

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

SUPER LOTTO
1 3 4 21 25
Meganumber: 3
Jackpot: \$11 Million

FANTASY 5
9 15 16 32 34

DAILY 3
Daytime: 6 5 2
Evening: 3 0 1

DAILY DERBY
1st: 04 Big Ben
2nd: 07 Eureka!
3rd: 08 Gorgeous George

RACE TIME: 1:47.01

Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site: <http://www.calottery.com>

NEWS OF THE WEIRD
BY CHUCK SHEPARD

"The Island of Dr. Moreau" Comes to Life: (1) Recently opened archives in Moscow show that in the 1920s, Soviet dictator Josef Stalin ordered his top animal breeding scientist to create inter-species "super warriors." Stalin's half-men, half-apes would be "invincible," "insensitive to pain" and "indifferent about the quality of food they eat." (2) The Associated Press reported in October that Japan's Nippon Telegraph & Telephone Corp., in the course of video-game research, is developing a joystick-controlled headset that disorients humans and makes them move in certain ways (a benign "virtual dance experience," according to one researcher, with potential uses such as keeping the elderly from falling).

TODAY IN HISTORY

Today is the 39th day of 2006.
There are 326 days left in the year.

On Feb. 8, 1587, Mary, Queen of Scots, was beheaded at Fotheringhay Castle in England after she was implicated in a plot to murder her cousin, Queen Elizabeth I.
In 1693, a charter was granted for the College of William and Mary in Williamsburg, Va.

QUOTE OF THE DAY

"Health is the thing that makes you feel that now is the best time of the year."
FRANKLIN P. ADAMS

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Fabian Lewkowicz/Daily Press

Construction crews work on the site at the corner of Second Street and Colorado Avenue, where a McDonald's once sat. The project, which will be complete next year, will include office space, underground parking and a new McDonald's restaurant.

Old McDonald's becoming office

BY RYAN HYATT
Daily Press Staff Writer

COLORADO AVENUE — What was once a McDonald's restaurant a block from the beach will soon be a three-story office building with underground parking.

Demolition crews in December began dismantling the McDonald's on the northwest corner of Colorado Avenue and Second Street. The restaurant will be replaced by a 176,000-square-foot office building, featuring ground-floor

retail space and 300 parking spots.

The total cost of the project is expected to exceed \$30 million, said Norman Kravetz, manager of Realty Bank Corp., the project developer. That figure includes millions of dollars spent over the course of a decade while Kravetz wrangled with City Hall on proposals and counterproposals to meet Santa Monica's specifications.

In spite of the long road, Kravetz said he's satisfied with what's been achieved.

"The building will be of a

unique style that takes advantage of Santa Monica's atmosphere," Kravetz said.

Offices will feature patios, with a courtyard planned for the second floor. A McDonald's on the ground floor will occupy 4,500 square feet of the new site.

The project is expected to be complete in the spring of 2007. Kravetz said he's taking applications from businesses interested in acquiring space. Confirmed tenants include financial, legal and entertainment firms.

Considering the time and

See OFFICE SPACE, page 6

Small businesses to get big help

BY KEVIN HERRERA
Daily Press Staff Writer

SMC — Small businesses could receive a big boost with the recent opening of a small-business development center, which will offer workshops and counseling for entrepreneurs, Santa Monica College officials said.

The center, which is one of 36 in the state, is funded by two

grants totaling \$250,000 from the U.S. Small Business Administration and the California Community College chancellor's office, said Chito Cajayon, the director of the center.

The grants will allow the center to offer 50 workshops this year on such topics as writing a business plan, accessing capital, marketing and sales, and Internet commerce. Free business coun-

seling also will be provided.

"We have funding for just the first year, but we foresee it going for many years," Cajayon said. "If you perform well, you don't have to worry about funding."

The center, which opened Jan. 9, is temporarily located at the college's Academy of Entertainment and Technology,

See BUSINESS CENTER, page 6

Local schools lacking staff

BY KEVIN HERRERA
Daily Press Staff Writer

SMMUSD HDQTRS. — There are more than 60 nonteaching jobs still available in the school district more than halfway through the year, a situation that has officials wondering how to accelerate the hiring of much-needed janitors, security guards and teachers' aids.

"I am very disappointed" by the slow pace of hiring, said Emily Bloomfield, president of the Santa Monica-Malibu Unified School Board. "These are positions that provide critical support for our teachers and students. When we don't fill them, we have to look outside for help, which can be costly ... There needs to be an urgency in filling these positions."

The lack of proper staffing levels throughout the school district is not due to funding issues, as it has been in previous years. The problem school board members face is that they have no control over the hiring process. That duty is left to the district's personnel commission, a body independent of the school board that is in charge of advertising the vacancies, collecting job applications and conducting tests to see which nonteaching candidates score the highest and are the most qualified, according to the commission's Web site.

Representatives from the commission — which has been criticized by the board and school officials for years — said they are not entirely to blame and have suggested the district's own staff is dragging its feet when it comes to interviewing prospective candidates.

See UNDERSTAFFED, page 5



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HOROSCOPES

Dinner for two, Sag

Santa Monica Daily Press



JACQUELINE BIGAR'S STARS The stars show the kind of day you'll Have:
★★★★-Dynamic ★★★★★-Positive ★★★★★-Average ★★-So-so ★-Difficult



ARIES (March 21-April 19)
★★★ Push might come to shove if you're not careful. Others don't understand why you are acting in such a manner. Why not worry less and enjoy more? Listen to your instincts, and you will come out ahead. Tonight: Hang close to home.



TAURUS (April 20-May 20)
★★★★★ You have a lot to say, but others might need to adjust their thinking in order to get the sense of your words. You are able to help others manifest more of what they want. Learn to relate to others on the level they are at. Tonight: Haunt your favorite spot.



GEMINI (May 21-June 20)
★★★★ Use the morning to forge ahead on an important project. By the afternoon, you could become entrenched in a financial decision. Get feedback from someone in the know. You might not have all the answers — yet! Tonight: Try not to spend too much.



CANCER (June 21-July 22)
★★★★ You are personality-plus as the day becomes later. Try to read between the lines with an associate who could be difficult or contentious. You know what works. Do just that. Seek out new information. Tonight: Beam in what you want. You might be surprised at what you conjure up!



LEO (July 23-Aug. 22)
★★★ Know when to be the observer and not the lead actor. Tap into your creativity for answers. Work closely with an associate, though let this person feel in control. Lie back. Tonight: Chill out for one night — please.



VIRGO (Aug. 23-Sept. 22)
★★★★ You might want to think before you leap. Though many ideas run past you this morning, in the afternoon, you naturally choose the right direction at the right time. Others suddenly become chatterboxes in the next few days. Tonight: How about a midweek break?



LIBRA (Sept. 23-Oct. 22)
★★★★ Do research in the morning, when facts seem to appear more easily. You need to do this in order to get a job done well. Think in terms of making a greater impact on others. You have what it takes. Tonight: Say yes to a new health decision.



SCORPIO (Oct. 23-Nov. 21)
★★★★ You might want to carefully think through a question. Your imagination starts to work overtime. You are able to detach and gain another perspective. You feel much better than you have recently. Tonight: Where there is music.



SAGITTARIUS (Nov. 22-Dec. 21)
★★★ Others run with the ball. You might attempt to encourage someone to try another approach. Expect to be frustrated, for now. In the afternoon, try a more individualized approach; you will greet success! Tonight: Dinner for two.



CAPRICORN (Dec. 22-Jan. 19)
★★★★ Clear out as much work as you can. You could be frustrated by a personal matter. Perhaps your convictions are off. Hold up a mirror and do some heavy thinking. Feedback comes your way. Tonight: Go along with another's plans.



AQUARIUS (Jan. 20-Feb. 18)
★★★★ You might want to think about an engaging investment or financial risk. You also could jump knee-deep into a situation that you could shake your head at later. Think positively. Focus on work, if you can. Tonight: Get some exercise.



PISCES (Feb. 19-March 20)
★★★★ You are coming from a point of stability. Think carefully about what you want and need. Verbalizing it is the first step. Your imagination works overtime. Plug some energy into work or your daily life. Tonight: Visit with a pal; catch up on each other's news.



Santa Monica Daily Press

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COMMUNITY BRIEFS

The Red Cross spirit comes to SM

By Daily Press staff

Red cross volunteers will be honored for their service at an upcoming awards banquet.

The Santa Monica Red Cross 2006 Spirit Awards promises to be a night of good food, entertainment and inspiring moments, organizers said.

The American Red Cross of Santa Monica's 2006 Spirit Awards will honor a commitment to service on behalf of the American Red Cross. This year's honorees include Kitty Dukakis for her international humanitarian work and efforts with youth and youth empowerment.

A posthumous Spirit Award will go to Santa Monica Red Cross volunteer, Santa Monica police officer and USMC reservist Major Ricardo Antonio "Rick" Crocker, who was killed in action in Al-Anbar province, Iraq last May.

Approximately 20 members of Rick's USMC unit based at Camp Pendleton, along with a number of Santa Monica police officers, will attend the event.

Santa Monica companies, Lion's Gate Entertainment and Activision Inc. also will receive Spirit Awards for their philanthropic support of the chapter and hurricane disaster relief efforts.

Hundreds of items ranging from apparel to trips will be up for bid. Collectibles, artwork, meals, free tickets to Southern California attractions, merchandise, international travel and vacations, sports and entertainment memorabilia and the guitar of Flea, a Red Hot Chili Pepper band member, can be had for the right bid.

Pre-dinner music will be provided by jazz singer and pianist Walter Barrillueaux. He was displaced from his home in New Orleans after Hurricane Katrina and came to the Santa Monica Red Cross for services. He is now living and performing in the Santa Monica area.

The dinner and the show begin at 7:30 p.m. Comedian Orson Bean and his wife, actress Alley Mills, are master and mistress of ceremonies.

Attendees will preview exclusive clips from a documentary filmed in Santa Monica and throughout the South about local volunteers who worked on Hurricanes Katrina and Rita disaster relief efforts. Hosting the presentation is actor, writer, producer and director Charles Haid. Music for after-dinner dancing will be provided by the Tom Nolan Band.

