generally can be attributed to an unholy stew of angry commentary on Fox News, algorithmic political siloing on Facebook and the subsuming of Nebraska’s independent newspapers and television stations by Lee Enterprises and the Sinclair

Broadcast Group.
But Jane Kleeb, chair of the Nebraska Democratic Party, also attributes the extreme partisan vitriol to the Democratic National Committee's decision to shift its resources away from rural red states like Nebraska, which was in part because Mr. Obama had slashed the committee's resources. "Obama hated the D.N.C.," Ms. Kleeb told me, "because he feels like they stabbed him in the back" by supporting Hillary Clinton over his upstart campaign in the 2008 presidential primary. Distrustful of the Democratic machine — and the party brand — Mr. Obama turned fund-raising efforts away from the D.N.C. and focused on building "progressive" organizations like Organizing for America, she said. But that created two problems.
First, now cash-poor, the committee began to spend more selectively. In Nebraska, the monthly allotment went from $25,000 to $2,500. That 90 percent cut in party funding, Ms. Kleeb said, meant that Republican talking points often went unchallenged. "You're not doing any organizing," she said, "not because you don't want to, not because you don't know how to organize or create good messages, but because you don't have the money to do it."
Second, Democrats were forced to push hard for bipartisan support on key issues, which often further muddled their messaging. Left-leaning state senators in Nebraska, for example, joined with conservative senators to ban the death penalty in 2015. (A subsequent ballot measure restored it.) In 2016 and 2017, the progressive environmentalist and pro-small-farm group Nebraska Communities United fought against the construction of a massive poultry-processing plant on the flood plain of the Lower Platte River by partnering with a local group that was afraid the plant would be staffed by Black Muslim immigrants from Somalia. Ms. Kleeb herself, when she was the director of Bold Nebraska, one of those progressive groups, helped to block the Keystone XL pipeline not by talking about its climate impact but by joining with conservative ranchers who were outraged that the power of eminent domain had been granted to a foreign corporation. The problem with that strategy over time, Ms. Kleeb acknowledges now, is that voters often walked away confused. "They don't even know where the Democratic Party stands," she said.
Without a Democratic counterbalance, Republican primaries now determine most state races in Nebraska, so candidates are pulled further and further to the right in order to appease and appeal to an increasingly radical and angry base. In this year's governor's race, for example, Mr. Herbster's top competitor, Jim Pillen, would seem to check all of the appropriate boxes for a Republican nominee in Nebraska. He's endorsed by the current governor, Pete Ricketts. He is one of the largest hog producers in the country. He even played football for the Nebraska Cornhuskers during the glory years under Tom Osborne, who later represented Nebraska's Third Congressional District.
But as Mr. Herbster's poll numbers have surged, Mr. Pillen has veered to the right, attacking "liberal professor groups" (though he is a member and former chair of the University of Nebraska's Board of Regents) and running TV ads with an endorsement from the comedian Larry the Cable Guy. Last week, he posted on Twitter that he was the "only candidate to take action against CRT," the "only candidate willing to fight the radical transgender agenda" and the "only candidate willing to call abortion what it is — murder." (A third major candidate, Brett Lindstrom, has struck a less strident tone but holds many of the same beliefs.)
Even with that hard-line rhetoric, it will be hard for Mr. Pillen to beat Mr. Herbster's direct endorsement from Mr. Trump. Thursday night, after the tables and chairs had been put away at the Starlite Event Center, the Herbster campaign hosted a call-in "telerally" with Mr. Trump, in which Mr. Trump praised the businessman as "a die-hard MAGA champ" and guaranteed that Mr. Herbster would "never bend to the RINOs" — Republicans in name only — like "Little Ben Sasse," Nebraska's

junior senator, and Representative Don Bacon, whom Mr. Trump derided as "another beauty." During Mr. Trump's presidency, Mr. Sasse voted with him 85 percent of the time. Mr. Bacon voted with him 89 percent of the time. But Mr. Trump has considered both to be insufficiently loyal to him personally, and their political futures may be in jeopardy as a result. If so, they will be replaced by politicians who are more brazen in their contempt for the Democratic Party and for democratic ideals. That's why the outcome of Nebraska's Republican governor's primary is almost immaterial. Yes, whoever emerges with the nomination will most likely become the next governor. And it would appear that Mr. Herbster retains the inside track, thanks to Mr. Trump — just as the former president has buoyed Mehmet Oz and Herschel Walker to the top of their primary Senate races in Pennsylvania and Georgia and lifted J.D. Vance from a packed Republican field in the Senate primary in Ohio. But it doesn't matter whether these candidates actually win or not, because their conspiratorial and inflammatory rhetoric has overtaken the discourse, pushing all Republican candidates further and further toward the fringe. Regardless of how the final balloting turns out in Nebraska on Tuesday, the real victor will be Donald Trump.
By Ted Genoways

