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Jets with multiple owners under scrutiny

Jet traffic could take off with FAA proposal

BY CAROLYN SACKARIASON
Daily Press Staff Writer

Residents near the Santa Monica Airport are concerned about a proposed new rule by the Federal Aviation Administration that may make Santa Monica Airport a busier place for large business jets.

The neighbors fear an increase in the number of large jets flying overhead and landing closer to their homes, some of which are only 250 feet from the end of the runway.

The FAA wants to allow charter companies to use more runway space than is currently permitted. Charter aircraft must adhere to tight restrictions because they are considered commercial operators. But jets owned by several people do not have to follow the same regulations because the FAA considers them individually-owned aircraft.

As a result, the number of jets owned by several people has skyrocketed in recent years, creating competition for charter operators who claim they lose business because they are hamstrung by FAA rules.

Jets with multiple, or fractional owners, currently operate free of landing restrictions. Charters, however, are allowed to use only 60 percent of the available runway space, limiting the type of planes that can land.

"We have several concerns on how they view fractional companies as a non-commercial venture. They (the FAA) are compromising safety for money."

— MARTY TACHIKI
Deputy city attorney

As a compromise, the FAA is proposing that both aircraft operators be allowed to use 75 percent of the runway. But airport and city officials said that

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Courtesy of Santa Monica Airport

This aerial shot of the Santa Monica Airport shows how close homes are located to the runway.

Ted Demme, film and television director, dies

By staff and wire reports

Ted Demme, a film and television director whose credits include the drug-drama "Blow" and comedies with angry comic Denis Leary, collapsed and died while playing basketball in Santa Monica. He was 38.

The stocky filmmaker was participating in a celebrity basketball game at the private Crossroads School on 21st Street when he was stricken Sunday, said Ted Braun, a spokesman for Santa Monica-UCLA Medical Center.

Santa Monica Police Lt. Frank Fabrega said Demme and some friends were playing basketball. At some point, he sat down on a bench and collasped. Some of the players attempted CPR while someone called the Santa Monica Fire Department. Paramedics rushed Demme to the hospital's emergency room in full cardiac arrest about 5 p.m. He was pronounced dead 20 minutes later.

The cause of death has not been determined and an autopsy will be conducted, Lt. Cheryl MacWillie of the Los Angeles County Coroner's Office said.

Demme directed Johnny Depp and Penelope Cruz in last year's "Blow." The movie was based on the true story of George Jung, the American connection to the Colombian cocaine cartel in the late 1970s and early '80s when the drug became hip.

Demme, who lived in West Hollywood, got his start in filmmaking with the 1992 short "The Bet," a drama about two brothers running a New York deli.

The next year he directed his first feature, the hip-hop comedy "Who's the Man?" an offshoot of the "Yo! MTV Raps" music show he had produced since 1988.

See DEMME, page 3

Morissette gives surprise concert on the Promenade

By Daily Press staff

Pop star Alanis Morissette gave an impromptu concert on the Third Street Promenade Monday.

Hundreds of onlookers gathered around the pop star when she fired up the band shortly after 12:30 p.m. in front of the food court. Once people realized that it was Morissette playing, dozens of people hung out office windows, stood on top of office buildings and climbed trees to get a better glimpse of her and the band that included keyboards, drums, bass and guitar.

Her surprise performance is part of VH1's new "guerilla concert series" that features artists in spontaneous places around the globe. It is unknown when the concert will be aired.

Morissette recounted the first time she had ever been on the Promenade. When she first moved to Los Angeles, Morissette and her friends performed on the mall — Morissette played the bongos and her friend sang. The police hassled them by asking for their permit. When they couldn't produce one, they were asked to leave.

"This is the prodigal daughter returning," she told the crowd of about 130 people Monday. The police didn't hassle her this time and there were plenty of security guards surrounding her.

She played about eight songs, most of which were her most popular hits.

Alanis Morissette

Glenn Garr, a Washington D.C. resident, watched nearly all of the concert even though he's not a huge fan.

"It was all right," he said. "It came off less annoying than her studio recordings. It sounded good. It was a very tight band."

After the performance, Morissette was whisked away into a nearby building and people resumed their activities on the mall.

Morissette won two grammys in 1999 for best female rock vocal performance and rock song of the year in for "Uninvited." She was nominated for a Grammy in 2000 for "Thank you" and is nominated this year for best female rock vocal performance for "So Pure."

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★★★★★-Dynamic ★★★★-Positive ★★★-Average ★★-So-so ★-Difficult

ARIES (March 21-April 19)
★★★★★ You're very much in the pink. You see new ways of making what you want a possibility. Others work as hard as you to achieve your goal. Ask for information, though don't be surprised by someone's response. Remember, you asked! Tonight: Get together with a friend.

TAURUS (April 20-May 20)
★★★★ All eyes look to you. Deal with someone, asking for his or her support. Carefully listen to this person to hear the pros and cons. Unexpected actions impact your work as well as an appearance. Stay at the office as late as need be. Tonight: Expect to go until the wee hours.