The gala event will be held on Feb. 11, at the Fairmont-Miramar Hotel, located at 101 Wilshire Blvd. in Santa Monica. Tickets are now on sale at \$150 each with a table of 10 selling for \$1,500. The reception and silent auction will begin at 6 p.m.

For tickets and information, call The American Red Cross of Santa Monica at (310) 394-3773 during normal business hours.

All proceeds from the 2006 Spirit Awards will benefit the American Red Cross of Santa Monica, which is a publicly supported, 501(c)(3) nonprofit organization that provides health and safety education, youth services, CPR and first aid training, disaster awareness and disaster relief efforts.

SMC teachers highlight their work

By Daily Press staff

The teachers at Santa Monica College have illustrated their talents for the community at large to see.

The three illustrator/artists have done work for such corporate giants as Disney, NFL, Los Angeles Times, Wall Street Journal and more.

The exhibit will feature paintings and illustrations by Nathan Ota, Jerry Vicich and Jim Auckland, all of whom teach art at SMC. The exhibit has a sense of unity

See BRIEFS, page 7

CORRECTION — In the "To Your Health" special section distributed over the weekend of Feb. 4-5, the article regarding Phase IV Scientific Training and Performance Center contained an error in the spelling of its founder, physical therapist Robert Forster. For more information, log onto www.forsterpt.com.

SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12"-36"	LIFT HOURS 8:30am - 4:00pm	RUNS OPEN 18	LIFTS OPEN 10/12
CONDITIONS: Machine Made, Machine Groomed, Hard Packed, Wet				

JUNE MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 96" - 120"	LIFT HOURS 8:30am - 4:00pm	RUNS OPEN 35	LIFTS OPEN 6/6
CONDITIONS: Packed Powder, Machine Groomed				

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 144" - 168"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 150	LIFTS OPEN 25/28
CONDITIONS: Packed Powder, Machine Groomed				

MOUNTAIN HIGH

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12"-24"	LIFT HOURS 8:30 am - 10:00 pm	RUNS OPEN 16	LIFTS OPEN 8/16
CONDITIONS: Machine Made, Machine Groomed, Hard Packed, Wet				

MT. BALDY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12"-12"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 4	LIFTS OPEN 2/4
CONDITIONS: Packed Powder, Machine Made				

SNOW SUMMIT

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12"-36"	LIFT HOURS 4:30 am - 4:30 pm	RUNS OPEN 18	LIFTS OPEN 14/14
CONDITIONS: Machine Made, Machine Groomed, Hard Packed, Wet				

SNOW VALLEY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 24"-12"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 10	LIFTS OPEN 5/11
CONDITIONS: Machine Groomed, Spring				

CONDITIONS

WATER TEMP: 57°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (4-10 FT)

Tomorrow the NW swell peaks with similar size, but periods will tighten up slightly to 14-16 seconds. Still, size should remain around head high for most west facing spots with sets running a couple feet overhead at times.

LONG RANGE SYNOPSIS

NW due 12th-14th...

TIDE FORECAST FOR SANTA MONICA

FRIDAY	7:04AM	1.1FT	6:41PM	1.02FT
LOW TIDE:	12:40AM	5.1FT	12:49PM	3.7FT

SATURDAY	8:38AM	1.0FT	7:23PM	1.8FT
LOW TIDE:	1:29AM	5.1FT	2:29PM	2.9FT

SUNDAY	10:24AM	0.7FT	8:24PM	2.4FT
LOW TIDE:	2:29AM	5.1FT	5:09PM	2.7FT

MONDAY	11:48AM	0.1FT	10:07PM	2.8FT
LOW TIDE:	3:39AM	5.1FT	7:04PM	3.0FT

TUESDAY	12:46PM	-0.3FT	11:37PM	2.8FT
LOW TIDE:	4:50AM	5.2FT	7:53PM	3.4FT

WEDNESDAY	N/A			
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THURSDAY	N/A			
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FRIDAY	N/A			
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SURF AND SNOW QUESTIONS OR COMMENTS? EMAIL ALEX@SMGP.COM



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The QLine

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Santa Monica residents will soon be polled as to whether they are interested in cleaning the city's beaches and coastal waters, and whether they're willing to pay for it.

A soon-to-be-released cleanup plan would make Santa Monica compliant by 2020 with several new environmental regulations. City officials say there will be a considerable need for a new funding source for the project. Capital costs alone could reach \$95 million over a period of 15 years. In addition, operating and maintenance costs could at least double the current \$36 annual stormwater fee homeowners pay, according to a recent staff report.

So this week, Q-Line wants to know, "What are you willing to pay for a cleaner coast?"

Call (310) 285-8106 before Friday at 5 p.m. and we'll print your responses in the weekend edition. Please try to limit your comments to a minute or less. It might help to think first about the wording of your response.

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OPINION

LETTERS TO THE EDITOR

Terrorists giving environmentalists a bad name

Editor:

Regarding Dr. Ghate's guest commentary, (SMDP, Feb. 3, page 4). In his criticism of eco-terrorists, he writes only about the glorious accomplishments of the industrial complex, and there are a lot more of these than he actually mentions. However, there are also many, many things that we are doing wrong to accomplish these ends. I too deplore the activities of the Earth Liberation Front and the various animal rights groups. Not only are their actions criminal, but they give a bad name to the legitimate concerns voiced by rational individuals. There is a tendency by many to lump such concerns as just the ranting of more radicals. Dr. Ghate's article does not separate the voices of reason from those of the radicals. His article seems to imply that: (1) anyone who voices concern over what we are doing to the environment is an eco-terrorist or at least a potential one. (2) Environmentalists care more for plants and animals than we do for fellow humans. (3) Environmentalists "long for the good old days." Nothing could be further from the truth. It is precisely because we care for the quality of life and the welfare of our fellow humans, now and for the future, that we speak up. It is obvious that he has either never studied the science of human ecology, or if he has, he has forgotten it, or perhaps he is deliberately ignoring the facts and warnings as so many with vested interests do.

Human ecology, which studies the effects humans have had on the environment, tells us that the problems of global warming, air pollution, water pollution, mineral resource depletion (including oil), depletion of soil, declining amounts of food per capita, the population explosion and the decrease in diversity of ecosystems do not portend well for our future. Many people are aware that as the demand for the declining oil reserves increases, the price of gasoline increases. But, most do not realize that the cost of food is proportional to the cost of oil. We need alternative energy sources. Also, most do not realize that our welfare depends upon the vast diversity of life forms on this planet. So when we eliminate plants and animals, as we alter ecosystems to fit our present needs, we decrease future generations' ability to survive. Yes, the quality of life in industrialized nations is vastly better than it was a few hundred years ago. But what will be the quality of life for our grandchildren and great grandchildren when they have to deal with the polluted air, lakes, streams and oceans that have resulted from our present manufacturing plants and agricultural practices? When we have torn down most of the forests of the world for wood, fuel and new developments? (See Jared Diamond's best selling book: "Collapse"). Environmentalists are not against increasing the quality of life, but against the present ways we try to accomplish those goals. As presently practiced, the human systems of waste management, resource retrieval, food production, energy production, transportation, etc. are unsustainable. That is, we cannot continue to do in the future as we have been doing in the past. For one thing, the resources of the planet are finite and at the present rate of consumption, we will run out of them in the very near future. For another, we are producing toxic wastes faster than the planet can render them safe. For instance, we have yet to come up with a safe method to dispose of radioactive wastes from spent nuclear energy plant fuel, or from dismantled atomic weapons. Some of these radioactive wastes have a half-life measured in tens of thousands of years.

Scientists do not consider radioactive material to be safe until seven to eight half-lives have passed. Perhaps the reason some have resorted to eco-terrorism is their frustration with the failure of industry and governments to recognize that there are problems and to instigate reforms in the way we do business. Frustrated because most say it will cost too much to change. Frustration in the ways we have used and continue to use to support our life style. So, yes we do have a much better life style today than yesterday. But there are questions to be answered: What is the cost up to now and in the future? Can we continue to do things as we have in the past? Can the other half of the world, the developing nations, achieve "success" in the same way we have? If the answer to the latter two is "no."

Then what must we do differently to ensure a continued high quality of life for ourselves and our children's children? That is what environmentalists are trying to draw attention to from the populace, industry and government. We are trying to point out these problems and get institutions to work on them. Some of these need immediate attention. Solving them will not be easy. It will take a meeting of the minds between sociologists, economists and politicians, as well as input from a knowledgeable and enlightened public. Remember, because we voice concern, we are not eco-terrorists or radicals, but concerned citizens.

William M. Price
Santa Monica

What shall we do about Iran's nuclear threat?



THE
WITNESS
STAND
BY CLIFF NICHOLS

As Iran's nuclear threat gains momentum daily, the big question now looming is how should our president respond? I would like Bush's critics to answer that question. You know they will come forward later to criticize Bush for whatever he ultimately chooses to do.

Before offering us that opinion, however, you may consider the following facts to be germane. In recent weeks Iran has repeatedly expressed its genuine desire to wipe Israel off the face of the globe. Then, place that fact within the context of America's ongoing battle against Islamist terrorists who bear a strong resemblance to some of Iran's present leaders. From that, would it not follow that we also are most probably on Iran's list of expendable nations. Next, add the intelligence obtained this week that Iran now has surface-to-surface missiles with a 2,000-kilometer range together with the fact that last Saturday they resumed their uranium enrichment program. Then consider that not only Israel, but many of our own troops presently live well within the perimeter of that nuclear threat. But it doesn't stop there. So far, we have just a rough sketch of the threat Iran currently poses to people living in just their part of the world. Don't forget to include in your analysis these other facts that could bring this threat to our shores. Consider the acknowledged technological feasibility of a suitcase bomb coupled with Iran's probable access to a seemingly unending supply of suicide bombers. Then give serious thought to the implications of these facts in connection with the three Iranians who, fortunately, were arrested this week before they could enter the United States illegally through our pathetically porous Mexican border.