NY Times: What We're Watching For in the Nebraska and West Virginia Primaries

Two states are holding primary elections on Tuesday. In one, Joe Biden couldn't crack 40 percent of the vote in 2020; in the other, he couldn't even get to 30 percent.
You guessed it: Most of the action is on the Republican side.
In West Virginia, two Republican incumbents are battling for a newly drawn congressional district. In Nebraska, the Republican primary for governor has become a dead heat among three candidates. Across the aisle in Nebraska, Democrats are preparing to take another crack at an Omaha-based House seat — one with particular national relevance, considering it's the one congressional district in the state that gave Joe Biden an Electoral College vote in 2020.
Here's what we're watching.
Trump's endorsement battles with sitting G.O.P. governors
Because Nebraska and West Virginia are so deeply Republican, the winners of Tuesday's Republican primaries will be heavily favored to win in the November general election. The results will probably decide whether acolytes of Donald Trump will be elected to Congress and state executive offices.
"That's why all the attention is on the primary," said Sam Fischer, a Republican strategist in Nebraska.
Trump notched a victory in Ohio last week when J.D. Vance surged to the top of a crowded Republican primary after being endorsed by the former president. On Tuesday, the power of a Trump endorsement will be put to the test again.
But in Nebraska and West Virginia, two of the candidates who lack support from Trump have a different asset: an endorsement from the state's current governor.
Unlike in Ohio, where Gov. Mike DeWine declined to endorse a Senate candidate as he faced a primary challenge of his own, the Republican governors of Nebraska and West Virginia appear to have had few qualms about endorsing candidates overlooked by Trump. In fact, both leaders — Gov.

Pete Ricketts of Nebraska and Gov. Jim Justice of West Virginia — have publicly criticized Trump's endorsement decisions in their respective states.

In Nebraska, Trump backed Charles Herbster, a wealthy owner of an agriculture company. Ricketts, the departing governor, is term-limited, and has not only thrown his support behind a different candidate — Jim Pillen, a University of Nebraska regent — but also publicly disparaged Herbster.

In West Virginia, Governor Justice threw his support to Representative David McKinley in the state's House race after Trump had endorsed Representative Alex Mooney. Justice recently said he thought Trump had made a mistake.

Which is more important in G.O.P. races: The messenger or the message?

In both West Virginia and Nebraska, the candidates endorsed by the governor have accused Trump's picks of being outsiders.

McKinley calls his Trump-backed opponent "Maryland Mooney," drawing attention to the congressman's past in the Maryland Legislature and in the Maryland Republican Party. Keeping with the "M" theme, Pillen has criticized his rival as "Missouri Millionaire Charles Herbster," citing reports that Herbster has a residence in Missouri.

But if the messenger is more important than the message, the candidates endorsed by Trump have the edge.

Scott Jennings, a Republican strategist who has worked with Mitch McConnell and George W. Bush, said that with high Republican enthusiasm this year, he expected strong turnout, meaning that some voters who would normally turn out only during a presidential race — that is, when Trump is on the ticket — are likely to vote in the midterms.

Those voters are some of Trump's most loyal followers — and some of the most wary of any other politician, Jennings said.

"These are the new Trump Republicans who came into the party with him, and these are the people least likely to care what an establishment or incumbent politician would say," he said.

In Nebraska, the feud between Herbster and Pillen might have an unintended consequence. While they compete to be the Trumpiest and most authentically local candidates, voters could tire of the political sniping and throw their support behind Brett Lindstrom, a state senator who is the third main contender.

"The main question is, are Nebraska primary voters going to ignore the negative attacks by Herbster and Pillen?" said Fischer, the Republican strategist in the state. "And will Lindstrom benefit from that?"

There would be precedent. In a Republican primary for Senate in Nebraska in 2012, Deb Fischer won a narrow race after a bitter battle between two other candidates. And in another G.O.P. Senate primary in Indiana in 2018, two of the state's congressmen engaged in a prolonged feud stemming from college decades earlier. Exhausted voters went with the little-known Mike Braun, now the state's junior senator.

How much do sexual misconduct allegations matter in Republican primaries?

While Herbster has the most prized asset in the primary — Trump's endorsement — he also faces the most serious questions about his personal history. Two women, including a Republican state senator, have publicly accused him of groping them at a political event in 2019.

Herbster has taken an approach long embraced by Trump, denying the allegations and calling them a political hit job by his detractors.

How voters respond to the allegations could signal — at least in Nebraska — where the G.O.P. base stands in tolerating candidates accused of mistreating women.

“If you can win with these allegations in Nebraska, you can probably win anywhere,” said Mike DuHaime, a Republican strategist. But if Herbster loses, DuHaime said, Trump can point to the allegations against him as the culprit, rather than the waning power of his endorsement.
Later this year in Georgia, another Trump-endorsed candidate who has faced allegations of domestic violence, Herschel Walker, is running for Senate, though he does not face a competitive primary.
And in Missouri, where Trump has not yet made an endorsement, former Gov. Eric Greitens has alarmed some Republican insiders by persisting with his bid for Senate even after his former wife accused him of abusing her and their children, the latest in a series of scandals for Greitens.
Will Democrats’ fresh start pay off in a battleground district?
The Democratic primaries in Nebraska’s Second Congressional District have been some of the most eventful in recent House history — even if few people have noticed.
In 2018, Kara Eastman, then an underfunded candidate backed by the progressive group Justice Democrats, defeated the district’s former congressman, Brad Ashford, in the primary. Democrats, sure that Eastman was too liberal for this suburban Republican-held seat, largely ignored the district, but were surprised to see how close Eastman got to winning.
In 2020, Eastman won again in the primary — this time with support from the Democratic establishment and with a messaging makeover. She defeated Ashford’s wife, Ann Ashford, in the primary. Then Brad Ashford crossed party lines to endorse Representative Don Bacon, a Republican who won re-election.
This year, Democrats are trying again, but with a new candidate. The primary comes down to Tony Vargas, a state senator, and Alisha Shelton, a mental health practitioner who placed third in the 2020 Senate primary.
“Both Tony Vargas and Alisha Shelton have built their careers on helping hardworking Nebraska families get ahead,” said Johanna Warshaw, a spokeswoman for the Democratic Congressional Campaign Committee. “No matter who wins the Democratic primary, either candidate is well positioned to take on Don Bacon and his extremist policies in this Biden-won seat.”