GEMINI (May 21-June 20)
★★★★★ Reach out for others and get needed feedback. Their perspective can direct you in seeking out more information, though you might need to find an expert. Review what you read and hear. Work with facts only. Tonight: Let your mind relax to good music.

CANCER (June 21-July 22)
★★★★ You tumble into the world of financial wheeling and dealing. Create a stronger foundation, backing up an offer or request with hard facts. Don't anticipate someone's next move. This person delights in surprises. Hold on and adjust. Tonight: Dinner for two.

LEO (July 23-Aug. 22)
★★★★★ Others speak their mind. Harness your imagination and make it work for you. Someone doesn't see eye to eye with you. Don't be stunned by his or her behavior. Learn to expect the unexpected from this person, and everything will work. Tonight: Go along with a friend's suggestion.

VIRGO (Aug. 23-Sept. 22)
★★★★ Trudge into work and let some of your natural enthusiasm come out. Whether you work at home or in an office, you discover that you feel much better if you give a 100-percent effort. Deal with someone's unpredictably, yet realize you might need to get away for a stress break. Tonight: Off to the gym.

LIBRA (Sept. 23-Oct. 22)
★★★★★ Your words are like music to someone's ears. You find someone melting on the spot. Perhaps you're not aware of what a difference you make here. Use your gentle charm more often. Tap into your ingenuity for answers. You might even surprise yourself! Tonight: Take a midweek break.

SCORPIO (Oct. 23-Nov. 21)
★★★ You might be more entrenched in having your way than you realize. Think about a key goal involving family or an investment. Decide just how much you're willing to invest in this project. A decision you make could take you in another direction. Tonight: Take some time for you.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Your words have impact. Someone listens. Rest assured that others are listening, even if they act nonchalant. Still, you might try to draw a reaction. You actually might be blown away by what someone does. Remember that every action has a reaction. Tonight: Meet friends right after work.

CAPRICORN (Dec. 22-Jan. 19)
★★★★ Use your instincts to get what you want out of a business deal. You're on target when dealing with others financially. Don't question your judgment. You could be lucky right now. Buy a lottery ticket or take a chance with a bet, as long as you can afford to lose. Tonight: Your treat.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ You, as usual, go out of your way for a friend. In fact, you might not be best friends, but you certainly transform your relationship into a closer one. You're full of surprises presently, delighting others as well as yourself. You do make a difference. Tonight: Just be you.

PISCES (Feb. 19-March 20)
★★★★ Think more about what you want. You don't need to draw anyone into the conversation. You simply need to hold up the mirror and be honest with yourself. Review a decision more carefully. A hunch goes a long way with a difficult or touchy boss. Tonight: Take some dream time.

WEATHER

Today ...	Partly cloudy	High—60°F	Low—43°F
Tomorrow ...	Sunny	High—61°F	Low—42°F
Thursday ...	Partly cloudy	High—62°F	Low—42°F

QUOTE of the DAY

"I talk to myself because I like dealing with a better class of people."

— Jackie Mason

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LOCAL

Jet traffic at Santa Monica Airport increasing

AIRPORT, from page 1

compromise was agreed upon by a committee made up predominately of fractional owners and charter companies, with little or no say-so from area residents and airport officials.

"We think it's been rushed without proper input from the residents," said Santa Monica Airport Manager Bob Trimborn. "We see this as being a very preliminary rule."

"There are people out there that want to make money or have the access so they aren't going to let this die,"

— BOB TRIMBORN
Santa Monica Airport manager

Local officials believe fractional operators are third party businesses that are essentially commercial operations whose fleet structure impacts local airports as much as charters. Local officials want the FAA to undertake a comprehensive study of the impact fractional jets have on airports and their communities before enacting any new rules. They also want equal representation on a committee to consider those impacts, as well as a full technical study and environmental impact review of the proposed rule change.

"We have several concerns on how they view fractional companies as a non-commercial venture," said Marty Tachiki, deputy city attorney. "They (the FAA) are compromising safety for money."

The FAA is reviewing comments on the proposal before issuing a decision. The Santa Monica Airport and the city of Santa Monica have both weighed in.

Fractional ownership is the fastest growing segment of business aviation, increasing more than 50 percent per year for the past three years. At Santa Monica Airport, there used to be between four and six fractional jets taking off each day. Now about 17 such jets take off every day, said Tachiki, though those jets only account for a small fraction of the daily activity at Santa Monica Airport. There are about 225 take-offs and departures every day, he said.

The four major fractional ownership businesses are Warren Buffet's Executive Jet/Netjet, Bombardier's Flexjet, Raytheon's Travelair and Flight Options — all of which use Santa Monica Airport as part of their day-to-day business. And the FAA is feeling the pressure from these high profile business owners.

"There are people out there that want to make money or have the access so they aren't going to let this die," Trimborn said.