What a unique opportunity these facts present. We now have a chance to verify whether Bush's critics really are as smart as they think — and often tell us — they are. You people know who you are — those whose political views resemble the Belafonte-Streisand-Schumer-Sheehan party line. You love to hate Bush for everything he does and never fail to criticize his every decision from a position of hindsight. You are the ones who contend simultaneously that he is as dumb as presidents come, and yet, also smart enough to successfully manipulate this country into submitting to an agenda you describe as the epitome of evil in every regard. It is you who I respectfully invite to bless the rest of us with your wisdom now — not later, after Bush's ultimate strategy has become history. What do you think President Bush should do?

Is a preemptive strike appropriate, and if so, under what circumstances? Should we wait until we have verified beyond any doubt their actual possession of a nuclear bomb, or are we justified in taking action

if we are only fairly certain they have one, or more? And, what about the assurances Iran has given that their nukes would only be used defensively. Should we believe them? Can we afford to? And, if we do, how could we ever determine in advance whether they might — if not now, someday — conspire with others to conceal an offensive use of one of their bombs? Can we be sure that one day they won't just decide it would be a good thing to stuff one into a Samsonite and hand it off to one of their globe-trotting buddies as he or she is passing through Iraq International on a roundabout route to either our country (via Mexico?) or Israel? Then, you also may wish to throw into the mix China's current alliance with Iran that exists, in large part, due to the fact that China relies on Iran for much, if not most, of its oil. Also, let's not forget Russia. It has offered to enrich Iran's uranium for it, if Iran is not allowed to, which suggests the existence of but another alliance we may need to be concerned about. Should we be concerned about Russia's and China's feelings before deciding whether to attack Iran preemptively, or does it really matter? After all, dead is dead. Does it really matter from where the missile that kills us is launched? Or, would we be better off doing nothing rather than risk sparking a desire on the part of either Russia or China, much less Iran, to send us a nuclear bomb? Are you willing to make book that they won't anyway? What if you're wrong? That brings us back to the thought that, because being dead is what it is, whether or not you are wrong really won't matter much. On the other hand, let's face it — is that really a foreign policy position that will sell very well at election time? Yet, on the other hand, isn't that the risk inherent to any policy that defers to a diplomatic approach — if you're wrong, sometimes it can mean you will be dead wrong?

So, now, what's your answer? What should Bush do? Your answer today would be nice. After all, later may be too late. So, speak now or please be willing to forever hold your peace. Hopefully, your advice given today will be wise and will enable us all to remain alive long enough to determine whether or not you were right. Additionally, if you're not willing to put your money where your mouth is when it matters the most, which is now, also please stop criticizing Bush's past decisions with respect to Iraq as well. After all, when those decisions were made, they were made under circumstances very similar to those confronting us today with respect to Iran. If you think about it, you may even wish to thank him for those decisions. They just may have enabled you to continue to live long enough to even be able to enlighten the rest of us today with your after-the-fact hindsight-assisted wisdom.

(Cliff Nichols is an attorney practicing criminal defense/entertainment law in Santa Monica. He may be contacted at either 310-917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com, and you may join his blog at www.thedailywitnessstand.com.)

Bitch!
Whine!
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Check Out the Question of the Week on Page 3 and let us hear what you have to say

The Q Line™

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Unfilled staff positions not an issue of funding

UNDERSTAFFED, from page 1

While both sides point fingers at one another for the abnormally long delay in hiring, schools scramble to provide the same amount of services without proper staffing levels.

"This year has been particularly difficult," said Ilene Straus, principal at Santa Monica High School, who has done her own recruiting for security guards to fill the three vacancies at her campus. Currently substitutes serve in those positions.

"Here we are, already halfway through the school year, and we still haven't received a list of qualified candidates to interview," Straus added. "I am very concerned ... We don't want to appear as being whiners, but we're the ones who are on the front line."

There are two types of district employees: certified and classified. Certified employees — such as teachers or librarians — carry certificates, while classified employees, such as cafeteria workers, don't. The commission deals only with the classified employees, and is responsible for recommending salaries and hearing appeals of disciplinary and dismissal matters, and protests involving examinations, among other duties.

Candidates chosen by the commission are referred to the district's human resources department or the supervisor directly in charge of the position, who then choose the final candidate. They must go through a background check, which on average takes 72 hours, said a spokesman from the state's Department of Justice. If the candidate passes, they are then approved by the commission members.

"We can only implore them to move faster," Bloomfield said of the commission. "It's frustrating."

SMMUSD assistant superintendent Michael Mathews said last week during a board meeting that many of the 64 classified positions open have been vacant since the school year started, leaving many campuses without special education teaching assistants, custodians or substitute teachers.

"There are virtually no substitutes," Mathews said. "We have a big problem."

Wilbert Young, the director of the commission, defended the work of his staff, five employees in all, and pointed to the large number of qualified candidates already identified who are still waiting to be interviewed by the district.

"In terms of getting candidates to come in, I can't say how long that takes," Young said. "It could take days, weeks, sometimes months, but once the candidates have been identified and passed to human resources, the commission is no longer involved."

Representatives with the district's human resources department couldn't be reached for comment.

Schools superintendent John Deasy said district staff is not the problem.

"I think this is a very unacceptable level of performance on their (the commission's) part, and it is really doing a disservice to the kids," he said. "We have waited a considerable amount of time for this to get better and it hasn't."

Mathews said the delay in filling the

VACANCIES

This is a partial list of the current district vacancies, according to the Personnel Commission.

Samohi

Account assistant (one)
Bilingual instructional assistant (one)
Plant manager (one)
Special education instructional assistant (two)
Security guard (three)

Malibu High School

Athletic trainer (one)
Cafeteria worker (one)
Custodian (one)
Physical education instructional assistant (one)
Special education instructional assistant (two)

Olympic High School

Classroom instructional assistant (one)
SMASH Alternative School
Special education instructional assistant (one)

John Adams Middle School

Special education instructional assistant (two)

Lincoln Middle School

Cafeteria worker (one)
Instructional assistant for music (one)
Physical education instructional assistant (one)

Cabrillo Elementary School

Custodian (one)
Special education instructional assistant (three)

Franklin Elementary School

Physical education instructional assistant (one)

Grant Elementary School

Classroom instructional assistant (one)

McKinley Elementary

Physical education instructional assistant (one)
Special education instructional assistant (two)

Muir Elementary School

Classroom instructional assistant (two)

Roosevelt Elementary School

Children's center assistant (one)
Classroom instructional assistant (one)
Senior office specialist (one)

Webster Elementary School

Classroom instructional assistant (one)
Special education instructional assistant (two)

Pt. Dume Marine Science Elementary

Classroom instructional assistant (one)

Child Development Service

Children's center assistant (12)

District wide

Bus driver (one)
Special education instructional assistants (two)
Cafeteria workers (three)



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New business center one of 36 in California

BUSINESS CENTER, from page 1

where it offers limited services while the center's staff surveys the business community to see which services are desired most. There are plans to move to a permanent location, 3400 Airport Ave., which City Hall is providing free of charge, Cajayon said.

WHY BOTHER?

Assistance is critical when starting a business, said Sandra Buck of the Small Business Administration.

"The first year, even the first three or four, can be very difficult without having the proper planning in place," Buck said. "With these centers, we have been helping businesses through those rough times for 25 years now."

Since 1980, small-business development centers have met the needs of more than 11 million start-up and existing businesses, Buck said.

Between 2002 and 2003, clients who received assistance started 15,000 businesses. In fiscal year 2003, clients of the centers generated approximately \$4 in new federal tax revenues for every federal dollar spent on program funding, generating an estimated \$351.8 million in taxes in return for \$88 million in funding for the program, Buck said.

SMC's center is one of 10 in Los Angeles, Ventura and Santa Barbara counties. Each is governed by the lead center, located this year at Long Beach Community College.

SATISFIED CUSTOMERS

Although it just opened, the center at SMC has received positive feedback from

the few who have used its services, Cajayon said.

One of those is Jackie Stasi, who runs a furniture design company with her husband. Stasi said she visited with a counselor from a center in Glendale last year to learn about obtaining a small business loan. She was dissatisfied with her experience and was not expecting much when she visited SMC's center. But after working with the staff there, Stasi's outlook improved.

"(Counselor Max) Dylan was unbelievably generous with his time and shared with me a wealth of information without hesitation," said Stasi, who was looking for guidance on writing a five-year business plan. "He was very patient, pleasant, friendly and easy to talk to ... and now my husband and I are inspired to draft our business plan, which we thought would be a horribly daunting project."

"Kudos to your office for getting off to such a great start," she wrote to Cajayon in an e-mail.

Kathy Dodson, president of the Santa Monica Chamber of Commerce, said that while Santa Monica did have a center in years past, it was never staffed properly. She is hopeful that with a strong base at SMC the new center will thrive.

"It is being run through the workforce development program at the college, and they have worked with so many businesses in the past and they are really committed to this community," Dodson said. "Because of that, I think it will be a much stronger organization ... I'm thrilled."

SMC's center is offering free counseling services and will hold its first workshop March 2, from 6 p.m. to 8 p.m. The focus will be on launching an apparel business.

Building project set for completion in spring '07

OFFICE SPACE, from page 1

investment put toward the project, Kravetz says the city's planning process should be streamlined to make it easier for developers to understand the requirements for getting a project approved.

"It would save both the developers, the city employees as well as all of those serv-

ing on the City Council and commissions time and energy if there were more of a uniform process to follow," Kravetz said.

In moving his project forward, Kravetz said he had to design and redesign proposals to satisfy City Hall's architectural review board, the planning commission and the City Council. He says he appeared before each entity on multiple occasions.