OWH: Nebraska isn't seeing rise in COVID numbers reported elsewhere in US

The number of COVID-19 cases in Nebraska remained relatively flat last week, with little evidence that the newest variants are causing cases to spike significantly here.
Nebraska reported 816 new cases last week, virtually unchanged from the 808 cases the week before, according to Centers for Disease Control and Prevention data.
Nebraska cases generally have ranged between 300 and 900 since February, even as new variants have led to surging case numbers in numerous states across the country.
Wastewater sampling data for Douglas, Sarpy and Washington Counties has been showing flat virus rates over that time. Case counts in Douglas and Lancaster Counties have ticked up slightly over the past several weeks.
How the coming weeks and months will look likely will depend on how much immunity remains from a combination of vaccinations, booster shots and people infected by the winter omicron wave.
Last year, cases in Nebraska remained low over the summer but began to increase in September as

the weather cooled, more people gathered indoors and schools reopened.
As of Sunday, the nation as a whole was averaging about 68,800 new cases a day on a seven-day average, up about 47% from two weeks ago. Hospitalizations nationally also are on the rise.
Hospitalizations in Nebraska, however, are mostly unchanged. An average of 55 Nebraskans were hospitalized with COVID-19 last week, up from 54 the week before. Hospitalizations stand at roughly 1/20th the levels seen during Nebraska's pandemic peak.
Overall, Nebraska cases are up 16% in the past two weeks. Iowa's cases have more than doubled in the past two weeks, the seventh-highest increase among the states.
Nebraska reported 19 more COVID deaths last week, bringing the number of confirmed or probable deaths to 4,216. The state has seen just under 481,000 confirmed cases over the pandemic.
By Julie Anderson and Henry J. Cordes

OWH: Offutt airmen ask judge to block COVID vaccine mandate, citing religious beliefs

Three current or former Offutt airmen who have refused the COVID-19 vaccine on religious grounds asked a federal district court judge in Omaha on Monday to stop the Air Force from discharging or otherwise punishing them.
Capt. Ian McGee, an RC-135 instructor pilot with the Offutt-based 55th Wing, said he applied for a religious exemption eight months ago but hasn't received a response from his chain of command. He expects it to be denied, as the Air Force has denied nearly all of the more than 7,800 airmen who have applied for them under the Religious Freedom Restoration Act, known as RFRA.
McGee said he would give up his nine-year military career rather than be injected with a vaccine tested with cell lines taken many years ago from aborted fetuses.
"It goes against my sincerely held religious beliefs as a born-again Christian," McGee testified. "My resolve is to stay with my relationship with Jesus Christ."
The three airmen are part of a larger group of 36 — including active-duty, National Guard and reserves — who filed suit in U.S. District Court in Nebraska in March seeking to overturn the mandate issued by the Pentagon last August. They argue it is a violation of their First Amendment rights.
The defendants include Defense Secretary Lloyd Austin III, Air Force Secretary Frank Kendall, and the leaders of the Kansas and Nebraska National Guards.
Seventeen of the airmen are assigned to Offutt, and three serve in Lincoln with the Nebraska Air National Guard. Eleven others are from McConnell Air Force Base in Wichita, Kansas. Others are from Arizona, Texas, Mississippi and Virginia.
They are represented by former Kansas Attorney General Kris Kobach and a team of lawyers from the America First Policy Institute, a conservative think tank organized last year by several top advisers in the administration of former President Donald Trump.
At Monday's hearing, Kobach asked Judge Brian Buescher for a preliminary injunction barring the Air Force from taking any punitive action against any of the 7,835 airmen who have requested exemptions under RFRA.
If granted, it would apply nationwide.