Leading fractional ownership programs now manage 450 aircraft on behalf of 1,800 owners, completing 500 flights daily. Growth is expected to continue well into the future, particularly because people find it more convenient. Some airline companies are finding fractional ownership to be more cost effective, as well. United Airlines is entering the fractional ownership market, buying about 200 business jet aircraft so it can recapture the first class passengers it has been losing to fractional ownership programs.

"There has been a significant growth in charter and fractional ownership at regional airports," said Trimborn. "All jet operations have increased since the 11th."

Business executives find fractional ownership jets more convenient, particularly after Sept. 11, because they can bypass congested airports that are bogged down with heightened security measures, he added.

"It takes less time because there is less security and they can be more productive by having meetings on the plane," Trimborn said. "Time is money for corporations and these airports provide better access and less hassles."

Corporations also are finding value in investing in fractional ownership companies because they can get huge tax breaks from the government.

Santa Monica Airport is in a precarious position. It is trying to balance the increased number of fractional ownership aircraft and the expected increase of charter companies — if the FAA gives them more room to land here.

"Our job is to maintain the facility in the safest manner," Trimborn said. "We are looking at this mix and trying to deal with it."

A November plane crash at Santa Monica Airport has gotten the attention of U.S. Rep. Henry Waxman, D-Calif., who has urged the FAA to make the airport safer for area residents.

Waxman recently wrote a letter to the FAA expressing his concern over the length of runway space and how that could translate into larger jets coming in and out of the airport. Residents in the area want the runways to be shortened at both ends, creating a buffer zone.

Residents have asked for an airport safety review after a Cessna 340A skidded off the runway and burst into flames Nov. 13, killing both passengers. Some residents are worried that an increase in the volume of larger planes would bring a new level of threat to their homes.

Carolyn Sackariason/Daily Press

Santa Monica Airport Manager Bob Trimborn explains how the noise meter that monitors how loud aircraft are before take-offs.

Heart attack fells director during basketball game

DEMME, from page 1

He followed in 1994 with the acerbic comedy "The Ref," which starred Leary as a burglar who takes hostage an incessantly bickering couple (Judy Davis and Kevin Spacey).

"Ted Demme was a great friend, father and husband, a man whose talent was matched only by his incredible passion for life."

— DENIS LEARY
Actor

"Last night, I lost one of my closest friends in the world," Leary said. "Ted Demme was a great friend, father and husband, a man whose talent was matched only by his incredible passion for life."

Demme previously directed Leary in the 1992 TV comedy special "No Cure for Cancer" and later directed him again in the 1997 comedy show "Lock 'N' Load."

The pair last worked together on the 1998 thriller "Snitch," which starred Leary as a small-time thug confronting the mobster killers of his cousin.

Demme also directed the 1996 film "Beautiful Girls," an ensemble comedy about a high school reunion that starred Matt Dillon, Lauren Holly, Rosie O'Donnell and Mira Sorvino.

Although he was best known for his feature films, Demme also made his mark on television. He won an Emmy in 1999 for co-producing the civil-rights TV movie "A Lesson Before Dying."

He also directed episodes of the crime series "Homicide" and the short-lived 1999 show "Action," about the vile antics of a Hollywood producer played by comedian Jay Mohr.

Demme's feature films included the prison comedy "Life," which starred Eddie Murphy and Martin Lawrence as two squabbling crooks.

His uncle, Jonathan Demme, was director of the 1991 film "Silence of the Lambs," which won the Oscar for best picture. The elder Demme also directed the films "Philadelphia," "Married to the Mob" and "Something Wild."

Ted Demme is survived by his wife, Amanda Scheer-Demme, a music supervisor for films such as "Erin Brockovich" and "Blow."

The couple had two children, a 5-year-old daughter and a 2-month-old son.

Demme was preparing to direct a thriller titled "Nautica" starring Ewan McGregor and Heath Ledger, but the status of the project is now uncertain.

Local doctor named chief at UCLA

By Daily Press staff

For the third consecutive year, Santa Monica family physician Dr. Stephen Ross has been elected chief of staff at Santa Monica-UCLA Medical Center.

A Santa Monica resident, Dr. Ross is a 1980 graduate of the hospital's nationally known Family Practice Residency Program. He currently practices with the UCLA Medical Group in Santa Monica, which he joined in 1997.

Other officers on the hospital's 2002 executive medical board are Dr. Peter Galier, who was elected vice-chief of staff, and Dr. David Baron, who was elected secretary-treasurer after being appointed last year.

Dr. Galier is an internal medical specialist with the UCLA Medical Group in Santa Monica. Dr. Baron, a former family practice resident at the hospital, is a family physician with the UCLA Medical Group in Malibu.

Other members of the board, which oversees medical affairs at Santa Monica-UCLA, are incumbents Dr. William Growdon, Dr. Michael Herbst and Dr. Bernard Weintraub, and newcomers Dr. Dennis Woo, Dr. Chester Griffiths and Dr. Edward Livingston.