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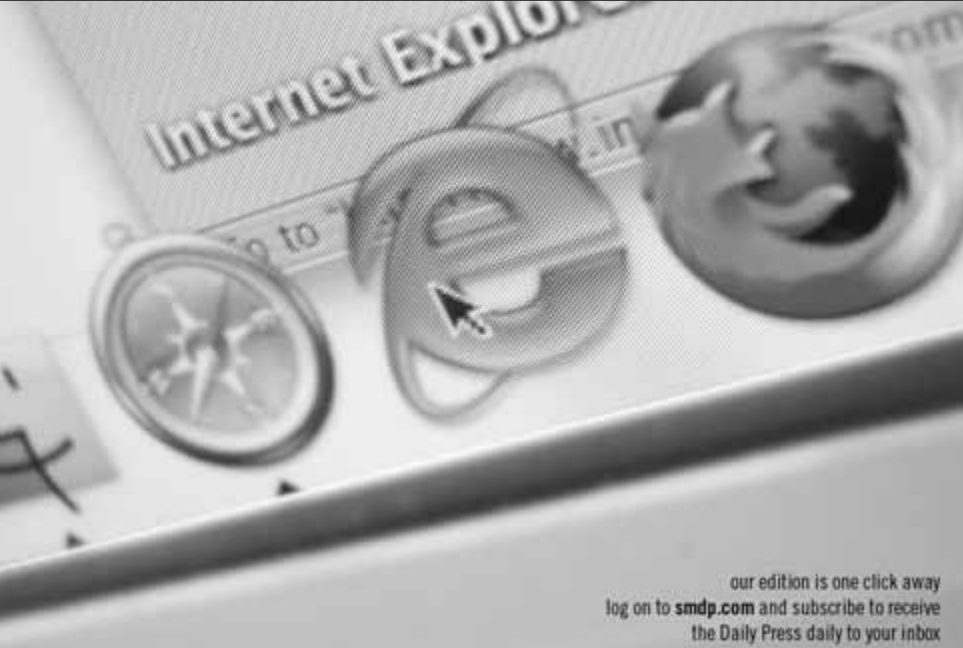
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Board, commission playing blame game

UNDERSTAFFED, from page 5

positions was most likely caused by a lack of stability within the commission. Over the last two years, there have been several interim directors, as well as staff vacancies.

"For the first time in the last two years, the commission's office is fully staffed," Mathews said. "Hopefully this leads to a faster selection process ... The commission is aware of our concerns, and they have been working cooperatively with us to push forward as quickly as possible."

The commission is independent of the district to ensure the hiring process is equitable and void of bias or nepotism, Mathews said.

Bloomfield said the school board will discuss ways to have more influence over the commission or at least devise a way so the commission can report to the board directly instead of members receiving information from Mathews, who attends commission meetings.

Young said he is open to any discussions that will better serve the client, which is ultimately the student.

"We always try to work collaboratively with the district," he said. "We are respon-

sible for identifying the best available. After that, we have no control."

School board vice president Kathy Wisnicki said the board will meet with commission members at its next meeting to express its concern over the vacancies. If the board wanted to assert more control over the commission, Wisnicki said voters and employees would have to vote on the issue, which is something the board has not discussed in detail.

"We must continue to work collaboratively," she said. "That is all we can do at this time."

Meanwhile, Cabrillo Middle School is operating without a budgeted custodian and a physical education instructional assistant. Malibu High School still needs an athletic trainer, custodian and cafeteria worker, and the Child Development Service, or CDS, is operating without the 12 teaching assistants it needs, forcing staff there to work overtime.

"We have to spend the extra money because there are state regulations we must follow," said Nancy Rivera, a teacher at CDS. "Right now we have the money in our budget, but I'm not sure for how long."

COMMUNITY BRIEFS

BRIEFS, from page 3

because the artists come from an illustration background and are all active in the Society of Illustrators or the Association of American Editorial Cartoonists.

Ota, of Culver City, has been a commercial artist since 1992, specializing in editorial illustration for scores of publications such as The Wall Street Journal, Chicago Tribune, L.A. Times, Business Week and U.S. News & World Report. His work also has been widely exhibited and has been included in a number of books and CD covers. Ota said in recent years he has been moving more toward using acrylics in fine-art applications.

"I found that I was quickly moving in another direction that did not quite fit the commercial work that I did before," he said. "Even though I lost several clients through the new changes in my style, I have gained peace of mind and a continuing growth in my work as an illustrator/artist."

Vicich, of Woodland Hills, is an illustrator and painter who has shown his work throughout the Los Angeles area. A member of the Association of American Editorial Cartoonists, he draws a weekly editorial cartoon for Gazette Newspapers in Long Beach and also has been a cartoonist for The Argonaut newspaper, based in Marina del Rey. Freelance clients have included Warner Bros., Farmers Insurance and Genre Magazine.

Vicich said the work in the SMC show "involves illustration employing a wide range of mediums including watercolors, dyes, gouache, colored pencil, etching and acrylic. Some of the work has been published, others used for promotional purposes and yet others done just for the pleasure of creating the work."

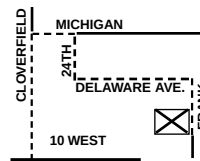
Auckland, of Torrance, has been an illustrator and fine artist since 1973, when he graduated from the Art Center College of Design in Pasadena. He has received recognition for the work he has created in the sports and entertainment fields. His clients have included Disney, Columbia Pictures, NFL Properties, The Franklin Mint and the NBA. His paintings are in the collections of the Buffalo Bills, Hughes Aircraft Co., General Mills, U.S. Air Force and more. Auckland has won several awards and is a member of the Society of Illustrators of Los Angeles.

The opening reception is scheduled from 6 p.m. to 8 p.m. on Feb. 17. The show will be held in the SMC Photography Gallery, located on the second floor of Drescher Hall, 1900 Pico Blvd. and will run from Feb. 17 to March 4. Gallery hours are noon to 5 p.m., Tuesday through Friday, and 11 a.m. to 4 p.m. Saturday.

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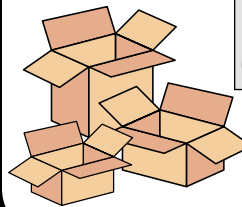
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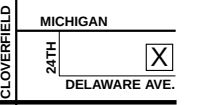


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Santa Monica Daily Press





STATE

Mixed news for California in Bush's budget

BY ERICA WERNER

Associated Press Writer

WASHINGTON — President Bush's 2007 budget plan Monday offered mixed news for California, proposing strong funding for flood control projects in at-risk Sacramento, but leaving out or underfunding other key flood projects in the state.

The budget proposed money to complete a border fence in San Diego and boosted funding for the state-federal program to restore the Sacramento-San Joaquin Delta. It would delete a program to reimburse states for the cost of jailing illegal immigrants who commit crimes, and end production of the C-17 transport plane, built in Long Beach.

California also would take hits from cuts Bush proposed to a number of government programs as he seeks to trim the deficit while increasing spending for defense.

His proposals to limit education spending, cut some environmental programs and trim the growth of Medicare, the health care program for the elderly, provoked howls from some lawmakers in the Democratic-leaning state.

"With this budget, the president is turning his back on our seniors, our children, our veterans, our police and our firefighters," said Sen. Barbara Boxer, D-Calif. "He is choosing to stand for tax cuts for the wealthiest Americans."

For Sacramento flood control, though, the news was good. The city now has only about 100-year flood protection, the lowest of any large urban area in the nation, a danger highlighted by Hurricane Katrina. Bush's \$65 million budget proposal for key flood control projects in the area — including \$47 million for projects on the American River — is twice what he proposed for 2006, and well above the \$39 million Congress found for those projects this year.

"Doubling the budget for Sacramento's flood control projects is a powerful acknowledgment of Sacramento's urgent

need for increased protection and the unnecessary risk the region faces," said Rep. Doris Matsui, D-Sacramento.

The budget also includes \$54 million for Santa Ana River flood control and \$25 million for the Success Dam on the Tule River.

Other flood control needs fared less well. No money was recommended for levee restoration in the Sacramento-San Joaquin Delta, and Bush proposed only \$9 million to complete a flood protection project in Napa County, where flooding over the New Year's weekend damaged 1,200 homes and cost over \$100 million. That was less than a third the \$31 million sought by Sen. Dianne Feinstein, D-Calif., and Democratic Rep. Mike Thompson, from St. Helena.

The budget also:

- Gave a proposed \$38.6 million to the California-Federal Bay Delta program in the Bureau of Reclamation's budget, up from \$37 million in 2006. That's good news because the overall Bureau of Reclamation budget would decline.

- Proposed killing the State Criminal Alien Assistance Program that helps states pay for jailing illegal immigrants, something that costs California more than \$750 million a year. Bush has deleted the program in past years but Congress has not gone along. Lawmakers found \$405 million for the program in 2006 — about 40 percent of that goes to California.

- Confirmed Pentagon plans to end production of the C-17 transport plane after the current order of 180 is completed. The plane is manufactured by Boeing Co. at a Long Beach plant that employs more than 6,000 workers whose jobs would be in jeopardy if the proposal goes through.

- Requested \$30 million to complete the final 3 1/2-mile leg of a border fence between Mexico and San Diego.

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Spending plan sparks widespread protest

BY MARTIN CRUTSINGER

AP Economics Writer

WASHINGTON — The administration defended President Bush's \$2.77 trillion budget plan Tuesday against criticism that it would damage education, health care and farm programs in the name of combating budget deficits.

Treasury Secretary John Snow, among leadoff witnesses in a series of congressional hearings, said the administration had made the tough choices to fund programs that were working and eliminate those that were not.

"This budget represents the president's dedication to fiscal discipline, an efficient federal government and the continuation of a thriving U.S. economy," Snow told the Senate Finance Committee.

But critics noted that the deficit for the current budget year would rise to an all-time high of \$423 billion and they questioned Bush's projections for declining deficits in future years.

Democrats said Bush's proposed budget for Fiscal 2007, beginning Oct. 1, was seriously understating spending that will be needed to fight wars in Iraq and Afghanistan and did not include the billions of dollars needed in future years to make sure the alternative minimum tax designed for the wealthy does not pinch more and more middle class taxpayers.

Sen. Max Baucus, D-Mont., said the explosion of federal deficits was adding to the national debt, requiring the administration to come to Congress in the next few weeks to raise the \$8.18 trillion debt ceiling. He said all of that debt is being financed more and more by foreigners.

"America is borrowing 80 percent of the world's annual savings. We are handing our children and our children's children a set of obligations they will owe to foreign central banks," Baucus told Snow.

Sen. Kent Conrad, D-N.D., produced charts showing that the amount of federal government debt held by foreigners before Bush became president totaled \$1 trillion and now in the first five years of his administration has more than doubled.

Snow said the ability of the United States to pay interest on the debt was a function of the economy's size and the vitality of the nation's bond markets.

"There is no doubt given the deep and liquid capital markets of the United States, that we will continue to attract capital from investors around the world," the Treasury secretary told the committee.