“These individuals should not be punished for practicing their religious faith,” Kobach said.
He blasted the elaborate multi-level review of the applications for religious exemptions, alleging that more than 7,500 have been denied and only 46 granted. And the ones granted were only for airmen who were within six months of retirement.
“It’s a colossal bureaucratic waste of time, when none are granted,” he said.
Tim Hook, a lawyer for the U.S. Attorney’s Office representing the military defendants, justified the vaccine mandate because of the extreme risk to the military in a pandemic that has now claimed more than 1 million lives. He noted several COVID outbreaks on military posts and U.S. Navy ships, some of which prevented deployments.
“This virus has killed more people than all those killed in all the nation’s wars,” he said.
Hook’s co-counsel, Lynett Wagner, said courts have traditionally given the military wide latitude to make decisions for the defense of the nation, citing a concurring opinion just two weeks ago by Supreme Court Justice Brett Kavanaugh in a parallel religious freedom case involving Navy SEALs.
“The commanders on the front line are in the best position to evaluate the level of risk,” Wagner said. “We are going to have to rely on the commanders to make the decision.”
McGee said he has deployed 10 times in his career, and three times since the pandemic began in 2020. He just returned in April from a six-month deployment to Qatar, in the Middle East, during which he was named “Officer of the Quarter.” That signifies the outstanding performance among 200 officers in his unit.
During the deployment, he accepted restrictions that didn’t apply to his vaccinated peers, such as frequent testing and a requirement that he not leave base.
But because of the new requirements, he can no longer deploy or travel away from Offutt for any training. That will stymie his career.
“I would be willing to take any less-restrictive measures to help the Air Force in reducing the spread of COVID-19,” McGee said.
A second plaintiff in the case, Lt. Col. Armand Fondren II, a former RC-135 pilot at Offutt who is now an instructor pilot in Mississippi, testified that his application for a religious exemption was reviewed by a “religious review team” that included his unit’s chaplain. The six-member group voted 4-2 to recommend the exemption be granted, and his commander agreed. But his exemption was turned down at higher levels.
Except for lawyers, the courtroom was cleared during the testimony of a third plaintiff — an enlisted Air Force reservist identified in court documents as “Airman #9” — to preserve his anonymity because of his sensitive job as an Arabic and French language translator aboard RC-135 Rivet Joint aircraft at Offutt.
In his closing arguments, Kobach urged Buescher to act quickly. He said 18 of the 36 airmen now face discharge because their requests and appeals have been denied.
Buescher said he would be looking closely at whether the Air Force was issuing automatic denials of religious exemptions. He didn’t indicate when he would issue his ruling, except to say: “As soon as I can.”
By Steve Liewer

Nebraska Examiner: Nurses say their field is challenging and rewarding, despite workforce challenges

LINCOLN — Nursing remains a rewarding job despite the workforce challenges facing the profession.
That was the message Monday from a handful of nurses during a Zoom press conference about the annual commemoration of Nurses Week, May 6-12.
Stress caused by COVID-19, as well as earlier than expected retirement of some nurses, is contributing to a workforce shortage in the field.
Nebraska is expected to be short 5,400 nurses by the year 2025, according to Jeremy Nordquist, president of the Nebraska Hospital Association.

Need to 'retain who we have'

"We really need to invest in education in the long haul, but if we're going to get through this workforce crisis, we're going to have to retain who we have," Nordquist said.
On Monday, a handful of nurses described the challenging but rewarding nature of the work.
Lacie Ferguson, a registered nurse in the intensive care unit at Bryan Health in Lincoln, described the "privilege" of caring for individuals in what may be a patient's "darkest and most vulnerable time."
Ben Garcia, a wound care nurse for Heritage Estates in Scottsbluff, said he switched careers to nursing later in life after after realizing how important it was to him to help other people.

Nurses make a difference

"Nursing is a challenging profession. It is not easy," said Kari Wade, the president of the Nebraska Nurses Association. "But it is incredibly rewarding. The difference nurses make is real."
Nordquist said that the shortage of nurses and certified nursing assistants has run between 15% and 20% in some areas of the state in recent weeks. But, he said, some nurses are starting to return to full-time positions after working as "traveling" nurses during the height of the pandemic.
He said the Nebraska Legislature took several steps during the 2022 session to address the workforce challenges, including increasing funding for loan forgiveness programs and scholarships for those entering the health care field.
Allocating $60 million to the state's community colleges is expected to increase training opportunities for health-care workers statewide, Nordquist added, and establishing a second state medical center in Kearney will also help.
By Paul Hammel

LJS: One-third of registered voters expected to show up in Nebraska, Lancaster County

With a hotly contested Republican governor's race drawing voters to the polls, top state and county election officials predict about one-third of eligible voters will cast ballots in Tuesday's primary election.
Secretary of State Bob Evnen, the state's top election official, expects 35% turnout based on early votes cast and recent history. He said there had been 227,679 early ballot requests and 122,679 ballots returned as of Friday.
A wave of nearly 8,500 new Republican voters, with about 10,900 fewer Democratic and nonpartisan

voters, could be a signal that many voters switched in hopes of weighing in on the GOP governor's race, which appears too close to call between the top three candidates.

In addition to the governor's race, Nebraska voters will also be nominating candidates to replace former U.S. Rep. Jeff Fortenberry, a Republican convicted in March on charges he lied to federal authorities about an illegal campaign contribution. Even though he has resigned and withdrawn as a candidate, his name will appear on the primary ballot. Democrat Patty Pansing Brooks and Republican Mike Flood will face off in a special election on June 28 to finish out his term and both hope to advance from the primary to the Nov. 8 general election.

Voters will also choose a new attorney general and state auditor. And Evnen is being challenged by two Republicans who believe there was illegal voting in the 2020 election in Nebraska.

There are five Southeast Nebraska legislative districts on the ballot, and only one race features an incumbent.

