



Santa Monica Daily Press

February 25-26, 2006

A newspaper with issues

Volume 5, Issue 90

DAILY LOTTERY

SUPER LOTTO

10 16 21 25 34
Meganumber: 1
Jackpot: \$7 million

FANTASY 5

6 20 23 26 30

DAILY 3

Daytime: 0 8 4

Evening: 6 7 5

DAILY DERBY

1st: 05 California Classic

2nd: 04 Big Ben

3rd: 02 Lucky Star

RACE TIME: 1.44.03

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

Arrested recently and awaiting trial for murder: Jeremy Wayne Hopkins, 22 (Denton, Texas, November); Reginald Wayne Thomas, 23 (Houston, November); Matthew Wayne Almand, 18 (Melbourne, Fla., November); John Wayne Surratt Jr., 28 (Stanly County, N.C., December; escaped and recaptured, January); Curtis Wayne Campbell, 25 (Norman, Okla., January). Convicted of murder: Roy Wayne Russell, 45 (Vancouver, Wash., January). Sentenced for murder: Douglas Wayne Pepper, 44 (Greensboro, N.C., November). Executed for murder: Melvin Wayne White, 55 (Huntsville, Texas, November). Committed Suicide While Suspected of Murder: Don Wayne Moody, 26 (Laredo, Texas, December).

TODAY IN HISTORY

Today is the 56th day of 2006.
There are 309 days left in the year.

On Feb. 25, 1793, the department heads of the U.S. government met with President Washington at his home for the first Cabinet meeting on record.

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Moment of reflection



Fabian Lewkowicz/Daily Press

A woman stops on the beach to take in the northern view of the Santa Monica Pier and distant mountains.



Fabian Lewkowicz/Daily Press

A yacht cruises the Santa Monica Bay shoreline. Scientists are currently studying how noise on the surface of the ocean impacts marine life below.

Loose lips may not sink ships, but do affect marine life below

BY TARA GODVIN

Associated Press Writer

HONOLULU — Rain falling on the surface of the ocean can be heard more than a mile deep, and at some frequencies it's louder than passing ships, according to

oceanographer Jeff Nystuen.

Nystuen, of the Applied Physics Laboratory at the University of Washington, is one among scientists studying how sound travels through the ocean, to better under-

See OCEAN NOISE, page 5

LOCAL

Hitting the call button in search of nurses

BY KEVIN HERRERA

Daily Press Staff Writer

SAINT JOHN'S — Registered nurses and college students on the verge of becoming health care professionals flooded the halls here Thursday looking for a job — and a \$10,000 signing bonus.

From early in the morning to late afternoon, recruiters with Saint John's Health Center said they were inundated by questions from prospective employees as part of the hospital's first all-day employment open house — called to fill vacancies in operating rooms, the intensive care unit, oncology department and labor and delivery.

Visitors, most dressed in

See NURSES, page 8

School district goes for seconds

BY KEVIN HERRERA

Daily Press Staff Writer

SMMUSD HDQTRS. — The school district's second in command will become the new superintendent — for now.

The board of education Thursday announced it will make assistant superintendent Mike Mathews head of schools until a permanent replacement is found for outgoing superintendent John Deasy.

Mathews, who hopes to become the next superintendent of the Santa Monica-Malibu School District, said he will assume the day-to-day operations on Monday and will be working closely with Deasy over the coming weeks to ensure a smooth transition.

"I'm very excited the board has given me the opportunity to lead the district while looking for a permanent replacement," said the 43-year-old Mathews. "I think the board's decision allows for us to continue to work towards the goals we have set for ourselves. I think the concern we all have is that we have a lot of great things happening right now that cannot be dropped, such as working on a standards-based instruction, assessment, equity and tolerance, and helping all students succeed. That is important work that needs to continue."

Deasy, 45, has accepted the post of chief executive officer for the school district in Prince George's County, Maryland, and is expected to leave the district by the end of April, if not sooner, according to

See SUPERINTENDENT, page 9

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HOROSCOPES

Let it flow, Capricorn

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)
★★★★★ Not everyone knows which course to follow, but today you cannot go wrong if you follow your friends. You might find a loved one, child or even yourself a bit sour and difficult. You laugh, and someone else joins right in. Loosen up. Tonight: Where the crowds are.

TAURUS (April 20-May 20)
★★★ Others want you to be more responsible than you necessarily choose to be. Still, you will have to listen to complaints and comments whether you choose to or not. You can lighten up and enjoy yourself wherever you go, despite a dreary associate. Be easygoing and fun-loving. Tonight: Happy as a cat.

GEMINI (May 21-June 20)
★★★★★ Sometimes taking in all the possibilities works. More often, you think you have to pick and choose between alternatives. You will find that meeting the challenge and squeezing as much as you can into your day might be fun. The more different they are, the better your adventures will be. Tonight: Respond to a distant drummer.