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NATIONAL

Developers get break on replacing wetlands

BY JOHN HEILPRIN
Associated Press Writer

WASHINGTON — Developers no longer will have to restore or create new wetlands for every acre they drain or fill under new regulations issued by the Bush administration Monday.

The new Army Corps of Engineers rules, which revoke some Clinton-era requirements, also will enable developers to win speedy government approval for draining and filling permits under the Clean Water Act if the effect on streams or marshes is minimal.

Instead of requiring acre-for-acre restoration on each project, the new regulations require only that there be "no net loss" of wetlands in any of the Corps' 38 U.S. districts, which are established on the basis of watersheds rather than state boundaries.

John Studt, chief of the Corps' regulatory branch, said the new permit requirements "will do a better job of protecting aquatic ecosystems while simplifying some administrative burdens for the regulated public."

Left in place was a Clinton-era requirement that developers get a permit for any project involving more than a half-acre of wetlands. Until 2000, developers had to get government approval only if more than three acres of wetlands were affected.

The new regulations also eliminate some restrictions on development in flood plains and revoke a prohibition on filling more than 300 linear feet along any stream.

Developers now will be able to seek waivers allowing them to fill up to a half-acre of any stream that doesn't flow year-round. For example, an eight-foot-wide stream that dries up during a portion of the year could be filled for up to a half-mile.

Coal mines will now have to get a written determination from a district engineer that dumping mine wastes in wetlands will have a minimal impact. Such fills will have to be replaced with new wetlands elsewhere.

Julie Sibbing, a wetlands expert for the National Wildlife Federation, said the new regulations will allow more wetland areas to be paved over. "These permits certainly signal the end of 'no net loss' as a policy of the United States," she said.

Susan Asmus, a vice president of the National Association of Home Builders, described the new permits as a positive step.

"This is the first time in the 25 years of the program that the Corps has not added further limitations or more paperwork requirements," she said.

Asmus said her group, however, will continue to press its lawsuit challenging Corps wetlands regulations. She said they still don't streamline the process enough.

The regulations were adopted without any formal comment from the Interior Department. The Fish and Wildlife Service had objected to several of the measures but the objections were never forwarded. Instead, Interior Secretary Gale Norton sent word that she supported the new plan, said Mark Pfeifle, a spokesman for the department.

The Fish and Wildlife Service complained in an Oct. 15 memo the ecological effects of the changes had not been assessed adequately. The agency said it "does not believe the Corps has sufficient scientific basis to claim" that the new, expedited permits will "cause only minimal impact on the nation's natural resources."

Norton's staff "did not have enough time" to reconcile that memo with contrary remarks by the Office of Surface Mining, so no formal recommendation was made, Pfeifle said.

"We missed our opportunity to comment fully," he said. "What happened was the clock ran out."

In October, Norton was accused of providing only selective information to a Senate committee inquiring about the impact on caribou of drilling for oil in the Arctic National Wildlife Refuge.

She told the committee that caribou calving has been concentrated outside the area where the Bush administration wants to drill for oil in 11 of the past 18 years. The Fish and Wildlife had provided her with data saying calving had occurred within the area of proposed drilling in 11 of the past 18 years.

Norton later described it as an honest mistake.

Media may have been cause of retail burglary

By the Associated Press

ST. LOUIS — Store owner Chip Bartz now knows the downside of free publicity.

Just hours after being featured in a television news segment for his inventory of St. Louis Rams apparel, Bartz's store was burglarized — apparently by a criminal who paid attention to the nightly news.

Bartz lost about $6,500 worth of merchandise — 130 Rams jerseys and about 50 Rams jackets — at his Almost Everything store during the crime, which was discovered Thursday morning.

"Obviously, somebody saw me on TV and then bad things happened," he said. "I go from the happiest guy in St. Louis to the saddest, all compliments of the news media.

Bartz holds no grudges toward KTVI, the local Fox affiliate that featured the shop in a Wednesday night segment on mania over the Rams.

His strongest words were for his alarm system, which wasn't triggered until a police officer reached through the smashed door and turned the knob after the robbery.

Bartz said he's working to get better security — and more Rams jerseys. And yes, he says, he'll still watch KTVI.

America West only airline to bite on bailout package

BY ROBERT GEHRKE
Associated Press Writer

WASHINGTON — America West Airlines has gotten final approval for a government-backed loan for $429 million, but other major airlines may not agree agree to the strict stipulations federal authorities require.

Congress approved $10 billion in loan guarantees as part of the airline bailout package prompted by the Sept. 11 attacks. So far, cash-strapped America West is the only major airline to tap into the fund.

Under the deal announced Monday, the federal government agreed to repay up to $380 million if America West defaults on the loan. In return, America West had to give the government the option over 10 years to buy one-third of the company's publicly traded stock at a fixed price — 18.7 million shares for $3 each.

America West shares closed Monday at $3.15, down 57 cents on the New York Stock Exchange.

The deal also calls for America West to pay the government annual payments totaling $135 million over the nearly five-year life of the loan and a $3.8 million upfront fee.