Lancaster County Election Commissioner Dave Shively predicts about 37%, or 74,000 voters, will cast votes. Although all of the Lancaster County offices, including three of the five County Board seats, are on the ballot, many county races are not competitive.

Contested races include the Republican ticket for the District 3 Lancaster County Board seat where incumbent Deb Schorr is being challenged by former Lincoln Board of Education member Matt Schulte and Panama Mayor Travis Filing.

In the county treasurer's race, either Jasmine Gibson or Tracy Refior will become the Republican nominee to compete against Democratic incumbent Rachel Garver in November.

On the Democratic ticket, Public Defender Joe Nigro faces challenger Kristi Egger.

One candidate each will be eliminated in the Southeast Community College Board of Governors District 5 race and the Lower Platte South Natural Resources Subdistrict 1 race.

Shively said there were 40,750 requests for early vote ballots in Lancaster County, and about 29,000 had been returned as of Friday.

Here are answers to some frequently asked questions:

When are the polls open?

8 a.m. to 8 p.m.

How do I know where to vote?

Go to the State of Nebraska VoterCheck site at votercheck.necvr.ne.gov and click on "Polling Place." Or call your county clerk/election commissioner's office.

Can I still return my early vote ballot?

Early vote ballots in Lancaster County can be delivered in person to the Election Commission Office, 601 N. 46th St., by 8 p.m. Do not mail your ballot or return it to your polling place Tuesday.

Can I vote if I did not re-register?

Yes, if you have a voter registration on file, you can go to your new polling place on Election Day. You will be asked to complete a new registration form, and your ballot will be sealed in an envelope.

Do I need a voting card to vote?

No, the card is for information only and does not need to be presented to election officials to vote. No identification is required to vote.

How do I track my ballot or know it was accepted?

Check the Voter Information Center, votercheck.necvr.ne.gov/voterview, on the Secretary of State's website to track the status of your ballot, including when your ballot was sent, returned and its status.

What if I asked for an early ballot, but didn't receive one?

If you happen to lose a ballot, ruin it or have not received your early ballot by Election Day, you can still vote with a provisional ballot at your polling place.

Are polling places handicap-accessible?

Yes. You can ask for your ballot to be brought to your car if it is difficult for you to get into the polling place.

Can voters receive assistance in voting?

Voters who cannot read, are blind or have a physical disability may request assistance in marking their ballots. The voter may have a friend or relative help, or he or she may request the assistance of two election board workers, one each of a different party.

In addition, a voting machine will be available at each polling location. Visually or physically disabled voters can use it to mark ballots in private and unassisted.

Can someone pick up a ballot on my behalf?

If you are unable to go to the polls, another person can pick up an early vote ballot on your behalf until 7 p.m. at the county election office. It must be returned by 8 p.m.

What's against the rules?

* Campaigning or handing out political literature within 200 feet of a polling place, except on private property.

* Wearing political badges or insignia into a polling place on Election Day.

What if I want to report a problem or have a question?

Contact your county clerk/election commissioner or the Secretary of State's office at 402-471-2555 or 888-727-0007.

How can I get more information about candidates?

The Journal Star Voter's Guide and earlier campaign and election stories are available online at JournalStar.com. Coverage will continue on the Journal Star's website through and beyond Election Day.

What if I have questions not answered here?

Lancaster County residents who have questions should contact the Lancaster County Election Commission Office at 402-441-7311. The Secretary of State's office is at 402-471-2555 or 888-727-0007.

By Shelly Kulhanek

LJS: Average gas price now tops $4 in Lincoln

Average gas prices in Lincoln have topped $4 for the first time in nearly 14 years.

As of Monday morning, the average price for a gallon of unleaded gas was $4.05, according to AAA, the highest price since July 2008 and within 10 cents of the all-time record.

The price is about 21 cents higher than it was a month ago and $1.17 higher than a year ago.

Lincoln's price is higher than the statewide average of $3.98 a gallon, but it's not the highest in the state. That honor goes to Kearney, which had an average price of $4.07 a gallon Monday.

On a county level, the highest price was in Brown County, which is in north-central Nebraska. Its average price as of Monday morning was $4.30 a gallon.

Nebraska is one of the few states in the country to have not yet hit $4 a gallon for its average gas price. Nebraska's $3.98-per-gallon average was the seventh-lowest in the country as of Monday

morning.
Nationally, prices Monday morning were just less than $4.33 a gallon, which is just short of the all-time record set in early March, when prices were surging in the first few weeks of Russia's invasion of Ukraine.
The current surge in prices can also be traced to the Russia-Ukraine situation.
“Gasoline and diesel prices alike saw strong upward momentum last week as oil prices continued to climb after the EU signaled its desire to sanction Russian oil," said Patrick De Haan, head of petroleum analysis at GasBuddy, in a blog post.
Another factor, according to AAA, is that gasoline demand is continuing to rise while total gasoline supply declined last week by 2.2 million barrels.
By Matt Olberding

OWH Midlands Voices: How Meyer v. Nebraska and the 14th Amendment are tied to Roe v. Wade

