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Democracy Dies in Darkness

SATURDAY, JUNE 29, 2024 • \$3

ELECTION 2024

## Biden debate swoon recalibrates race



TOP: President Biden speaks at a campaign rally Friday in Raleigh, N.C. “When you get knocked down you get back up,” he said. ABOVE: Former president and Republican candidate Donald Trump speaks during his campaign event Friday in Chesapeake, Va.

### Democrats on damage control after Atlanta

BY MICHAEL SCHERER, LIZ GOODWIN, TYLER PAGER AND MARIANNA SOTOMAYOR

President Biden’s advisers scrambled Friday to contain growing panic among donors, down-ballot and swing-state Democrats after his halting debate performance undermined his case that he has the capacity to lead the country for another four years. Biden’s top campaign officials began with a morning meeting at the Ritz Carlton Hotel in Atlanta, where they told members of the campaign’s national finance committee that the president did not perform to his best ability in his face-off with former president Donald Trump but remains capable of winning the race, according to multiple people

SEE BIDEN ON A10

### Seeing it as a knockout, Trump’s team gloats

BY HANNAH KNOWLES, MARIANNE LEVINE AND ISAAC ARNSDORF

The victory lap began before the debate was over. Donald Trump’s aides had prepared for him to face the fiery President Biden who showed up to the State of the Union earlier this year. Instead, the former president faced a shaky opponent whose stumbles sent Democrats into a full-blown panic — and Trump largely held back from interrupting to let it all unfold, just as allies and advisers had urged. Trump gave a thumbs-up later as he walked off the stage and into a green room full of advisers who believed they had a new — and devastating — trove of ammunition

SEE TRUMP ON A7

### Can Biden set things right? Only he can do it.

BY DAN BALZ

There was only one question on the minds of Democrats as they awoke Friday after what many of them judged as the worst performance by a presidential candidate in the modern history of politics: Can President Biden recover? Other presidents have stumbled in debates, but none quite like what happened to Biden on Thursday night. His overriding goal was to dispel doubts that he is too old and too frail to lead the country for another four years. Instead, he reinforced those doubts, and in a forum — the first debate, hosted by CNN and broadcast seemingly everywhere — that could be the single

SEE THE TAKE ON A9

## Post’s publisher faces questions on email deletions

BY AARON C. DAVIS, GREG MILLER, SARAH ELLISON AND ISAAC STANLEY-BECKER

LONDON — In late January 2011, just days after Scotland Yard launched a major new investigation of illegal phone hacking by British journalists, a computer

technician working inside Rupert Murdoch’s media conglomerate sent an email describing an unexpected halt in his assignment. After days spent helping to delete emails by the millions from the company’s archives, the technician wrote to his bosses that “all decisions to continue” were now

“frozen.” The technician was awaiting word on whether to halt the purge, press on, or reverse course and “restore all archives already deleted (!!)” “Nobody here knows because this is coming from the top,” wrote the technician, Nigel Newell, according to a court record of

his communication. Police had recently asked the company to preserve evidence. Three days later, the internal halt was lifted. An executive relayed word to the IT team that lawyers had given the “green light” to proceed with the “email

SEE EMAIL ON A16

**THE ECONOMY** In Pennsylvania, residents of struggling coal towns who feel forgotten could sway the presidential election. A9 **Tesla is disputing** a wrongful-death lawsuit involving a company employee who was killed in a crash involving his Model 3. A18

**THE REGION** Virginia’s House voted unanimously to repeal recently implemented restrictions on a college tuition program for military families. B1 **A \$3.1 billion** emergency request to Congress could help rebuild Baltimore’s Francis Scott Key Bridge. B1

**STYLE** Science fiction horror prequel “A Quiet Place: Day One” finds new things to say after the 2018 blockbuster. C1 **Kevin Costner’s** 12-hour widescreen saga, “Horizon: An American Saga — Chapter 1,” suffers from too much sprawl. C1

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### IN THE NEWS

**Supreme Court denies Bannon** The political strategist to Donald Trump failed to delay a July 1 deadline to report to prison while he appeals a contempt of Congress conviction. A3  
**Alaskan lands** The Biden administration moved to protect 28 million acres from mining, drilling and similar activities. A6

**THE NATION** California lawmakers set aside \$12 million in reparations for its next budget. A2 **Uvalde’s former** school police chief was indicted in the botched response to the 2022 shooting. A6