Testifying separately before the Senate Armed Services Committee, Defense Secretary Donald H. Rumsfeld said the military must continue to change in order to defend against terrorists who could get a nuclear

weapon or launch a biological attack.

"No nation, no matter how powerful, has the resources or capability to defend everywhere, at every time, against every conceivable type of attack," Rumsfeld said. "The only way to protect the American people, therefore, is to provide our military with as wide a range of capabilities, rather than preparing to confront any one particular threat."

Bush's budget, which was sent to Congress on Monday, has faced predictable criticism from Democrats but it is also facing attacks from Republicans.

Sen. Arlen Specter, R-Pa., called Bush's proposed cuts in education and health "scandalous" while Sen. Olympia Snowe, R-Maine, said she was "disappointed and even surprised" at the extent of the administration's proposed cuts in Medicaid and Medicare.

Snowe pushed the administration on Tuesday to explain why it was putting so much emphasis on getting a permanent extension of reductions in taxes on capital gains and dividends when, she said, the more immediate problem was keeping the alternative minimum tax from pushing up the taxes of more of the middle class.

She said the administration's emphasis on extending its first term tax cuts rather than dealing with the AMT was "putting the cart before the horse."

Bush's spending blueprint for the 2007 budget year that begins Oct. 1 would provide large increases for the military and homeland security but would trim spending in the one-sixth of the budget that covers the rest of discretionary spending. Nine Cabinet agencies would see outright reductions with the biggest percentage cuts occurring in the departments of Transportation, Justice and Agriculture.

And in mandatory programs — so-called because the government must provide benefits to all who qualify — the president is seeking over the next five years savings of \$36 billion in Medicare, \$5 billion in farm subsidy programs, \$4.9 billion in Medicaid support for poor children's health care and \$16.7 billion in additional payments from companies to shore up the government's besieged pension benefit agency.

Senate Finance Committee Chairman Charles Grassley noted that Congress has just completed a year-long battle to achieve far smaller savings in Medicaid and Medicare and "any more reductions of a significant scope could be difficult this year."

Bush's budget would meet his twin goals of making permanent his first-term tax cuts, which are set to expire by 2010, and cutting the deficit in half by 2009, the year he leaves office.

Democrats, hoping to wrest control of Congress from the Republicans in this year's election, charged that Bush was forced into an austere spending plan because of the

estimated \$1.35 trillion over the next decade that it will cost to extend his first-term tax cuts, which Democrats claim primarily benefit the very wealthy.

In addition to strict limits on most discretionary, non-security spending in the budget, Bush sought drastic cuts or total elimination on 141 programs that would produce savings of nearly \$15 billion in 2007.

Bush's budget submission is just the opening round in what opponents are promising will be a spirited fight in Congress over spending priorities.

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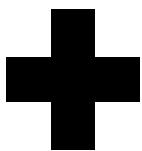
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Real Estate

How the property tax system works



DAYS ON THE MARKET

BY JODI SUMMERS

It takes three separate Los Angeles County offices — assessor, auditor-controller, and treasurer and tax collector — to produce and account for your property tax bill and payment.

CITY AND COUNTY AGENCIES
Provides copies of all
building recorded documents.

**ASSESSOR**

Assesses all real estate and personal property (businesses, manufactured homes, boats and airplanes) located throughout the entire county. The Los Angeles County Assessor establishes the assessed value of your property by appraising the value of that property under applicable state laws. The assessed value is then placed on a list with all other properties in Los Angeles County and that list is called the “assessment roll.” The assessor also approves and applies all exemptions, which are added to the assessment roll. The assessment roll is then presented to the Los Angeles County Auditor-Controller for further processing.



AUDITOR-CONTROLLER

Receives the assessments from the assessor and applies the appropriate tax rate to determine the actual amount of property taxes owed.

The Los Angeles County Auditor-Controller adds direct assessments to the assessment roll then applies the tax rates, which consists of general (1 percent) levy and debt service (voter and bonded) tax rates to the value to create an extended assessment roll. The extended roll is then sent to the Los Angeles County Treasurer and Tax Collector for individual tax bill distribution and payment collection.



TREASURER AND TAX COLLECTOR

Mails out the property tax bills, collects the money and deposits it in the County Treasury.

The Los Angeles County Treasurer and Tax Collector receives the extended roll, prints and mails the property tax bills to the name and address on the extended roll. The treasurer and tax collector collects secured and unsecured taxes. Secured taxes are taxes on real property, such as vacant land, structures on land, i.e. business/office building, home, apartments, etc. Unsecured taxes are taxes on assessments such as office furniture, equipment, airplanes and boats, as well as property taxes that are not liens against the real property.



AUDITOR-CONTROLLERS

Allocates the money to more than 900 local taxing agencies, including the county, cities, schools and special districts.

Upcoming important dates for investment property owners:

Jan. 1

- Taxes become a lien on all taxable property at 12:01 a.m.
- First day to file affidavits and claims for exemptions for personal and real property.
- First day to file business personal property statements. (Persons owning \$100,000 or more in taxable personal property must file a statement with the assessor between this date and May 7, the legal deadline for filing statements.)

■ Unsecured property tax is due and payable to the treasurer and tax collector. However, bills are generally mailed March 1 through June 30 and become tax delinquent after Aug. 31.

- First day to file application for “decline-in-value” reassessment (Proposition 8).

Jan. 15

- Last day to file airport operators report with assessor.

Feb. 1

- Second installment of real estate taxes is due. It's delinquent after 5 p.m. on April 10.
Feb. 15

■ Dead

■ Deadline for timely filing of affidavits and claims for exemptions for personal and real property including: cemeteries, colleges, church and religious, exhibitors, museums, owners of historical aircraft, owners of historical wooden vessels, public libraries, public schools and welfare.

March 1

- Annual mailing of personal property tax bills begins (by treasurer and tax collector)

April 1

Due date for filing:

- Apartment house personal property statement
- Business personal property statement
- Mining and quarrying production report
- Oil and dissolved gas production report
- Oil, gas, and geothermal personal property statement
- Power plant property statement

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. Contact her at jodis@boardwalkrealty.com, or call 310-309-4219. Visit her community history Web site at www.santamonicalandmarks.com.)

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- 1632 Camden Ave. #302, Los Angeles....2BD,1,75BA, 1,122sq.ft.(A).....\$549,000.....Open Sun 1-4pm
- 119636 Montana Ave #103, Brentwood....2BD,2.5BA, 1,564sq.ft.(A)....\$825,000.....Call For Information
- 1517 Stanford Ave, Redondo Beach.....3BD,2.5BA,1,698sq.ft.(A)....\$769,000.....In Escrow
- 2035 4th St. #303C, Santa Monica.....1BD,1BA,699sq.ft.(A).....\$539,000.....In Escrow
- 111 Ocean Way, Santa Monica.....3BD,2BA,1,495sq.ft(A).....\$2,500,000.....Sold And Saved \$125,000
- 11636 Montana Ave. #108, Brentwood....2BD,2.5BA,1,564sq.ft.(A)....\$749,000.....Sold And Saved \$19,283
- 3219 Colorado Ave. Santa Monica....2BD,2BA,905sq.ft.(A).....\$543,000.....Sold And Saved \$12,000
- 2767 Woodwardia Dr. Bel Air.....4BD, 2.5BA, 2,263sq.ft(A).....\$1,499,000.....Sold And Saved \$30,975
- 8001 Redlands Ave. Playa Del Rey...2BR,2BA, 1,066sq.ft.(A).....\$540,000.....Sold And Saved \$21,500

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Property Type: Industrial-Business Park, Building Size: 9,762SF, Lot Size: 26.000 sq.ft. . Price: \$1,300,000, Price/SF \$128.83

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2707 BARRY AVE LOS ANGELES, CA 90064

Spacious and updated 3 Bedroom 2.5 Bath home on quiet & desirable tree-lined Westside street. Refinished original hardwood floors throughout. Travertine floor and Marble wall tile in the bathrooms. Master bath boasts a large jacuzzi tub, pedestal sink, and recessed lighting. Large bedrooms with sliding, mirrored closet doors. New double-paned windows throughout. Large backyard with an assortment of tangerine, lemon, and white peach trees. Oversized double garage with ample room for work space. Alley access. Extremely large family room/den with built in closets and desk perfect for a home office. Updated electrical. Copper plumbing.



3512 GREENWOOD AV LOS ANGELES, CA 90066

Open spacious kitchen-dining room and living room with recessed lighting and ceramic tile floors. Beautiful view from the Living room through the sliding doors to the back yard with swimming pool and BBQ. Danky wine cooler. Professional quality kitchen with Birds Eye maple cabinetry with purple heart trim, center island with hidden pull up appliance trays, granite counter top, Viking range (6 burners & griddle), Kitchen aid dishwasher & refrigerator. Extra large pull out drawers, cooking tray slot. Huge walk in pantry. Dining area with Bird's Eye maple glass cabinet doors and dark granite counter tops. Full bath with oversized tub. Outdoor BBQ with additional stove/gas range, and mini refrigerator. Heated and filtered swimming pool. Forced Air Heating and 100 amp main with underground wiring to sub panel on the house. 2 car detached garage with attached dry walled rumpus room. New wood fence on 3 sides of property, and drip irrigation (hose) on side yard. Sprinklers in front yard with new temperature coated driveway parking



10757 WESTMINSTER AV LOS ANGELES, CA 90034

Quiet West LA.neighborhood. Remodeled Kitchen and Bathroom. New Tile Flooring in Kitchen and Bathroom. New Shutters and New Windows. Copper plumbing and upgraded Electrical. Large lot, with great potential for future expansion. Room for swimming pool. According to Seller, the living area is about 1,100sf, with permit. Must see to appreciate. Will be open 2/5/06 Sunday will be open 1 to 4pm



12435 WASHINGTON PL LOS ANGELES CA 90066

2 Bedroom 1 Bath single family dwelling. (Rental) Zoning LAR-3. Newly painted interior, New Carpets, New Windows, New Shower Door. Ready to move in. Detached garage Walking distance to shopping center and bus line. Must see to appreciate...



