

Partly sunny 81/60 • Tomorrow: Mostly sunny 78/59 B6

Democracy Dies in Darkness

MONDAY, SEPTEMBER 2, 2024 • \$3

## Immunity weighed for Taliban defendant

N.Y. judge could reduce charges in deadly 2008 attack on U.S. soldiers

BY SHAYNA JACOBS

NEW YORK — A federal judge is in the rare position of having to decide whether to grant immunity under military law to a Taliban commander facing charges in the 2008 killings of three U.S. soldiers and the kidnapping of an American journalist in Afghanistan.

U.S. District Judge Katherine Polk Failla's ruling could significantly truncate a 13-count indictment against Haji Najibullah, who was a Taliban spokesman and alleged orchestrator of a deadly attack on a military convoy.

Najibullah is also charged with orchestrating the abduction of journalist David Rohde and two Afghan nationals who assisted Rohde in his overseas reporting. The captives were marched over the border to Pakistan, where they remained for seven months before Rohde and one of his companions made a remarkable escape (the other remained behind).

The question at issue is whether Najibullah is entitled to prisoner-of-war protections — which could give him immunity for actions like killing enemy troops during combat — given that the Taliban was not the recognized government of Afghanistan at the time of his alleged crime, among other issues.

It is very rare that a civilian jurist would have to make a decision of this nature, said David Glazier, a professor of international law and law of war at Loyola

SEE TALIBAN ON A10



HEIDI LEVINE FOR THE WASHINGTON POST

Relatives mourn Eden Yerushalmi, one of the hostages found dead Saturday in Gaza, at her funeral in Petah Tikva, Israel, on Sunday.

## U.S. plans to offer a final cease-fire deal

BY YASMEEN ABUTALEB AND JOHN HUDSON

U.S. officials said President Joe Biden's months-long push for a cease-fire and hostage-release deal faced renewed urgency on Sunday after Israeli forces recovered the bodies of six hostages, including Israeli American Hersh Goldberg-Polin.

The United States has been talking to Egypt and Qatar about the contours of a final "take it or leave it" deal that it

In Israel, Netanyahu faces pressure from public, hostages' families

plans to present to the parties in the coming weeks — one that, if the two sides fail to accept it, could mark the end of the American-led negotiations, according to a senior administration official, who spoke on the condition of anonymity to dis-

cuss private and sensitive deliberations. Biden officials said it was not immediately clear whether the discovery of the six hostages would make it more or less likely that Israel and Hamas could come to an agreement in the coming weeks.

"You can't keep negotiating this. This process has to be called at some point," said the senior official, who said that the United States, Egypt and Qatar had been working on the final proposal before the six hostages were found dead in a tunnel

beneath the southern Gaza city of Rafah. "Does it derail the deal? No. If anything, it should add additional urgency in this closing phase, which we were already in."

The Israel Defense Forces said the six hostages were killed by their captors "shortly before" they were discovered. The senior administration official said the United States holds a simi-

SEE NEGOTIATIONS ON A11

**Heartbreak:** Family's quest to save son reaches tragic end. **A18**

## German far right nears historic postwar victory

Anti-migrant AfD party is closing in on its first win in state elections

BY KATE BRADY AND ANTHONY FAIOLA

BERLIN — Projections in Germany's closely watched elections Sunday showed the anti-migrant Alternative for Germany (AfD) party leading in one state and running a close second in another, a result that, if confirmed by official tallies, would see a far-right party win a state for the first time in the country's post-

war history.

The projections, based on early vote counts and commissioned by public broadcaster ARD, showed the AfD well ahead with 32.8 percent in the state of Thuringia, and claiming 30.8 percent in Saxony — 1 percentage point behind the center-right Christian Democrats. A second forecast by broadcaster ZDF showed an even tighter race in Saxony.

In both states in eastern Germany — which has become a stronghold of the far right — other parties have refused to cooperate with the AfD, meaning it is unlikely to form part of any new state governments.

SEE GERMANY ON A13



MARVIN JOSEPH/THE WASHINGTON POST

Tillie Sosnowski packages chocolate sauce bottle pumps at the Eisenhower Center in Milwaukee.

## Pennies per hour, legally

A program allows disabled people to be paid below federal minimum wage

BY AMANDA MORRIS, CAITLIN GILBERT AND JACQUELINE ALEMANY

Tens of thousands of disabled people in the United States are paid less than the federal minimum wage — with some workers making as little as 25 cents per hour.

These workers, most of whom have intellectual and developmental disabilities, are part of an arcane government program that is supposed to prepare them for

higher-paying jobs in the community. But a Washington Post investigation has found that many disabled workers are paid low wages for years under a tangled bureaucracy that lacks accountability and oversight.

A Post analysis of Labor Department records showed that at least 38 percent of current employers in the program have violated compensation and other rules and cheated disabled workers out of millions in pay.

