

Esquire

Mississippi River Drought Is Stalling Shipping and Agriculture

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Change is life. I accept that. Things that once were, no longer are. I get that. But I have to admit, the Mississippi River's running dry was a plot twist I had not anticipated. From the AP (via madison.com):

About 60% of the Midwest and northern Great Plain states are in a drought. Nearly the entire stretch of the Mississippi River — from Minnesota to the river's mouth in Louisiana — has experienced below average rainfall over the past two months. As a result, water levels on the river have dropped to near-record lows, disrupting ship and barge traffic that is critical for moving recently harvested agricultural goods such as soybeans and corn downriver for export. Although scientists say climate change is raising temperatures and making droughts more common and intense, a weather expert says this latest drought affecting the central United States is more likely a short-term weather phenomenon. The lack of rain has seriously affected commerce. The river moves more than half of all U.S. grain exports but the drought has reduced the flow of goods by about 45%, according to industry estimates cited by the federal government. Prices for rail shipments, an alternative for sending goods by barge, are also up.

Barges are at risk of hitting bottom and getting stuck in the mud. Earlier this month, the U.S. Coast Guard said there had been at least eight such "groundings." Some barges touch the bottom but don't get stuck. Others need salvage companies to help them out. Barges are cautioned to lighten their loads to prevent them from sinking too deep in the water, but that means they can carry fewer goods.

Barges are not as glamorous as long-haul trucking is. Nobody's written a good barge song since Tom Allen wrote about the Erie Canal in 1912. Clint Eastwood never played a roguish barge pilot with an orangutan. But the country needs its barges as much as it needs its 18-wheelers.

In some places, storage at barge terminals is filling up, preventing more goods from coming in, according to Mike Steenhoek, executive director of the Soy Transportation Coalition. He said the influx of grain into a compromised river transportation system is like "attaching a garden hose to a fire hydrant." High costs for farmers have led some to wait to ship their goods, he added.

Everything is connected. One thing happens, so another thing happens. Everything is downriver from everything else.

Next month, the Supreme Court will hear the case of *Brackeen v. Haaland*, a long-running constitutional challenge to the Indian Child Welfare Act, the 43-year-old law that is recognized as the gold standard in child welfare legislation.

The ICWA's provisions are based on the principle that Native children do better when their family integrity and stability are promoted within a context of tribal solidarity and tribal culture. In furtherance of these goals, the ICWA reinforces tribal sovereignty—and therein lies the problem that the money power has with it. The case originally began four years ago as a child custody case involving three Native children who had been adopted. A federal district court in Texas ruled for the adoptive parents, declaring that the ICWA was in violation of the 14th Amendment's guarantee of equal treatment under law. In 2019, the full panel of the district court reviewed the previous decision and issued a split decision that satisfied neither side, and that's how it wound up in front of the Nine Wise Souls. Which is where the money power comes in. From *BloombergLaw*:

What's worrying the Native American community is the proverbial slippery slope—that invalidating ICWA in the adoption context might lead to the eradication of its hard-earned rights on other fronts. In fact, some members have suggested that the adoption issue is just a smoke screen for what's really motivating the law's antagonists: corporate greed. If the Supreme Court rules ICWA unconstitutional, warn the law's advocates, it could invalidate Native American protection with respect to land and natural resources and the casino industry, opening the floodgates to businesses in the energy and gaming sectors.

Certainly, oil-drenched conservative policy chop shops like the Cato Institute and the Texas Public Policy Foundations have not filed *amicus* briefs with the Supreme Court against the ICWA because of their deep concern for the 14th Amendment. But if this decision does open the door to the elimination of tribal rights to control lands with valuable natural resources, well, that's a whole different state of affairs.

You mean the U.S. government might be induced to abrogate the rights of Native people for the benefit of corporate profit? Unpossible!