"They gave a desperate airline the chance to turn their operation around, but at the same time they made it so difficult that most of the other airlines won't try to take advantage of what they may see as easy money," said Ray Neidl, an aviation analyst for ABN Amro.

Congress also approved $5 billion in direct cash payments to compensate air carriers for the business lost while the airlines were grounded immediately following the hijackings. So far, the Transportation Department has paid out $3.8 billion.

The Air Transportation Stabilization Board was established to determine what airlines get loan guarantees, which essentially make the government a co-signer on the company's loan. So far, the only other airline to apply for a loan guarantee is Vanguard Airline, a small, low-fare carrier based in Missouri. Airlines have until June 28 to apply.

John Heimlich, director of economic and market research for the Air Transport Association, an airline industry group, said he expects others will apply and that the board will apply different requirements in each case, based on the airline's financial viability.

"If I were a carrier, I would use this as a last resort. I would do everything else that is within my means to survive," he said. "At the end of the day if you need it you're going to do it."

Which other airlines apply for government help depends partly on when the rest of the direct payment money is made available and whether more passengers return to the skies, he said.

Tempe,Ariz.-based America West, which employs 12,000, is the nation's eighth-largest airline. Analysts believed it was most vulnerable to bankruptcy after the attacks.

Associated Press

Christian Longo, center head down, is shown in this video image after arriving in Houston, Texas on Monday. Longo, accused of killing his wife and three children last month and dumping their bodies into the Pacific Ocean, was captured Sunday night near Tulum, Mexico, a resort town 60 miles south of Cancun, after the FBI placed him on its "Ten Most Wanted Fugitives" list.

Military wants to cut back fighter patrols

BY PAUL GEITNER
AP Business Writer

BRUSSELS, Belgium — The World Trade Organization handed the United States a major loss Monday with a decision that opens the way for the European Union to ask for billions of dollars in punitive tariffs on U.S. imports.

Both the EU and the United States, however, immediately signaled their desire to avert a trade war that would dwarf any previous dispute and most likely hurt companies on both sides of the Atlantic.

The WTO appeals panel in Geneva ruled against a U.S. law granting multi-billion-dollar tax breaks to Microsoft, Boeing and thousands of other American companies operating overseas.

The European Union, which brought the case, said it expected "rapid proposals" from Washington to bring itself into compliance with WTO rules.

The Brussels-based EU could ask the WTO for permission to start imposing up to $4 billion in sanctions almost immediately. The United States exported $165 billion in manufactured goods and farm products to the 15-nation EU in 2000.

But EU Trade Commissioner Pascal Lamy indicated he would wait until at least until the end of March, when a WTO arbitrator is to report on the exact value of U.S. goods the EU would be entitled to impose the punitive tariffs on.

Lamy also said the EU remained open to "meaningful discussions" with the Bush administration to resolve the case, whose origins date back three decades.

"We have made a point of handling this dispute in a very reasonable manner," Lamy said. "Now it's up to the United States."

In Washington, the Bush administration said it would decide how to proceed after consulting with Congress and affected companies.

"We are disappointed with the outcome," said U.S. Trade Representative Robert Zoellick.

Zoellick said the administration would fulfill its obligations under WTO rules.

Trade lawyers said both sides want to avoid the prospect of punitive tariffs that would effectively double the price of billions of dollars worth of U.S. imports in Europe.

The American law allows a company paying U.S. taxes to exclude income that is considered to be "extraterritorial" because it comes from goods or services primarily for sale or use outside the United States.

WTO appeals panel rules against U.S. again on tax breaks case

BY PAULINE JELINEK
Associated Press Writer

WASHINGTON — The military has flown more than 13,000 fighter-jet patrols over American cities since Sept. 11 at a cost exceeding $324 million. Now it wants to cut back.

The round-the-clock patrols designed to deter terrorists may be straining planes and personnel, the Pentagon said Monday.

Four months after the airliner attacks, any decision on ending or changing the patrols may come down to a calculation of how safe Americans would feel with the change, some officials say.

Part of the homeland defense efforts called Operation Noble Eagle, the flights began after terrorist hijackers crashed jetliners into the Pentagon and World Trade Center. U.S. fighters have been flying over New York and Washington since then.

Other patrols fly from time to time over other major metropolitan areas and key sites, and jets are on alert at 30 bases to scramble if called. The combat air patrols are the first of their kind over the United States since the Cuban missile crisis in 1962.

Officials have been looking to cut back on the program for some time, knowing from the outset that the high-tempo use of manpower and equipment couldn't be kept up with the existing people and budget, one defense official said, commenting only on condition of anonymity. Now that four months have passed and aviation security has been improved somewhat, some wonder if it might be time to start rethinking the patrols, the official said.

Pentagon spokeswoman Victoria Clarke declined to confirm that Monday, telling a Pentagon press conference that talking about details of the program could give "an advantage to those who might want to do us harm."

The operation uses 11,000 people and 250 aircraft, another official said. Those figures include maintenance crews, pilots for 100 F-15 and F-16 fighter jets, crews for tankers needed for midair refueling and crews for AWACS — Airborne Warning and Control System — planes to provide radar information.