Jaime Muniz, 33, who has au-

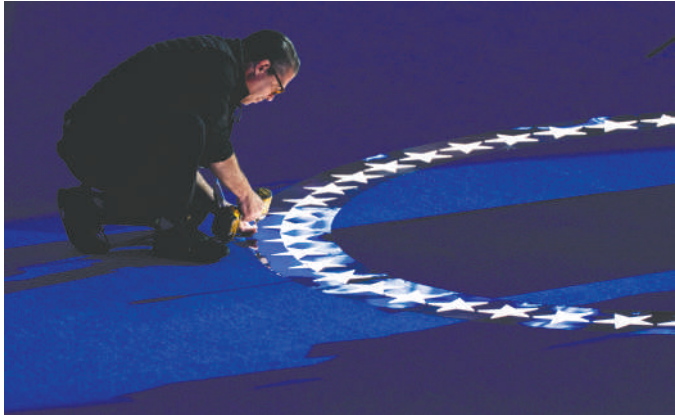
tism, was recently paid about \$1.22 for every hour he spent at Pathways to Independence in Kearny, N.J., the facility where he has been working for 11 years. His tasks include sorting wire clothing hangers and unloading heavy boxes.

"I try to do better, and I'm not moving on," Muniz said. "I don't

SEE WAGES ON A5

**14(c) programs:**

Why some companies can pay disabled workers so little. **A4**



DEMETRIUS FREEMAN/THE WASHINGTON POST

An election-defining summer

Photos capture a historic span, including the attempt on Trump's life, Biden's withdrawal and Harris's rise. **Story, A7**

## Hostage deaths ignite outrage

PROTESTS, CALL FOR STRIKE IN ISRAEL

IDF says Hamas killed six, including American

BY SHIRA RUBIN, NIHA MASIH, JOANNA SLATER AND LIOR SOROKA

TEL AVIV — Israelis reacted with shock and fury Sunday after the bodies of six more hostages were recovered by the military from Gaza, with Israeli authorities saying they were killed by their captors in recent days.

Hundreds of thousands of protesters took part in nationwide demonstrations Sunday night, and Israel's largest labor union called for a general strike Monday — threatening to shut down the country until Prime Minister Benjamin Netanyahu agrees to a deal with Hamas to return the remaining captives.

Among those recovered Saturday from Gaza by the Israeli military was Israeli American Hersh Goldberg-Polin, 23, whose parents have become globally known ambassadors for the hostage family movement and who spoke last month at the Democratic National Convention.

"Needing our only son — and all of the cherished hostages — home is not a political issue. It is a humanitarian issue," Jon Polin,

SEE ISRAEL ON A18

ELECTION 2024

## Two parties see China as a useful fear factor

Playing on Americans' distrust, candidates try to tie rivals to rising nation

BY LIZ GOODWIN

Dark insinuations that one candidate might have been recruited as a spy by Chinese leaders as a younger man. Attacks accusing another would-be senator of profiting off a Chinese fentanyl manufacturer. And ads alleging another candidate sold Chinese-made SUVs in his car dealership several years ago.

Democrats and Republicans are aggressively tying their opponents to China in the final months of the 2024 campaign, hoping that invoking the nation that many Americans blame for mishandling the coronavirus pandemic, the deadly opioid crisis and U.S. economic woes will boost their own chances at the ballot box.

"China is not exactly wildly popular among Americans these

SEE CHINA ON A10

**Cemetery controversy:**

Trump gets a boost from grieving families as he spars with Harris. **A3**

### IN THE NEWS

**Ukrainian drone attack** Russia scrambled to respond to a widespread assault on energy infrastructure, including in Moscow. **A14**

**Hotel workers strike** Calling for higher pay, increased staffing and reduced workloads, thousands of workers in major cities walked off the job on the busy holiday weekend. **A3**

#### THE NATION

**International** students displaced by war described their experiences navigating college while yearning to connect with their loved ones — and, in many cases, mourning lost homes. **A2**

#### THE WORLD

**A pop star's** viral hit reminds Russians of their country's lost liberal moment. **A12**  
**Mexico's outgoing** president is trying to ram through major changes to the constitution. **A14**

#### THE ECONOMY

**Elon Musk's** investment partners' stakes in X have lost billions of dollars in value. **A15**

#### THE REGION

**Four title insurance** companies have agreed to pay \$3.29 million to settle claims that they paid illegal kickbacks to real estate agents. **B1**

#### Nearly a year

after five girls allegedly beat a 64-year-old man to death, his mother is still struggling to understand what could have caused such an attack. **B1**  
**Two European men** were indicted for allegedly "swatting" homes of members of Congress and other officials. **B1**

#### STYLE

**From the halls** of power in Congress to rank-and-file cubicles, people are fed up with their co-workers' bad behavior and petty sabotage. **C1**  
**George Clooney** addressed his op-ed calling on President Joe Biden to leave the race, praising Biden as "selfless." **C1**

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