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507 W SHERMAN AV, GARDENA

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Know your 1031 team before making the exchange



IN YOUR SPACE

BY CHRISTINA S. PORTER

There are a number of different resources an investor needs to successfully complete a 1031 exchange. The first step to a successful stress free exchange is developing investment objectives adjusted for risk.

Following are the professionals who the investor needs to have on his or her team before launching the sale of the property he or she is going to relinquish.

Just remember a well planned 1031 exchange is a thing of beauty, and one that is unplanned invites financial and emotional hardship.

The key players in a 1031 exchange are as follow:

THE ACCOUNTANT

The investor should make sure his or her accountant has experience doing 1031 exchanges or should find one that does. The accountant is a vital player in providing the investor with information as to the tax consequences of a 1031 exchange and should be able to advise the investor on the desirability of a 1031 exchange for

both financial and personal reasons.

A QUALIFIED INTERMEDIARY

The IRS requires that the owner of the property to be relinquished (the exchanger) not be permitted to have control of the proceeds from the sale of their property. It is necessary that a qualified intermediary or a similarly qualified party hold the proceeds and perform the following tasks:

- Acquires the relinquished property from the taxpayer.
- Transfers the relinquished property.
- Acquires the replacement property.
- Transfers the replacement property to the taxpayer.

There are many good intermediaries whose services are competitively priced. Visit www.TM1031Exchange.com and click on TM 1031 Tool Kit to use the national QI finder.

REAL ESTATE LEGAL COUNSEL

The investor should make sure his or her legal counsel has experience doing 1031 exchanges or find one that does, in the state(s) the relinquished and replacement property(s) are located. Legal counsel is used to review contracts to make sure the investor's interests are properly served.

REAL ESTATE AND 1031 EXCHANGE STRATEGY EXPERTS

To successfully complete a 1031

SAMPLE INVESTMENT PROPERTIES

Multi-Family	State	Units	Price	Cap Rate
City	TX	64	\$2,250,000	8.10%
San Antonio	OH	63	\$2,395,000	9.54%
Cincinnati	TX	120	\$3,720,000	7.88%
Dallas	MI	156	\$3,950,000	11.60%
Detroit	AZ	97	\$4,950,000	7.10%
Mesa				

Tenant In Common (No Management)	Minimum Investment	Year One Cash On Cash	Year Five Cash On Cash
Type	State		
Single Tenant NNN Office	KS	\$65,000	10.41%
Office	IL	\$100,000	7.00%
Medical Office	AL	\$100,000	7.00%
Garden Apartments	OR	\$450,000	6.70%
Office	NV	\$500,000	7.49%

The above is a sample of the types of properties that are selling across the country. The cash on cash amounts quoted are estimated and not guaranteed.

exchange, it is vital that the investor have a clear road map as to both the types of investments they are going into and how to traverse the various stages of a 1031 exchange.

Keys characteristics of a good replacement property are certainty of close and transparency. The investor can not afford to have the purchase of their replacement property unravel after the 45 day identification period ends, and the investor needs to be able to quickly determine the risk and potential reward in any property without going through prolonged due diligence. Also vital to a successful exchange is a consistent, dependable flow of available investment opportunities with a range of risk-reward opportunities appropriate

for the investor's needs.



(Contact Christina Porter at 1-877-4 TM-1031 or e-mail her at Christina@TM1031Exchange.com for further assistance. TM 1031 exchange specializes in assisting investors in planning and executing successful real estate investment strategies. Visit www.TM1031Exchange.com for a complete list of investment properties and to download a Free 1031 Exchange Tool Kit.)



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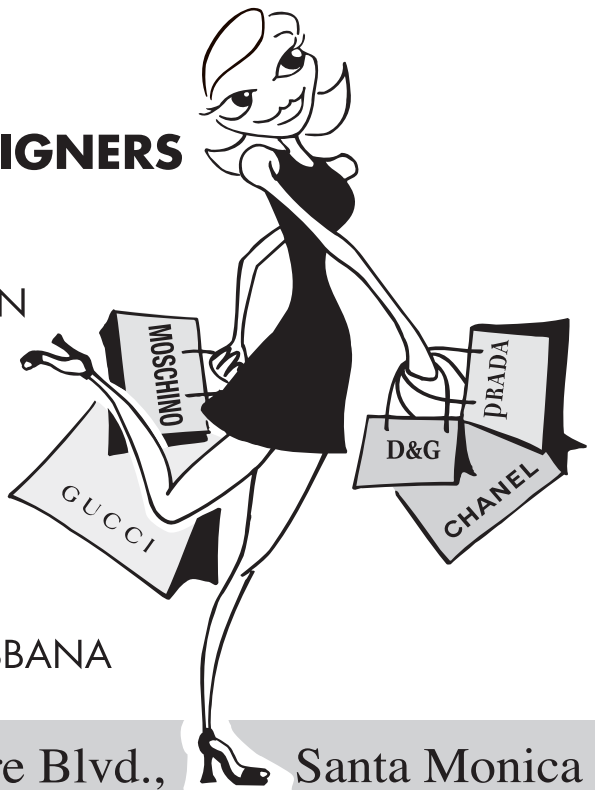
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Making sense of associations' provisions

THE HOA ADVISOR BY MICHAEL CHULAK

Question: After my recent election to the board of directors of our homeowners' association, I carefully reviewed our governing documents. I noted that while the CC&Rs require that all buildings be repainted one of five alternative colors, at least two prior boards have ignored this provision of the CC&Rs. This has resulted in several members using unapproved colors. The current board wants to enforce the CC&Rs from this point forward. Are there any problems with this?

Answer: Probably not. Unless there has been a clear intention by the association to waive enforcement of a certain use restriction, the failure to enforce it will generally not preclude the association's right to enforce it in the future so long as the board does not discriminate or act in an arbitrary manner. There are no California statutes that directly address the issue and no California cases precisely on point. Consequently, it would make sense to have your association's lawyer review all of the facts and then advise you accordingly.

Question: I own a townhome, but am not on the board of directors. While attending a recent board meeting, I asked our management company representative for a current financial statement. My request was denied, and I was told that I am only entitled to a year-end report. Is this correct?

Answer: No. California law requires a board of directors to provide every member with a year-end financial report, but it does not preclude you from receiving interim reports. You are entitled to a monthly report, less the member delinquency report, but will be required to pay the cost of duplication. You also are permitted to inspect association records for any association-related purpose.

Question: Can our homeowners' association amend its CC&Rs to require each member to carry both earthquake and loss assessment coverages in addition to the standard coverages?

Answer: Yes. After the Northridge Earthquake, owners who had earthquake and loss assessment coverages fared substantially better than owners who did not have these coverages. Their associations also did much better. Consequently, we believe it is critically important for association members to have both earthquake and loss assessment coverages. While we believe that a CC&R provision requiring owners to maintain insurance would be legally enforceable, we are not aware of any published court decisions that address this issue.

Most importantly, such a CC&R provision would be effective only if the board of directors carefully monitors the submission of insurance certificates. Should the board fail to enforce such a provision and a disaster takes place, an owner may attempt to hold the board and/or the association responsible for any damages.

Question: The management company for our homeowners' association has refused to provide me with copies of the association's minutes for the last year. What are my rights?

Answer: Section 1363.05 of the California Civil Code requires associations to provide members with copies of the minutes as well as any proposed minutes upon request and reimbursement of the association's costs for making the distribution. If the association refuses to provide the minutes, you may file suit against the association seeking an appropriate court order plus reimbursement for reasonable attorney's fees and costs.

Question: The CC&Rs of our condominium association prohibit the association from conveying an interest in the common area to anyone. Given this restriction, can the board grant an exclusive easement over the common area to an individual homeowner?

Answer: No. Granting an exclusive easement over the

common area to a homeowner is a conveyance that would be prohibited. Under no circumstances should your board attempt such a transfer.

(Michael T. Chulak is a partner with Chulak Shiffman Quisenberry & Drescher LLP, Attorneys at Law. Questions can be faxed to 818-991-5078 or e-mailed to info@CSQDLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information, visit these two Web sites: www.CSQDLaw.com and www.HoaQandA.com.)

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REAL ESTATE BRIEFS

Millions find temporary relief in FEMA

By Daily Press staff

WASHINGTON, D.C. — After funding more than 3.3 million hotel/motel room nights in order to provide tens of thousands of families with emergency housing, the Federal Emergency Management Agency (FEMA) is winding down the program and continuing its efforts to transition those displaced by Hurricanes Katrina and Rita to longer term housing solutions, officials said.

Since Hurricane Katrina made landfall, FEMA has paid more than \$522 million for hotel and motel rooms as part of the more than \$6 billion in financial and housing assistance provided to nearly 1.5 million victims. With a peak of 85,000 rooms occupied in one night, thousands of families used FEMA’s transitional hotel program on their way to longer-term living, officials said.

The short-term lodging program was initiated as a key component of FEMA’s temporary housing strategy to help individuals and families displaced by Hurricanes Katrina and Rita. Many evacuees sought immediate shelter in mass shelters established in the impacted states and relocated to communities throughout the country as part of the nation’s largest airlift in its history. The mass overnight shelter population peaked at 273,000 on Sept. 5, 2005.

More than 75 percent of the 26,000 evacuees still living in hotels and motels contacted FEMA to receive an authorization code prior to the publicized Jan. 30, 2006 deadline. In order to receive the authorization code and hotel/motel room extension, callers were required to confirm their status as a hurricane evacuee and register with FEMA if not already. Of those remaining in hotels and motels, nearly 24,000, or 92 percent, are in six states — Alabama, Florida, Georgia, Louisiana, Mississippi and Texas.

FEMA provides long-term housing assistance through rental assistance as well as direct housing such as travel trailers and mobile homes. More than 750,000 households have been provided housing assistance since Katrina made landfall, which includes 70,000 families living in FEMA-provided manufactured homes placed either on individual properties or in group sites in Alabama, Mississippi and Louisiana.

Assistance also has been made available through states and the District of Columbia that received presidential emergency declarations to support the sheltering needs of evacuees. In 32 of those 44 states, apartment leases were entered into on behalf of evacuees by their host state or an entity partnered with the state. The organized apartment placement programs have placed approximately 60,000 families in addition to the leases entered into by evacuees using rental assistance from FEMA, officials said.