Will Roe v. Wade stand? The unprecedented leak of a draft opinion circulating among the Supreme Court justices seems to spell the end of the 50-year-old decision constitutionally guaranteeing the right of a woman to terminate her pregnancy and decide for herself the size of her family.
Those of us who advocate for reproductive rights in America worry that the very concept of personal liberty is at risk. If Roe is overturned and access to abortion is left unprotected as a constitutional right, so may be the right to privacy, access to birth control and same-sex marriage — all protected by the liberty right found in the 14th Amendment to the U.S. Constitution.
From where did that right stem? Meyer v. Nebraska.
On May 25, 1920, Robert T. Meyer, a teacher at the Evangelical Lutheran Church School near Hampton, in Hamilton County, Nebraska, was arrested for teaching a class in the German language. Because of anti-German sentiment at the time, a state law prohibiting teaching in a foreign language had been enacted by the Nebraska Legislature.
The Lutheran Church challenged the law, arguing it was unconstitutional under the 14th Amendment to the U.S. Constitution because Meyer was being deprived of both his property (his business as a language teacher was ruined) and that the law was “an invasion of his personal liberty.”
The 14th Amendment reads in part, “No state shall … deprive any person of life, liberty, or property, without due process of law.”
The Nebraska Supreme Court in a 4-2 decision upheld the law, ruling that it was within the police powers of the state to protect its citizens from the dangers that might stem from resident foreigners educating their children in their native language. The decision was appealed to the U.S. Supreme Court.
On June 4, 1923, Justice James C. McReynolds, writing for the majority, found the Nebraska law unconstitutional because it had deprived Meyer of his personal liberty. It was the first time the 14th Amendment had been used to protect personal liberties.
McReynolds wrote: “While this Court has not attempted to define with exactness the liberty thus guaranteed, the term has received much consideration and some of the included things have been

definitely stated. Without doubt, it denotes not merely freedom from bodily restraint but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, to establish a home and bring up children, to worship God according to the dictates of his own conscience, and generally enjoy those privileges long recognized at common law as essential to the orderly pursuit of happiness by free men."

In 1965, a law prohibiting the dissemination of birth control information to married persons was found unconstitutional by the Supreme Court. The majority opinion in that case, Griswold v. Connecticut, specifically cited Meyer as giving constitutional "dignity" to the right to study the German language in a private school.

Justice William O. Douglas wrote: "The First Amendment has a penumbra where privacy is protected from government intrusion," adding that the 14th Amendment, prohibiting a state from denying its citizens personal liberties, "as the right to study any particular subject or any foreign language," as established in the Meyer decision, should be applied as well to information about birth control.

Then came Roe v. Wade in 1973.

Justice Harry Blackmun noted the Constitution does not explicitly mention any right of privacy, saying, "however the Court has recognized that a right of personal privacy, or a guarantee of certain areas or zones of privacy, does exist under the Constitution." Referring to Meyer, he added that the court had found "at least the roots of that right … in the concept of liberty guaranteed by the 14th Amendment."

In 2015, Justice Anthony Kennedy in Obergefell v. Hodges, cited the liberty protections in Meyer establishing the right of same-sex marriage. "A basis for protecting the right to marry is that it safeguards children and families and thus draws meaning from related rights of child rearing, procreation, and education." Quoting Meyer, he wrote, "The right to 'marry, establish a home and bring up children' is a central part of the liberty protected" by the Constitution.

Not only the basic liberty of a woman's right to abortion is at risk if Roe falls, but also access to birth control and the right of same-sex couples to marry — all guaranteed under the Constitution on the foundation of the 1923 Meyer decision.

Little did Nebraskan Meyer realize the firestorm he was starting by teaching in German in a rural school house. We will see how it ends.

Randy Moody of Lincoln is a retired lawyer and lobbyist who has been a Planned Parenthood volunteer in leadership roles for nearly 40 years, serving for seven of those years as a member of the organization's national governing board.

LJS Local View: Investing in the future

The future of Greater Nebraska hasn't looked any brighter for decades. And we can prove it!

At Nebraska Community Foundation, we do lots of things. We help communities identify their local assets, teach them about the value of building endowments, train committed volunteers on a variety of community development topics and much more.

For over 25 years, we've also been working diligently to build what we call "an optimistic, confident brand for Greater Nebraska."

If you are reading this column, you are no doubt familiar with some of the negative stigmas and storylines attached to rural places – that they are fading into oblivion, unworthy of our investment

and attention. Though our work in changing this tired rural narrative may never end, it has certainly become easier in recent years, in part thanks to the tireless efforts of NCF's 1,500 volunteers across the state who are helping their hometowns not just survive but thrive.

This isn't just a feeling. There are a variety of factors that are contributing to my confidence in the future of our rural communities and numerous critical data sets that point to a more prosperous future.

First, the latest U.S. Census shows that Nebraska's population growth has been steady and now equals the U.S. average for the first time since 1900. The Center for Public Affairs Research at UNO's analysis shows Nebraska's net migration has also improved over time with net gains in the last three decades. This growth isn't just limited to urban places. Population increased in 183 of Nebraska's 529 communities during the 2010s, up from 142 in the 2000s.

Second, the way young Nebraskans feel about their rural Nebraska hometowns has shifted drastically in recent years. Through Nebraska Community Foundation's Youth Surveys – a study of thousands of Greater Nebraska high schoolers – we made some very unexpected and exciting discoveries.