Rear Adm. John Stufflebeem said that AWACS pilots and crews may be operating so intensely that they are not getting usual training for other missions.

"Maybe we're not getting the training that we need done now for our rotations overseas, so that's being looked at," he said at the press conference with Clarke. Stufflebeem is deputy director of operations for the Joint Chiefs of Staff.

The fighter pilots, mostly from Air National Guard units, do patrols of two to six hours. The jets are refueled about every two hours, meaning some go through two midair refuelings.

From Sept. 11 to Dec. 10, the operation flew 13,000 sorties. The cost was $324 million, Defense Department spokeswoman Susan Hansen said.

The North American Aerospace Defense Command, which runs the operation, said periodic review of missions is standard military procedure.

"We continuously analyze our ongoing operations ... as a matter of prudent military planning," said Maj. Barry Venable, spokesman for NORAD in Colorado Springs, Colo.

NORAD says that through Dec. 10, its jets responded 207 times to problems such as unidentified aircraft, planes violating restricted air space and in-flight emergencies.

Not included in the figure is the case in which two jets escorted a Paris-to-Miami flight to Boston later last month after a passenger tried to ignite what authorities said was an explosive hidden in his shoes.

COMICS

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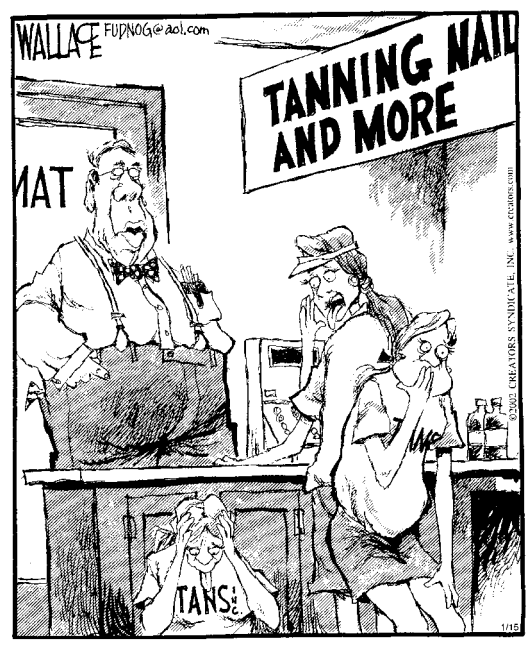
By Russ Wallace



"I'm going to Rio, and I'd like to have my bikini line waxed."

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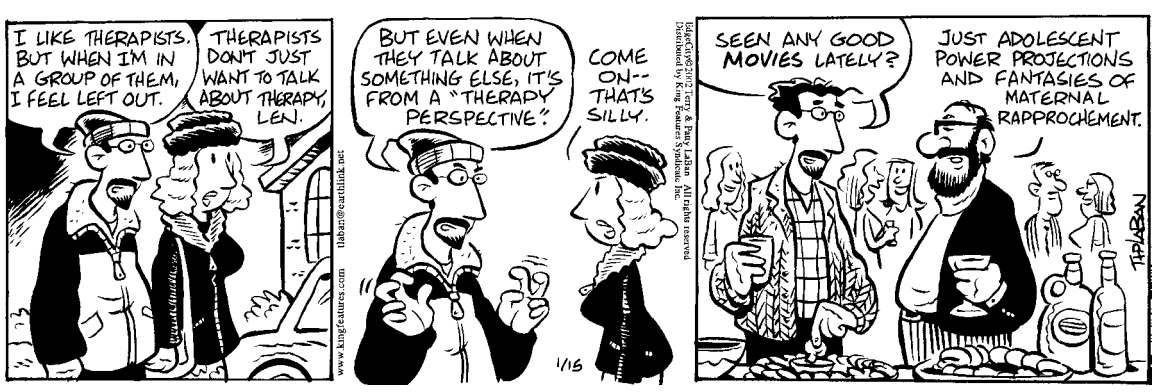

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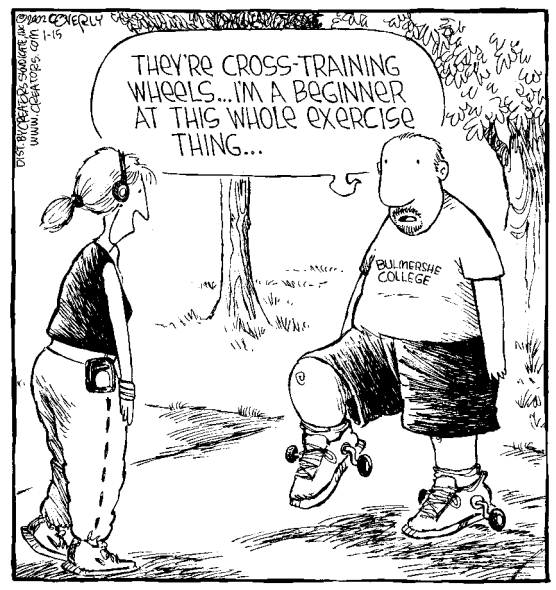