**THE WORLD** Iranians voted in a snap election for president as their nation faces multiple crises. A12 **Xi Jinping’s** expulsion of two former top officials signals China’s military to clean up. A14

## Court weakens authority of U.S. agencies

DECADES-OLD PRECEDENT IS OVERTURNED

Legal experts foresee flurry of regulatory challenges

BY ANN E. MARIMOW AND JUSTIN JOUVENAL

The Supreme Court on Friday sharply curtailed the power of federal agencies to regulate vast parts of American life, sweeping aside a 40-year-old legal precedent that the government relied on to defend thousands of rules on everything from the environment to banking to drugs. The 6-3 opinion along ideological lines was a victory for conservatives, who have long said federal agencies wield too much power to impose regulations that burden business and stifle innovation. Legal experts said the decision will lead to a flood of challenges to regulations. For decades, the court’s decision in *Chevron v. Natural Resources Defense Council* directed judges to defer to the reasonable interpretations of federal agency

officials in cases that involve how to administer ambiguous federal laws. But writing for the majority, Chief Justice John G. Roberts Jr. said the *Chevron* framework has proved “unworkable” and allowed federal agencies to change course even without direction from Congress. “*Chevron* was a judicial invention that required judges to disregard their statutory duties,” Roberts wrote. He added the ruling would not call into question previous cases that relied on *Chevron* but gives judges the power going forward to exercise independent judgment to determine if agency actions are reasonable. The court’s three liberal justices — Sonia Sotomayor, Elena Kagan and Ketanji Brown Jackson — dissented, with Kagan writing that the majority has turned itself into

SEE CHEVRON ON A4

## Justices reject charge of obstruction in Jan. 6 case

Decision in favor of one defendant probably will affect hundreds of others

BY ANN E. MARIMOW AND DEVLIN BARRETT

Federal prosecutors improperly charged a Jan. 6 defendant with obstruction, the Supreme Court ruled on Friday, a decision that will likely upend many cases against rioters who disrupted the certification of the 2020 presidential election and one which Donald Trump’s legal team may use to try to whittle down one of his criminal cases. After the Jan. 6, 2021, attack on the Capitol, federal prosecutors charged more than 350 participants among the pro-Trump mob with obstructing or impeding an official proceeding. The charge carries a 20-year maximum penalty and is part of a law enacted

after the exposure of massive fraud and shredding of documents during the collapse of the energy giant Enron. Writing for the majority, Chief Justice John G. Roberts Jr. said prosecutors’ overly broad reading of the statute gives them too much discretion to seek a 20-year maximum sentence “for acts Congress saw fit to punish only with far shorter terms of imprisonment.” The decision sends the case of alleged rioter Joseph W. Fischer back to the lower courts for additional litigation in light of the majority’s finding that prosecutors must show a defendant impaired records, documents or other objects for use in an official proceeding. Other defendants charged with obstruction can also now seek to have that charge dismissed. Two of the four charges Trump

SEE OBSTRUCTION ON A4

**Homelessness:** Justices reject challenge to anti-camping laws. A3

## Iowa’s top court affirms 6-week ban on abortion

Time frame means most women will have to leave state to access procedure

BY ANNIE GOWEN

Iowa’s Supreme Court on Friday allowed a six-week ban on abortion to take effect, the latest in a string of rulings to restrict abortion access since the U.S. Supreme Court’s 2022 decision ending federal protections for the procedure. The measure restricts the procedure after six weeks of pregnancy, the point when fetal cardiac activity can be detected. Planned Parenthood and others had sued to block the law and won a preliminary injunction from a lower court, keeping abortion temporar-

ily legal in the state up until 22 weeks of pregnancy. The judges ruled 4-3 that the law — passed by the Republican-led legislature in 2023 — is constitutional, reversing a temporary injunction put in place by a district court last year while allowing the ongoing litigation at that level to proceed. The statute has limited exceptions for rape and incest or if a woman’s life is in danger. The outcome again disrupts the landscape of reproductive health in Iowa, with most women now having to travel outside the state to terminate a pregnancy. It follows two closely watched decisions this month from the U.S. Supreme Court, both more favorable to abortion supporters, and signals how much access remains in flux across the country. Eighteen states now ban all or

SEE IOWA ON A18