Any idea what Nebraska's Generation Zers identify as the top three features of their ideal community? Internet access? Restaurants and nightlife? Nope. It's safety, good schools and proximity to family.

Surprised? We were, too! This is extraordinary news for our small communities, where safety, good schools and proximity to family already exist. In other words, Greater Nebraska already has what Gen Z wants. Yet another reason to feel optimistic.

Finally, Nebraska Community Foundation's latest Transfer of Wealth Study reveals the incredible abundance that exists in our great state. More than $100 billion in Nebraska wealth will pass from one generation to another over the next 10 years.

Over 50 years, the figure swells to $950 billion. Imagine all the ways this abundance could be used to improve quality of life and continue to build communities of choice. We're already seeing it in places like Diller, Red Cloud, Norfolk, Hebron, O'Neill, McCook, Laurel, Ainsworth, Ogallala, Pender, Imperial, Stuart, Ord, Bertrand, Howells and my community of Columbus.

If you share my belief in the future of Greater Nebraska, I hope you'll take a minute to visit www.fivetothrivene.org where you'll learn more about why our Nebraska hometowns are worthy of our investment. I also ask that you consider joining us in the Five to Thrive movement – a call to action for all generous Nebraskans to consider leaving 5% of their assets to a local charitable cause, a collective act that would result in billions of dollars to be reinvested into the future of our hometowns and state.

Remember, when we all leave five, our hometowns thrive!

KC Belitz is chief operating officer at Nebraska Community Foundation.

Stateline.org: States wary of abortion prosecutions

Last month, 26-year-old Lizelle Herrera was arrested in Texas and charged with murder over a self-induced abortion.

A hospital had reported the abortion to law enforcement. But prosecutors later acknowledged she shouldn't have been prosecuted and dropped the charge. "In reviewing applicable Texas law, it is

clear that Ms. Herrera cannot and should not be prosecuted for the allegation against her," Starr County District Attorney Gocha Allen Ramirez said in a press release.

If the U.S. Supreme Court weakens or overturns the right to abortion as expected in the months ahead, health advocates warn that more people who manage their own abortions using U.S. Food and Drug Administration-approved medications, herbal remedies or other nonmedical methods will be falsely arrested on charges of violating abortion bans, homicide laws and other criminal statutes.

The justices have voted to strike down Roe v. Wade, according to a draft majority opinion written by Justice Samuel Alito that circulated inside the Supreme Court in February and was obtained by Politico. "Roe was egregiously wrong from the start," Alito wrote in the leaked draft. Justices could change their votes during deliberations, and the decision won't be final until published, but it revealed the court's thinking.

"Once federal protection of abortion is gone," said Drexel University law Professor David Cohen, "we can expect to see more overzealous local prosecutors taking aggressive actions against people for self-managed abortions and other pregnancy outcomes."

Lawmakers and criminal justice officials in a handful of states are trying to prevent these rogue legal actions, which conflict with current state laws and in all but a few cases have been overturned by courts. But even in left-leaning states, the new efforts have faced pushback, and advocates fear more women will be charged.

Ever since the Supreme Court guaranteed the right to abortion in its 1973 decision, state laws restricting the procedure have held abortion providers, not pregnant people, responsible. Even before the landmark ruling, state laws stopped short of holding pregnant people responsible for the procedure, according to legal scholars.

But prosecutors who have charged women with self-induced abortion have argued they violated a variety of other state laws, including manslaughter, fetal homicide and homicide by child abuse, according to research by National Advocates for Pregnant Women, a nonprofit that provides legal defense for pregnant women.

Physicians, public health officials and women's advocates have long cautioned that arrests for self-managed abortions and miscarriages will disproportionately stigmatize low-income people, immigrants and women of color who already lack access to reproductive health care.

The number of such cases has been low: roughly 1,700 arrests and other legal actions since 1973, including surveillance and child services interventions, according to National Advocates for Pregnant Women. But legal experts and civil rights advocates think that attempts to prosecute women for self-managed abortions will rise as state abortion bans tighten and more women choose to end their pregnancies on their own.

"It has never been politically popular to enact laws that punish women for abortions," Cohen said. But as more states ban the procedure, local prosecutors will likely become emboldened to take matters into their own hands, he said.

California Attorney General Rob Bonta, a Democrat, warned state law enforcers in January not to use the state's homicide laws or other statutes to punish individuals for self-managed abortion or other pregnancy loss.

In an April 27 letter, he urged attorneys general in all 50 states to alert law enforcement officials similarly to refrain.

