

ELECTION OFFICIALS NATIONWIDE FIND NO FRAUD

Justices Signal Likely Reprieve For Health Act

Two Conservatives Side With Liberal Faction

By ADAM LIPTAK

WASHINGTON — At least five Supreme Court justices, including two members of its conservative majority, indicated on Tuesday that they would reject attempts by Republicans and the Trump administration to kill the Affordable Care Act.

It was not clear whether the court would strike down a provision of the act that initially required most Americans to obtain insurance or pay a penalty, a requirement that was rendered toothless in 2017 after Congress zeroed out the penalty. But the bulk of the sprawling 2010 health care law, President Barack Obama’s defining domestic legacy, appeared likely to survive its latest encounter with the court.

Chief Justice John G. Roberts Jr. and Justice Brett M. Kavanaugh said striking down the so-called individual mandate did not require the rest of the law to be struck down as well.

“Congress left the rest of the law intact when it lowered the penalty to zero,” Chief Justice Roberts said.

Justice Kavanaugh made a similar point. “It does seem fairly clear that the proper remedy would be to sever the mandate provision and leave the rest of the act in place — the provisions regarding pre-existing conditions and the rest,” he said.

The court’s three-member liberal wing — Justices Stephen G. Breyer, Sonia Sotomayor and Elena Kagan — also indicated their support for the law. That suggested there were at least five votes to uphold almost all of it.

Three members of the court’s conservative majority, Justices Clarence Thomas, Samuel A. Alito Jr. and Neil M. Gorsuch, seemed poised to vote to strike down the law. The court’s newest member, Justice Amy Coney Barrett, was harder to read, though she has been publicly critical of earlier rulings.

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Vatican Inquiry Says John Paul Knew of Abuse

By JASON HOROWITZ

VATICAN CITY — A highly anticipated Vatican report found on Tuesday that Pope John Paul II had rejected explicit warnings about sexual abuse by Theodore E. McCarrick, now a disgraced former cardinal, choosing to believe the American prelate’s denials and misleading accounts by bishops as he elevated him to the highest ranks of the church hierarchy.

As Washington’s archbishop, Mr. McCarrick was one of the most powerful leaders of the Roman Catholic Church in the United States, a media darling and prodigious fund-raiser with deep connections in the Vatican. But he became the highest-ranking American official to be removed for sexual abuse when the pope kicked him out of the priesthood in 2019.

Given Mr. McCarrick’s long career — as a priest in New York, archbishop of Newark and a Washington cardinal with a national and international profile — the 449-page report had the potential to engulf three separate papacies in scandal. Since the abuse carried out by Mr. McCarrick began.

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While New Zealand slept, hackers threw the Bird of the Year contest into chaos with 1,500 fake votes. **PAGE A9**

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Russia and Turkey emerged as power brokers in a dispute that Azerbaijan won against Armenia. **PAGE A9**



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Movement leaders may have lost their champion, President Trump, but their economic, social and political grievances remain potent. **PAGE A18**

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Did political surveys fail to learn from the errors of 2016, or did this election reflect new problems? **PAGE A14**

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Some Connecticut patients were shocked by their bill for “super Covid tests” and \$480 follow-up calls. **PAGE A7**

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The Obama administration gave the tech industry a lot of leeway. But that seems like a long time ago. **PAGE B1**

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An honor for Lee Elder, the first Black golfer in the Masters, epitomizes the glacial changes at the club. **PAGE B8**

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Tom Heinsohn, a champion, Hall of Famer and announcer, was 86. **PAGE A23**

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Avoiding Kitchen Burnout
Forget the idea of a “perfect” Thanksgiving, and celebrate the one that’s possible, Tejal Rao says. **PAGE D1**

A Buttermilk-Brined Bird
Every November, Samin Nosrat is asked if her roast chicken recipe works with turkey. Now she knows. **PAGE D1**



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Ben Dandridge-Lemco takes a look at how the small Spotify playlist has grown into such a big deal. **PAGE C1**

Doing the Biden Boogie
After a certain announcement was made Saturday, there just had to be dancing in the streets, Gia Kourlas says. **PAGE C1**

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Fighting a False Claim

The president and his allies have baselessly claimed that rampant voter fraud stole victory from him. State officials say there were no irregularities that affected the outcome.