CROSSWORD

By THOMAS JOSEPH

ACROSS

1 Fighting
6 Washroom sight
11 Peter of "Everybody Loves Raymond"
12 Stage comment
13 Cape wielder, at times
15 Had lunch
16 Fall behind
17 Depressed
18 Extend a subscription
20 Fenway team, for short
23 Passé
27 Sleep like —
28 Spanish painter
29 Tacked on
31 Curved
32 Fasten, in a way
34 In the style of
37 Winter ailment
38 Workout site
41 Ax wielder, at times
44 Breathing
45 Domicile
46 Winona of films
47 Circus sights

DOWN

1 "Dancing Queen" group
2 Race tipster
3 Noah of "ER"
4 Everything
5 Knee jerk, e.g.
6 Captured
7 Volcano output
8 Uses a sofa
9 Brainstorm
10 Bookish sort
14 Actor McKellen
18 Man of many words?
19 Kid's transport
20 Sheep cry
21 Archaic
22 Turf
24 Pull along
25 Needle feature
26 June honoree
30 Vary
31 Purchased
33 Inventor Whitney
34 Remotely
35 Easter flower
36 Like the Sahara
38 Shock
39 Nuisance
40 Warring god
42 Time of preparation
43 Garden tool

	B	E	S	S		S	W	A	M	
P	I	X	I	E		P	O	L	A	R
E	L	I	Z	A		A	N	K	L	E
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A	X	E	S		O	U	T	L	E	T
L	I	D		T	U	N	E	I	N	
			M	A	R	I	A			
	C	H	A	L	E	T		B	U	G
B	O	U	N	C	E		H	O	S	E
A	R	M			D	R	A	G	O	N
C	R	A	C	K		A	D	O	P	T
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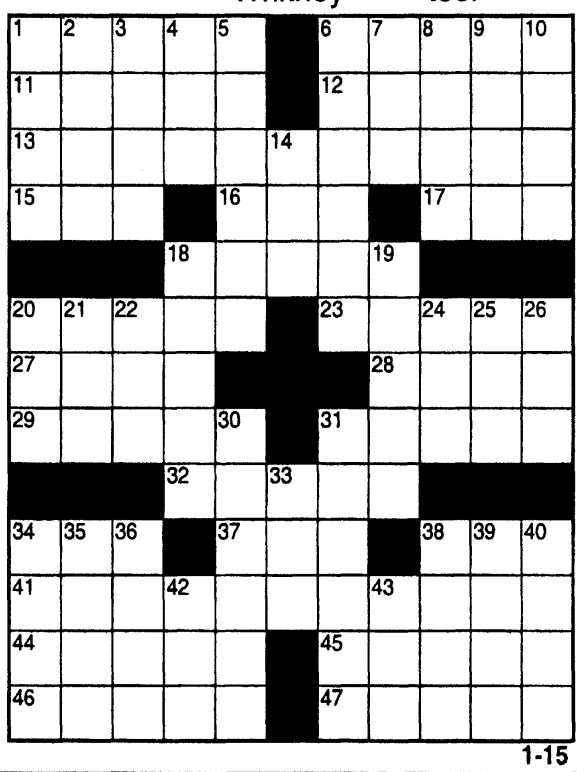
	L	E	N	D		S	T	A	N	

Yesterday's answer



1-15

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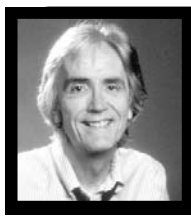

NEWS OF THE WEIRD

by Chuck Shepard

Spraying graffiti on a moving train might get you $1 million

Kane Rundle, 22, filed a lawsuit for $1 million (Aus.) against the New South Wales State Rail company in Australia, based on his severe injuries from a 1994 incident. Rundle is brain-damaged because he hit his head while leaning out of a moving train, spraying graffiti. Rundle's lawyers believe the company knew that some passengers were spraying graffiti out of train windows and thus should have done more to prevent them from doing it.

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BACK PAGE

Motorists may drive lawfully under marijuana's influence

BY DAVID KRAVETS
Associated Press Writer

SAN FRANCISCO — You can drive high in Idaho, as long as you can drive straight.

In overturning an impaired driving conviction, the 9th U.S. Circuit Court of Appeals ruled Monday that a loophole in Idaho law means marijuana users can drive legally as long as they don't drive erratically and can pass a field sobriety test.

A three-judge panel of the San Francisco-based court wrote that Idaho's impaired driving law makes it illegal to drive under the influence of alcohol and narcotics. But Idaho doesn't list marijuana as a narcotic.

The court said that because marijuana is not listed as a narcotic, Matthew Patzer could not automatically be presumed impaired, like motorists who have been drinking alcohol.

In overturning the 21-year-old's conviction, the court wrote that he was pulled over for a broken tailgate light, wasn't driving erratically and passed a field sobriety test.