FEMA also is referring hurricane evacuees to federal housing options that have been made available by other federal agencies, including the U.S. Department of Veterans Affairs, the U.S. Department of Agriculture Rural Housing Development and Fannie Mae. In addition, individuals not eligible for FEMA housing assistance because they were not homeowners or renters before Hurricane Katrina or Rita may be eligible for the Department of Housing and Urban Development’s Katrina Disaster Housing Assistance Program.

Hurricane Katrina has already resulted in the largest allotment of financial and housing assistance under FEMA’s Individuals and Households Assistance Program (IHP) in the agency’s history with the nearly \$5 billion, tripling the assistance provided following California’s Northridge Earthquake in 1994. Hurricane Rita, which has surpassed the \$1 billion mark for IHP allocations, is approaching the \$1.1 billion provided to victims of the four major Florida hurricanes in 2004 combined.

FEMA manages federal response and recovery efforts following any national incident. FEMA also initiates mitigation activities, works with state and local emergency managers, and manages the National Flood Insurance Program. FEMA became part of the U.S. Department of Homeland Security on March 1, 2003.

Housing for Latinos doesn’t make the grade

By Daily Press staff

LOS ANGELES — Loyola Marymount University’s Center for the Study of Los Angeles gave housing market opportunities for Latinos in Los Angeles County a “D” grade in the “2006 Latino Scorecard — Road to Action,” a publication recently released by the United Way of Greater Los Angeles.

The “2006 Latino Scorecard” is an update of the study published in 2003 and tracks how Latinos living in Los Angeles stand in five key areas: health, education, economic development, public safety and housing.

“The Latino Scorecard is both a resource and a call to action for civic, social and business leaders to change Los Angeles institutions to better serve the Latino community,” said Fernando J. Guerra, director of LMU’s Center for the Study of Los Angeles. Guerra, who also is a professor of political science and Chicana studies at Loyola Marymount University, spearheaded the housing research alongside associates Matt Barreto, Mara Marks and Donald Morgan.

The team gave the housing industry an overall “D” grade on the basis of four components: accessibility, availability, affordability and quality. This reveals that there has been no significant improvement since the last study. Although Latinos have risen into the middle-class, the achievement is not reflected in the homeownership rates. In comparison to other ethnic groups, Latino levels of homeownership are low, few receive new home loans, and many tend to live in small overcrowded deteriorating housing units.

According to the study, in order to improve the quality of life for the region’s largest ethnic subgroup, policies must be prioritized to address the issue. Some of the policy recommendations proposed include: building more houses, improving access to capital/loans, promoting inclusionary housing, and enforcing current codes without taking units off the market.

Home builders cater to active baby boomers

BY GLEN CRENO AND JONATHAN J. HIGUERA
Associated Press Writers

PHOENIX — Baby boomers who refuse to concede that they are getting old are changing the way home builders think about retirement housing.

Builders long ago discarded the notion that retirement buyers want nothing more than a languid game of shuffleboard or golf followed by an afternoon nap. These days, retirement communities are bristling with fitness centers, nature trails and cybercafes. And the sales pitch emphasizes starting new rather than getting old.

“It used to be about the golden years,” said Drew Smith, spokesman for Shea Home’s Trilogy retirement division. “We talk about it (now) as a place where you start your second life. It’s not about slowing down.”

At this year’s major home builders trade show in Orlando in January, people packed into sessions on how to cash in on boomers, the 76 million people born in the United States after World War II, from 1946 to 1964.

The National Association of Home Builders says the fastest-growing part of the housing market is the 50-plus segment of buyers that includes boomers, empty nesters, pre-retirees and other categories of older buyers. People age 55 or older bought nearly a fifth of the 1.1 million new homes sold in the country in 2003.

Builders who hope to sell to boomers know they can’t offer a one-size-fits-all houses. They say boomers are a collection of diverse niches with a variety of demands. Some want luxury touches, some care more about hiking than golf, others want a place for a home-based business or a jazzy home theater. And although boomers may plan their weekends around mountain biking or tennis, they still like conveniences like shower benches, downstairs bedrooms and built-in night lighting.

Builders are trying to keep in tune with all that. And those who miss the mark miss the chance to cash in on boomers’ estimated \$2 trillion in spending power.

Boomers are rejecting old assumptions about retirement, either by choice or necessity. Some people start second careers, perhaps opening a small business, sometimes out of their home. Also, the pension safety net is being cut away and medical care no longer is guaranteed, so there is more impetus to remain employed past the typical retirement age.

And traditional notions about paying off the homestead and staying put aren’t as valid as they used to be. The national real estate boom has given many homeowners an equity windfall that lets them consider buying a new house without taking on a great deal of debt, if any.

“Many of them have paid off their homes, but with appreciation, they have the opportunity to buy a new home with cash and have money to spare,” said Jacque Petroulakis, spokeswoman for Pulte Homes, whose Del Webb division was a retirement housing pioneer with its Sun City communities.

Jose Hinojosa, 57, exemplifies the new wave of boomer buyers. He and his wife, Kady, 45, shopped all over the Phoenix

area, in Sedona and in Palm Springs, Calif., before they bought a house on the golf course in Trilogy at Vistancia, a big housing project near Lake Pleasant in Peoria, Ariz.

Jose flew helicopters in the Army for 26 years before taking a job supervising a financial-services company’s mail operations in Phoenix and Sacramento.

He retires in September and expects to take advantage of something Shea emphasizes in its marketing: a resort or experiential lifestyle, where homeowners hike, bike, swim, play tennis and golf, and ride mountain bikes.

“We didn’t want anything to do with an old-folks community,” he said. “We’re not looking for that kind of lifestyle.”

This year, Shea projects that it will close on 2,000 retirement units. By 2020, the company expects that number to hit 100,000. One of its Trilogy communities is near Microsoft Corp.’s Redmond, Wash., headquarters. Some models sell for more than \$1 million.

Cybercafes are popular at Trilogy developments, with people checking stocks and sending e-mail before heading to the gym, Smith said. There are eight Trilogy communities in three Western states, the newest near Northern California’s wine country. Shea is considering creating a boutique winery where residents could take winemaking classes.

“Words like ‘retirement’ just don’t appeal to boomers,” Smith said. “We are really careful in our language. They are looking more for individuality and ways to express themselves.”

Sun City and other “active adult” brands are crucial to Pulte’s business. The company says these communities account for a third of its business. Pulte has expanded and refined its Sun City brand. It has two Sun Cities coming to Arizona this year, one in Buckeye and another as part of an all-ages Anthem project in Florence. The company also sells to the retirement market with its “by Del Webb” communities.

Pulte is increasingly using a brand strategy to attract certain segments of buyers. The latest is the new Fireside communities the company is testing in the Phoenix area, an upscale all-ages enclave that also appeals to boomers who may have sacrificed while raising children and want to treat themselves to amenities like dual master bedrooms with big walk-in closets.

In some master-planned communities, the standard gym has mushroomed into 5,000-square-foot fitness centers. Clubhouses have become standard.

“It’s not just about being on the golf course,” said Tracy Lux, president of Trace Marketing, a Florida-based marketing consulting firm focusing on the mature market. “It’s fitness centers, hobbies and crafts, classes. It’s really a chance to meet people.”

Boomers are also asking builders to consider some of their needs as they age. Those features include major bedrooms on the first floor, higher sitting modes, showers with built-in benches for sitting and easier handling faucets. It’s all intended to make living easier.

“Most are not in denial,” Lux said. “They know what’s coming.”



Unhappiness with Iraq draws vets into congressional races

BY JON SANCHE

Associated Press Writer

COLORADO SPRINGS, Colo. — After 20 years in the Air Force and Bronze Star service during the 1991 Gulf War, Democrat Jay Fawcett decided to come home and run for Congress, largely out of disgust with the way American troops were being used in Iraq.

“I think it’s just gotten to the point where a significant number of us who’ve served are looking at this administration particularly — and Congress doesn’t get off the hook — and saying, ‘What’re you doing? What’s the plan?’” he said.

Fawcett is part of a large and possibly unprecedented number of former soldiers, sailors, airmen and Marines running for Congress this year.

About 40 of the candidates are Republicans, while at least 55 are Democrats. By one count, at least 11 veterans of the Iraq war or Afghanistan are hoping to get elected to the House or Senate, all but one of them Democrats.

The fighting Democrats, as some call themselves, say their military experience could give them the credibility to criticize the war without being dismissed out of hand by the GOP as naive and weak on defense, as the Bush administration has often done.

“One of the things I think is behind this movement is, we’re not stupid in the military. We know when we’ve been used and misused,” Navy veteran Bill Winter, a Democrat who hopes to challenge GOP Rep. Tom Tancredo in the Republican suburbs of Denver.

Former Sen. Max Cleland, D-Ga., who lost both legs and an arm while serving in Vietnam, said the Iraq war veterans running as Democrats will offer “a direct rebuttal” to the administration on the Iraq war.

“This administration, come April, will be going into the fourth year of this war after the president said three weeks into it ‘Major combat over, mission accomplished, bring them on,’” Cleland said. “You tell me who’s out of touch. It’s not these Iraqi veterans that are coming back and saying, ‘This is not the way it was on the ground there, and I’m going to do something to change this.’”

Fawcett, who spent years as a defense contractor after leaving the Air Force, wants to take on Republican Rep. Joel Hefley in a Colorado Springs-area district that has one of the country’s biggest concentrations of veterans. It includes the Air Force Academy, two Air Force bases, a major Army installation and NORAD, the air defense com-

mand. The district has been represented by a Republican since the seat was created more than three decades ago.

The roster of Democratic veterans includes engineers, teachers, lawyers, business owners and a pastor. Their stands on the war range from calling for immediate withdrawal to demanding a clearer timetable and a way out. Fawcett, for example, says that pulling out now would be a mistake, but that the Bush administration has failed to clearly state its goals and an exit strategy.

Among other veterans running for office:

■ Marine reservist Paul Hackett, who served in Iraq and is running for the Senate in Ohio. The Democrat narrowly lost a special House election last year in a district where President Bush won 64 percent of the vote in 2004.