KANSAS
TRUMP +15



‘Kansas did not experience any widespread, systematic issues with voter fraud, intimidation, irregularities or voting problems.’

The office of Secretary of State Scott Schwab, a Republican

MICHIGAN
BIDEN +3



‘We have not seen any evidence of fraud or foul play in the actual administration of the election. What we have seen is that it was smooth, transparent, secure and accurate.’

The office of Secretary of State Jocelyn Benson, a Democrat

MINNESOTA
BIDEN +7



‘I don’t know of a single case where someone argued that a vote counted when it shouldn’t have or didn’t count when it should. There was no fraud.’

Secretary of State Steve Simon, a Democrat

OHIO
TRUMP +8



‘There’s a great human capacity for inventing things that aren’t true about elections. The conspiracy theories and rumors and all those things run rampant.’

Secretary of State Frank LaRose, a Republican

PENNSYLVANIA
BIDEN +0.67



‘Many of the claims against the commonwealth have already been dismissed, and repeating these false attacks is reckless. No active lawsuit even alleges, and no evidence presented so far has shown, widespread problems.’

The office of Attorney General Josh Shapiro, a Democrat

WASHINGTON
BIDEN +20



‘It’s just throwing grass at the fence at this point. See what sticks.’

The office of Secretary of State Kim Wyman, a Republican

Results as of Tuesday at 6:40 p.m. Eastern.

THE NEW YORK TIMES

Members of Both Parties Praise Process — Rejection of the President’s Narrative

This article is by Nick Corasaniti, Reid J. Epstein and Jim Rutenberg.

PHILADELPHIA — Election officials in dozens of states representing both political parties said that there was no evidence that fraud or other irregularities played a role in the outcome of the presidential race, amounting to a forceful rebuke of President Trump’s portrait of a fraudulent election.

Over the last several days, the president, members of his administration, congressional Republicans and right wing allies have put forth the false claim that the election was stolen from Mr. Trump and have refused to accept results that showed Joseph R. Biden Jr. as the winner.

But top election officials across the country said in interviews and statements that the process had been a remarkable success despite record turnout and the complications of a dangerous pandemic.

“There’s a great human capacity for inventing things that aren’t true about elections,” said Frank LaRose, a Republican who serves as Ohio’s secretary of state. “The conspiracy theories and rumors and all those things run rampant. For some reason, elections breed that type of mythology.”

Steve Simon, a Democrat who is Minnesota’s secretary of state, said: “I don’t know of a single case where someone argued that a vote counted when it shouldn’t have or didn’t count when it should. There was no fraud.”

“Kansas did not experience any widespread, systematic issues with voter fraud, intimidation, irregularities or voting problems,” a spokeswoman for Scott Schwab, the Republican secretary of state in Kansas, said in an email Tuesday. “We are very pleased with how the election has gone up to this point.”

The New York Times contacted the offices of the top election officials in every state on Monday and Tuesday to ask whether they suspected or had evidence of illegal voting. Officials in 45 states responded directly to The Times. For four of the remaining states, The Times spoke to other statewide officials or found public comments from secretaries of state; none reported any major voting issues.

Statewide officials in Texas did not respond to repeated inquiries. But a spokeswoman for the top elections official in Harris County, the largest county in Texas with a population greater than many states, said that there were only a few minor issues and that “we had a very seamless election.” On Tuesday, the Republican lieutenant.

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Trump Marshals Federal Power To Overturn His Election Defeat

By PETER BAKER and LARA JAKES

WASHINGTON — President Trump, facing the prospect of leaving the White House in defeat in just 70 days, is harnessing the power of the federal government to resist the results of an election that he lost, something that no sitting president has done in American history.