"Given the distinction drawn by the statute, there is no basis to conclude that impairment may be presumed upon admission of use of a non-narcotic drug," the appeals court wrote.

After a New Plymouth police officer noticed his glassy eyes, Patzer admitted to smoking marijuana at a party on Sept. 27, 1998. Patzer passed two field sobriety tests before being arrested for driving impaired.

Idaho Senate Judiciary Chairman Denton Darrington said he had assumed marijuana was a narcotic under state law, and that the statute might need to be reviewed. But he questioned whether Monday's decision would hold up on appeal.

"My guess is, in light of the record of the 9th Circuit with the U.S. Supreme Court ... that the government will take it on up," Darrington said. "We may have to evaluate our law, but first we'll see what the government does here."

Darrington was referring to the circuit's reputation of being overturned by the U.S. Supreme Court.

Patzer's attorney, Fredilyn Sison of the office of the Federal Defenders of Eastern Washington and Idaho, applauded the decision.

"Just having smoked marijuana doesn't give somebody cause to arrest you for that when driving," Sison said.

Assistant U.S. Attorney Michael J. Fica, in Pocatello, Idaho, said the government was considering asking the circuit to review its decision or requesting the U.S. Supreme Court to hear the case.

The circuit's decision also reverses Patzer's illegal weapons convictions. In his Chevrolet Blazer, police found four illegal homemade grenades, a sawed-off shotgun and a modified rifle with a homemade silencer.

The court said that because of his unlawful arrest, authorities illegally searched his vehicle. The decision reverses U.S. District Judge Edward J. Lodge.

"Patzer's arrest was unlawful. The evidence obtained after his arrest ... were 'fruit of the poisonous tree' and should have been suppressed by the district court," the three-judge panel wrote.

Police department rations tickets due to low supply

By The Associated Press

READING, Pa. — Great news for motorists in this eastern Pennsylvania community: The cops have run out of parking tickets.

City police started rationing tickets in November when their supply of ticket books ran short, then had to stop writing citations altogether when their last tickets were used up a few weeks ago.

A replacement supply is expected to arrive this month, but in the meantime the shortage has cost the city an estimated $25,000 in lost revenue.

Only 558 tickets were written in December, compared to 1,224 in November and 1,722 in October, city officials said.

Officials said the shortage was due to an unexpected delay in ordering the replacement books.

During the shortage, police have been able to write state citations rather than city-issued tickets, but have largely refrained from doing so. The state tickets carry a $44 fine, rather than the city's $15, and involve extra paperwork for the department.

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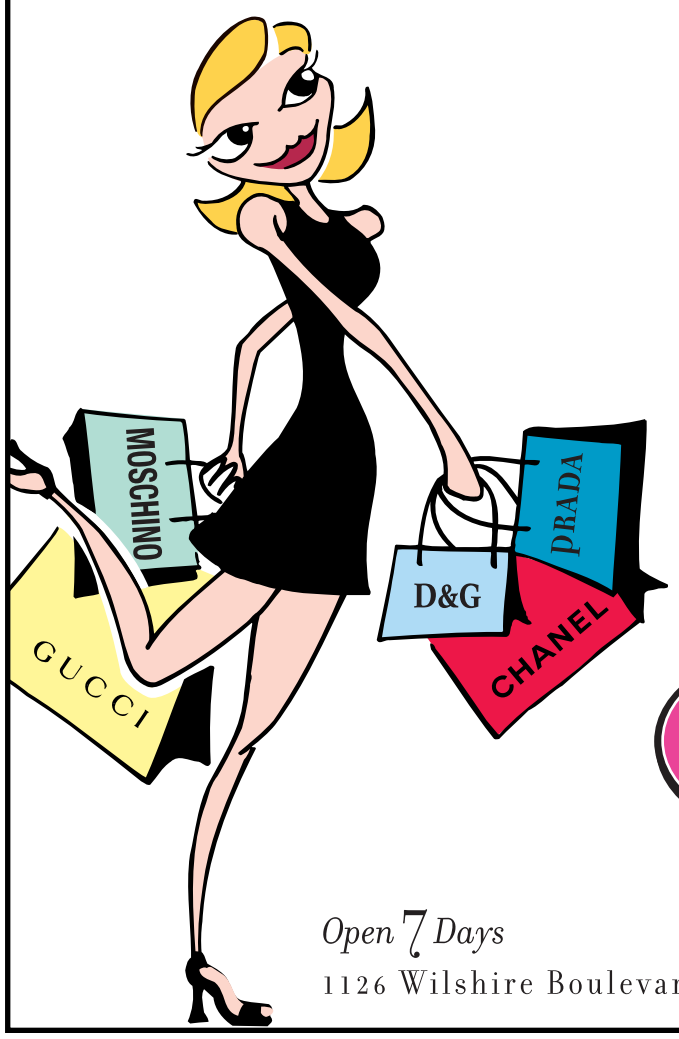

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