■ Former Army Maj. L. Tammy Duckworth, a helicopter pilot who lost her legs in a grenade attack in Iraq. She is running as a Democrat for the Illinois congressional seat of retiring Republican Rep. Henry Hyde. She said she privately disagreed with Bush’s decision to invade Iraq but still volunteered to serve. “We should have been fighting the enemies that attacked us at home on 9/11,” she said in December. “We should have been out there trying to catch Osama bin Laden.”

■ Democrat Eric Massa, a 24-year Navy officer challenging freshman Republican Rep. Randy Kuhl in western New York.

Elections after the end of World War II and the Vietnam War also saw large numbers of veterans running for Congress.

Republicans this time around could have a difficult time countering opposition to the administration’s war plan — or the war itself — from veteran-Democrats, said Gary Jacobson, a congressional scholar at the University of California at San Diego.

“Popular sentiment is not terribly pro-war now, and there’s lots of doubts about the administration’s honesty and the purposes of the war,” he said. “So if you have a veteran come back and start trashing the war, that’s a problem for Republicans.”

Still, a veteran cannot count on an easy win, said Ed Patru, spokesman for the National Republican Congressional Committee.

“Being a veteran, it’s great to have that on your resume,” he said. “People appreciate veterans, but if you’re wrong on taxes and the economy, the bread-and-butter, kitchen-tabletop kind of issues, being a veteran is not going to save you.”

Norwegian troops fire on Afghans as they protest against prophet cartoons

BY DANIEL COONEY

Associated Press Writer

KABUL, Afghanistan — NATO peacekeepers exchanged fire with protesters who attacked their base Tuesday in a second straight day of deadly demonstrations in Afghanistan over the publication of caricatures of the Prophet Muhammad, officials said. Three demonstrators were killed and dozens wounded.

In neighboring Pakistan, 5,000 people chanting “Hang the man who insulted the prophet” burned effigies of one cartoonist and Denmark’s prime minister. Citizens from Denmark were advised to leave Indonesia, the world’s most populous Islamic nation, because of safety fears.

A prominent Iranian newspaper said it was going to hold a competition for cartoons on the Holocaust in reaction to European newspapers publishing the prophet drawings, and Iran’s supreme leader, Ayatollah Ali Khamenei, said the publication of the cartoons was an Israeli conspiracy motivated by anger over the victory of the militant Hamas group in the Palestinian elections last month.

The European Union warned Iran that attempts to boycott Danish goods or cancel trade contracts with European countries would lead to a further deterioration in relations.

The drawings have touched a raw nerve in part because Islam is interpreted to forbid any illustrations of the Prophet Muhammad for fear they could lead to idolatry.

The most violent demonstrations were in Afghanistan, where thousands of rioters clashed with police and NATO peacekeepers across the country.

About 250 protesters armed with assault rifles and grenades attacked the NATO base in the northwestern town of Maymana, burning an armored vehicle, a U.N. car and guard posts, said a doctor at Maymana Hospital.

Some in the crowd fired light weapons and threw stones and hand grenades, and the Norwegian troops responded with tear gas, rubber bullets and warning shots, said Sverre Diesen, commander of Norwegian forces.

Three protesters were shot to death and 25 others were wounded, while some 50 others were hurt by tear gas the peacekeepers used to disperse the demonstrators, said Sayed Aslam Ziaratia, the provincial deputy police chief.

It wasn’t clear who killed the protesters.

Two Norwegian and two Finnish soldiers were slightly hurt, Diesen told reporters in Oslo.

The United Nations pulled its staff out of Maymana, near Afghanistan’s border with Turkmenistan, and NATO peacekeepers rushed reinforcements to the remote town.

In the capital, Kabul, police used batons to beat stone-throwing protesters outside the Danish diplomatic mission office and near the offices of the World Bank. An Associated Press reporter saw police arrest several people, many of them injured.

Number of National Guard and Reserves in Iraq, Afghanistan to drop by one-third

BY LOLITA C. BALDOR

Associated Press Writer

WASHINGTON — The National Guard and Reserves will play a much smaller role next year in Iraq and Afghanistan, dropping to less than one-fifth of overall U.S. forces there, the nation’s top military officer told senators Tuesday.

In response to repeated questions about the strain on reserve forces on the front lines, Gen. Peter Pace, chairman of the Joint Chiefs of Staff, told the Senate Armed Services Committee that Guard and Reserves will make up just 19 percent of the forces deployed in Iraq and Afghanistan over the next year.

Currently they make up about 30 percent of U.S. forces in those countries, Pace said. That means the planned reduction would lower the reserves’ proportion of total American forces in Iraq and Afghanistan by about one third.

There are now about 138,000 American troops in Iraq and 19,000 more in Afghanistan.

The planned reduction in reserves comes as Bush administration officials have been saying they hope to reduce the numbers of U.S. troops in Iraq this year, assuming the Iraqi government and its forces can take a wider role in the war and keeping order.

The Bush administration has been under pressure to bring more American troops home. A study commissioned by the Pentagon said last month that the wear and tear of the U.S. deployment in Iraq was beginning to wear down the Army and questioned how much longer it could continue operating there at full effectiveness.

Reserve forces have made up as much as 40 percent of U.S. forces in Iraq and Afghanistan. The number of Army National Guard soldiers in Iraq and Afghanistan peaked at 69,416 last September, with most in Iraq.

Gen. Peter Schoomaker, the top Army officer, told the senators that heavy use of the Guard and Reserve has given the Army time to reorganize and prepare for its regular troops to take on a broader role beginning in March.

Defense Secretary Donald H. Rumsfeld, meanwhile, told the panel that continued corruption in Iraq could damage efforts to create a democracy there and it is up to the Iraqis to seize control and take more responsibility for their country.

“It’s true that violence, corruption and criminality continue to pose challenges in Iraq” and are “so corrosive of democracy,” he said.

“It’s critically important that it be attacked and that the new leadership in that country be measured against their commitment to attack corruption,” he added.

Rumsfeld provided no specific examples. But there have been recent allegations that some revenue from Iraq’s slowly rebuilding oil industry have been siphoned to help finance the insurgency there.

Rumsfeld added that “our awareness of corruption is increasing,” because coalition officials are doing more to investigate those problems within the government.

Committee chairman John Warner, R-Va., said the next six months would be critical in Iraq and will be key to the eventual withdrawal of U.S. troops and coalition forces. He said increasing problems with corruption in Iraq make it more difficult for coalition forces.

Rumsfeld faced criticism from one committee member who said the \$439.3 billion defense budget for 2007 that President Bush proposed on Monday is not responsible because it doesn’t reflect the billions of dollars that will be spent on Iraq and Afghanistan.

Sen. Carl Levin, D-Mich., also questioned whether the U.S. will be able to sustain necessary troop levels in Iraq, where difficult conditions are wearing down both people and equipment.

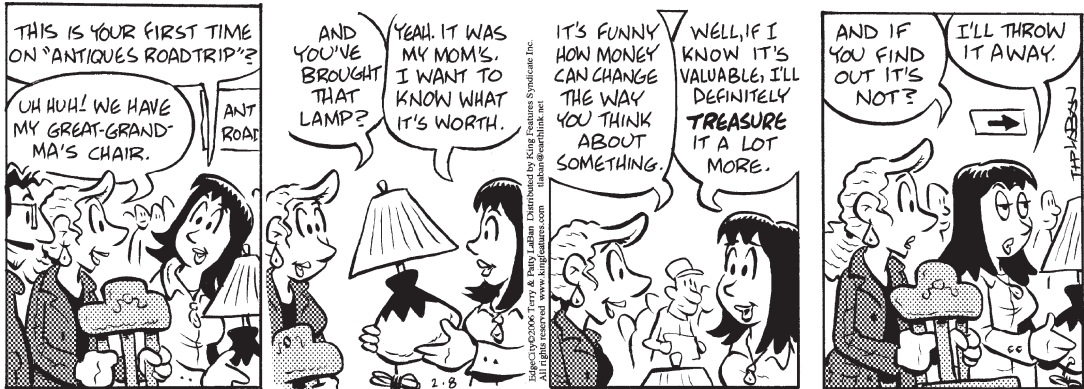


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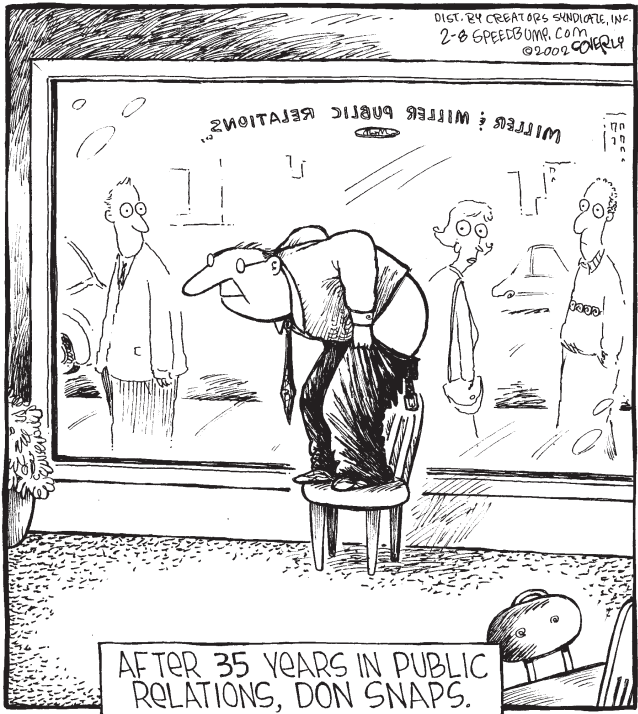
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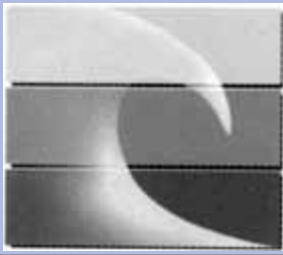
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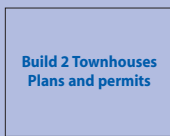
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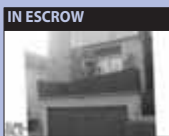
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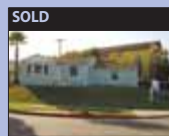
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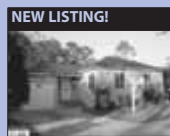
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