In the latest sign of defiance, the president’s senior cabinet secretary fueled concerns on Tuesday that Mr. Trump would resist handing over power to President-elect Joseph R. Biden Jr. after legal challenges to the vote. “There will be a smooth transition to a second Trump administration,” Secretary of State Mike Pompeo said.

Mr. Trump’s attorney general has at the same time authorized investigations into supposed vote fraud, his general services administrator has refused to give Mr. Biden’s team access to transition offices and resources guaranteed under law and the White House is preparing a budget for next year as if Mr. Trump will be around to present it.

The president has also embarked on a shake-up of his administration, firing Defense Secretary Mark T. Esper as well as



POOL PHOTO BY JACQUELYN MARTIN
Secretary of State Mike Pompeo expects a Trump victory.

the heads of three other agencies while installing loyalists in key positions at the National Security Agency and the Pentagon. Allies expect more to come, including the possible dismissals of the directors of the F.B.I. and the C.I.A.

But the rest of the world increasingly moved to accept Mr. Biden’s victory and prepared to work with him despite Mr. Trump’s refusal to acknowledge the results. Speaking with journalists, Mr. Biden called the president’s actions since Election Day “an embarrassment” that will not serve him well in the long run.

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Black Voters Went for Biden. Now They Hope He’ll Deliver.

By JOHN ELIGON and AUDRA D. S. BURCH

When President-elect Joseph R. Biden Jr. thanked Black voters in his victory speech on Saturday night for rescuing his campaign when it was at its lowest point and declared “you’ve always had my back, and I’ll have yours,” Kourtney Neloms did not cheer like the hundreds in attendance.

Instead, listening to Mr. Biden speak in Wilmington, Del., from her hometown, Detroit, she felt somewhat skeptical.

“OK, let’s see if he’s really being honest about this,” Ms. Neloms, 42, who is Black, recalled thinking. “My prayer is that it’s not just lip service.”

While Black voters across the country celebrated the election of Mr. Biden and his vice president, Senator Kamala Harris of California, many said in recent days that the administration would have to prove its sincerity when it came to addressing the country’s vast inequalities and systemic barriers.

“I am hopeful and willing to give Biden a chance but am not completely sold,” said Geary Woolfolk, 53, who is Black and lives in suburban Atlanta.

In this year’s election, Mr. Biden attracted about 87 percent of the Black vote. At the same time, Mr.

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El Paso Buckles Under Strain as Infections Soar

By J. DAVID GOODMAN

EL PASO — Coronavirus patients filled beds on one floor. Then two. Then the University Medical Center, a teaching hospital in El Paso, set up tents to care for patients in a parking lot. A downtown convention center became a field hospital. To free up even more space, the state began airlifting dozens of intensive care patients to other cities.

Local leaders clashed over what to do to quell the spiraling coronavirus crisis. The top county official ordered a lockdown and curfew. But the mayor disagreed, and the police said they would not enforce it. Then the state attorney general weighed in — a lockdown was unnecessary and illegal, he said.

And the patients kept coming. “We discharge one patient, and there are two that come in,” said Wanda Helgesen, executive director of the local council on emergency and disaster preparedness.

El Paso, a border city of 680,000, now has more people hospitalized with Covid-19 than most states — 1,076 as of Tuesday — and is more than doubling its supply of mobile morgues, to 10 from four.

The strain on the city, as it grapples with the pandemic’s deadly third wave, is mirrored across the country. The number of Covid-19 hospitalizations in the United States hit a record high of 61,964 on Tuesday, surpassing the horrific early days of the spring in New York and the summer in the South and West.

Hospitalizations have more than doubled since September, according to the Covid Tracking Project, passing the previous peak of 59,940 patients hospitalized in mid-April. But while the

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JOEL ANGEL JUAREZ FOR THE NEW YORK TIMES
In El Paso, medical centers are overrun by Covid-19 patients and have had to use field hospitals.