"For years, state actors across the country have subjected individuals experiencing pregnancy to improper and discriminatory criminal prosecutions, detention and surveillance," Bonta wrote. "Criminal statutes meant to protect people who are pregnant from the violent acts of others have

been misapplied to penalize them for any number of activities" that may result in harm to a fetus or a pregnancy loss, he wrote.
In April, Colorado enacted a broad reproductive health law that, among other protections, ensured that a person could not be prosecuted for pregnancy-related death or harm to a fetus. Washington state enacted a law in March that protects people seeking an abortion and those who aid them from legal action from the state.
In 2019, Illinois and New York enacted provisions excluding a pregnant person from fetal homicide laws, and Rhode Island repealed its fetal homicide law.
This year, lawmakers in California and Maryland have considered similar bills, clarifying that a person may not be punished for the death of a fetus due to any acts or omissions during their pregnancy or shortly thereafter.
By Christine Vestal

Bloomberg: Tyson says high meat prices not yet hitting consumer demand

Meat demand is still going strong despite soaring inflation, according to second-quarter results from Tyson Foods Inc.
The biggest U.S. meat company by sales said a pickup in beef and chicken volumes boosted returns, and it raised its full-year revenue outlook to a range of $52 billion to $54 billion, from $49 billion to $51 billion previously.
"Although we continue to see inflationary pressures across the supply chain, we are working to drive costs down by continuing to increase our efficiency, productivity and bringing more capacity online," Chief Executive Officer Donnie King said in a statement Monday.
The top U.S. chicken producer and owner of Hillshire Farms and Ball Park hot dogs has been raising prices to offset a tight labor market and soaring costs. Chicken breasts were fetching record prices at supermarkets.
Tyson pointed to higher prices for cattle, hogs, animal feed, freight and labor. Beef prices were up 24% in the second quarter, while chicken was up 14% and pork 11% higher. With only small expansion in total U.S. beef supplies this year, Tyson expects "another strong year," while its chicken segment is expected to have a better second half of the year, the company said in a statement.
Adjusted earnings in the second quarter of $2.29 per share topped analyst estimates for $1.90. Sales of $13.12 billion compared with estimates for $12.8 billion.
Tyson, based in Springdale, Arkansas, has also been under pressure by politicians in Washington for elevated meat prices, with executives from the four biggest U.S. beef companies denying a conspiracy to fix prices.
Tyson shares climbed 3.4% before the start of normal trading in New York. The stock has climbed over 4% so far this year, even though it remains shy of the record high of $99.09 reached when it reported results Feb. 7.

CNN: States receive billions in extra federal Medicaid funds to cover more Americans during the pandemic

States are expected to receive a total of more than $100 billion in extra federal Medicaid funds to help them get through the Covid-19 pandemic, according to a Kaiser Family Foundation analysis released Tuesday. That's more than double what they are projected to spend on the growth in Medicaid enrollees.

The expanded funding stems from a coronavirus relief measure Congress approved in March 2020. It provides states with a 6.2 percentage point increase in their federal match rate for most enrollees. In return, states have not been allowed to drop residents involuntarily from Medicaid coverage during the public health emergency, which is currently set to expire in mid-July.

That protection has led enrollment to balloon – with Kaiser projecting that it will hit 110.3 million by the end of fiscal year 2022 on September 30, an increase of 25% from fiscal year 2019, before the pandemic began.

States are expected to spend a total of $47.2 billion from fiscal year 2020 through fiscal year 2022 to cover the additional people enrolled in Medicaid because of the continuous coverage requirement, according to the Kaiser analysis. The enhanced federal match estimate is over the same time period.

About two-thirds of states say they are using the federal fiscal relief to help address Medicaid or general budget shortfalls and to mitigate cuts to benefits and to provider rates, according to a separate Kaiser report. The additional federal money allows states to spend more of their own funds on other needs, such as education, rather than their share of Medicaid costs.

Support for states

The enhanced Medicaid funding is one of several ways the federal government has poured money into state coffers during the pandemic. Lawmakers also provided a total of $500 billion in aid to state and local governments in two other relief packages, though their economies did not crater as initially feared.

In fact, many states are flush with funds – thanks in large part to a wide array of federal pandemic support efforts and higher-than-anticipated tax revenues – and are cutting taxes.

The augmented Medicaid match was designed to quickly provide broad fiscal relief for states, said Robin Rudowitz, director of Kaiser's Program on Medicaid and the Uninsured and co-author of the analysis. The federal government also temporarily increased the match rate as part of the American Recovery and Reinvestment Act of 2009 to help states contend with the economic fallout from the Great Recession.

Fewer enrollees after emergency ends

Kaiser projects that Medicaid enrollment will have grown by 22.2 million people between fiscal year 2019 and the end of fiscal year 2022.

But it is expected to plummet once the public health emergency ends and states are once again allowed to review eligibility for coverage – which could start as soon as August 1 if the declaration is not renewed.

Between 5.3 million and 14.2 million people could be dropped during fiscal year 2023, with the largest losses occurring among low-income adults who qualify under Medicaid expansion, certain other adults and children, Kaiser estimates. The figure is "highly uncertain," it notes.

A separate Urban Institute analysis found that enrollment could decline by 14.4 million if the public

health emergency expires after the second quarter of 2022.
Enrollees could lose coverage because they no longer meet income or other criteria or because of administrative barriers, such as failing to receive or properly fill out the renewal paperwork.
States will be largely responsible for reaching out to their residents to determine if they remain eligible and, if not, to help them shift to other policies, such as on the Affordable Care Act exchanges. They have 14 months to complete the eligibility checks.
"How states implement the unwinding of the continuous enrollment requirement will make a really big difference in how many people are able to retain coverage," Rudowitz said.

Very Respectfully,

Andrew Shelburn
Digital Communications Manager

Office of Governor Pete Ricketts
CELL 402-890-2467
Andrew.shelburn@nebraska.gov
governor.nebraska.gov | **Facebook** | **Twitter**