Here comes a federal judge to tell us that the First Amendment covers firearms, too. From 12News in Phoenix:

Federal Judge Michael Liburdi, an appointee of President Donald Trump and a former legal counsel to Gov. Doug Ducey, said the U.S. Constitution's 1st Amendment protects the ballot watchers. "Plaintiffs have not provided the Court with any evidence that Defendants' conduct constitutes a true threat... Also, Defendants' conduct does not fall into any traditionally recognized category of voter intimidation," Liburdi wrote in his 14-page decision. "While there are serious questions implicated, the Court cannot provide preliminary injunctive relief without infringing core constitutional rights."

Liburdi rejected the plaintiffs' bid for a temporary restraining order against Clean Elections USA, but he has allowed the plaintiffs to file more evidence in support of their argument.

Carrying a gun now is protected speech? I wonder if somebody came into the visitors gallery in Liburdi's courtroom as the judge was sentencing a defendant, and the guy in the gallery had an AR-15 across his lap, whether Liburdi would consider that "a true threat." 'Ees a puzzlement.

The dials on the Pool Shed Papers case got turned up to 11 late on Friday. The Department of Justice has brought in a closer. From the *Washington Post*:

National security law experts interviewed by The Washington Post say prosecutors appear to have amassed evidence in the case that would meet some of the criteria for bringing charges against the former president — an unprecedented action that they said likely would only happen if the Justice Department believes it has an extremely strong case.

David Raskin, who served for many years as a senior federal prosecutor in New York City, and more recently has worked as a prosecutor in Kansas City, Mo., has been quietly assisting in the investigation into Trump and his aides, according to the people familiar with the matter, who like others interviewed for this article spoke on the condition of anonymity to describe an ongoing investigation.

Raskin takes people to trial, and Raskin puts people in jail. That's what he does. That's what he's good at. He's got the heads on his walls.

Raskin is considered one of the most accomplished terrorism prosecutors of his generation, having worked on the case of Zacarias Moussaoui, who was tried in Virginia as a co-conspirator in the 9/11 terrorist attacks that killed nearly 3,000 people. Raskin was also part of the team that prosecuted Ahmed Ghailani in federal court in Manhattan in connection with the 1998 bombings of U.S. embassies in East Africa. Ghailani was acquitted of most counts but found guilty of conspiracy to destroy government buildings and property. He is the only Guantánamo Bay detainee to be brought to a U.S. court and tried and convicted. Both Moussaoui and Ghailani received life sentences[...]. Just two weeks ago, Raskin won a guilty plea in a case with parallels to the Trump case — a former FBI analyst in Kansas City who authorities say took more than 300 classified files or documents to her home, including highly sensitive material about al-Qaeda and an associate of Osama bin Laden. In court papers, federal prosecutors say they have recovered a similar number of documents with a variety of classified markings from Mar-a-Lago, all apparently taken from the White House.

Oh.

Hey, BBC. Is it a good day for dinosaur news. *It's always a good day for dinosaur news!*

But right from the beginning, one aspect of these kings of the "tyrant lizards" was deeply mysterious: their puny arms. Brown's T. rex skeleton was missing all its fingers and both its forearms, which were drawn on early portraits using surprisingly accurate guesswork — prompting speculation that they surely couldn't really be that stumpy. What could have been their purpose? And how did they end up being so small?["...]"You can look at his arms and say, well, these are ridiculous. They're so different than anything around today, what is the point," says L J Krumenacker, a palaeontologist at Idaho State University. With arms that might measure just 3ft (0.9m) long on a 45-ft (13.7m) individual, this formidable carnivore's hilariously small

appendages have been a source of intense speculation ever since they were discovered – despite decades of studying them, to this day no one has any idea what they're for.

That's simple enough: They were there then to make us happy now.

I'll be back on Monday. By then, I expect we'll all have been fed pablum about how “we” all have to rein in our political passions because “we” are so polarized as we roll toward a midterm election where the crazy party may well end up in charge of at least half the national legislature.

In any case, be well and play nice, ya bastids. Stay above the snake-line, wear the damn masks, get the damn shots—especially the damn boosters, especially the newest damn booster, And if you get a chance, spare a moment for the people of the Caribbean, and East Africa, and West Florida, and for Paul Pelosi, too.

Charles P Pierce is the author of four books, most recently *Idiot America*, and has been a working journalist since 1976. He lives near Boston and has his three children.