CANCER (June 21-July 22)
★★★★★ How you deal with a situation could change dramatically if you go with the flow. Understand that you need to be more easygoing with someone you really care about. Listen to and work with this person. Tonight: Now, for that touch of romance.

LEO (July 23-Aug. 22)
★★★★★ Others might be controlling, but they have great ideas. Are you looking for some fun and adventure? Jump to a lively pace and go forward with a smile. Nothing is written in stone. Understand what you need to. Tonight: Say yes. Let others do the offering.

VIRGO (Aug. 23-Sept. 22)
★★★ You really might have to say no to adventure or fun. A "no" also might be appropriate regarding accepting extra work or taking on a project. Sometimes everyone needs to be babied. Tonight: Run with easy.

LIBRA (Sept. 23-Oct. 22)
★★★★★ Revise and think carefully. What might work today will not always be acceptable. Moods change; people change. With this concept in mind, grab the moment and run with an offer or invitation. Tonight: Remember, you have one life to live. Live it well.

SCORPIO (Oct. 23-Nov. 21)
★★★ Establishing limits and boundaries is a must. Knowing when to slow down and handle a personal matter also scores high on your list of priorities. Right now, the less obvious parts of your life need attention. Take time to smell the roses and listen to others. Tonight: Do what you need to do for yourself.

SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Speak a lot and try another approach with a situation or someone who might be testing your patience. You, too, have limits and need to honor them. Stay with those you enjoy. Hang out and relax. Tonight: How about a game of Scrabble?

CAPRICORN (Dec. 22-Jan. 19)
★★★★★ Acknowledge someone for what he adds to a situation, even if it might be cynicism! Learn to look at life and people as positively as possible. Know when you need a breath of fresh air. Tonight: Let your guard down. Let everything flow.

AQUARIUS (Jan. 20-Feb. 18)
★★★★★ You are in your prime as long as you deflect a moody family member's or friend's comments. Why let anyone rain on your parade? I can think of no reason. You laugh with ease because of your unusual perspective. Tonight: The happy Water Bearer.

PISCES (Feb. 19-March 20)
★★★ Knowing when to skedaddle could be important. You might be more tired than you realize. Do cut back on plans and get in an afternoon snooze or two. Once revived, then you can decide who, what and where. Tonight: Put yourself first.

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COMMUNITY BRIEFS

Award-winning writers come to SMC

By Daily Press staff

It's going to be a literary month at Santa Monica College.

The SMC's spring literary series begins March 2 and will feature several up-and-coming writers, including the award-winning Jonathan Safran Foer, author of "Extremely Loud" and "Incredibly Close" and the best-selling "Everything is Illuminated."

Currently in its third year, the SMC literary series has brought to campus such acclaimed authors as Khaled Hosseini, author of the best-selling "The Kite Runner." The series is free and seating is on a first-arrival basis. The lineup is:

■ Thursday, March 2 at 11:15 a.m.: James Ruland, who will talk about "Love, Lucky Pants & Literary Fiction." The award-winning Ruland will read from his debut short story collection Big Lonesome. Ruland is creative director at an advertising agency, a freelance correspondent for National Public Radio, an adjunct English professor, and the host of "Vermin on the Mount," an irreverent reading series. His work has appeared in several literary publications and he has won several awards and fellowships, including one from the National Endowment for the Arts. His talk will be held in Art Lecture Hall 214 on SMC's main campus, 1900 Pico Blvd.

■ Thursday, March 16 at 11:15 a.m.: Cecile Pineda, who will talk on "Dreams, Visions & Other Realities." Pineda, who has been called "an author of powerful imagination and intellect," has received the Gold Medal of the Commonwealth Club of California, as well as the Sue Kaufman Prize of the American Academy and Institute of Arts and Letters. She will read from her novels Frieze, Face and Fishlight: A Dream of Childhood, as well as from a work in progress. Her talk will be held in Art Lecture Hall 214 on SMC's main campus, 1900 Pico Blvd.

■ Thursday, March 23 at 11:15 a.m.: Brad Listi, who will speak on "Attention. Deficit. Disorder.," which is also the title of his new book published by Simon and Schuster. Listi, who teaches creative writing at SMC, is receiving excellent reviews for his novel. His appearance will be in Business Building Room 111, 1900 Pico Blvd.

■ Sunday, April 23 at 3 p.m.: Jonathan Safran Foer, who will speak on "Extremely Loud & Incredibly Close," the title of his new novel, which has been chosen as the 2006 "Santa Monica City-Wide Reads" book. Foer's earlier novel, Everything is Illuminated, was named Book of the Year by the Los Angeles Times and received the National Jewish Book Award, New York Public Library Young Lions Prize, and the Guardian First Book Prize, and was made into a film starring Elijah Wood. His appearance will be in the SMC Pavilion, 1900 Pico Blvd.

The series is sponsored by the SMC Associates, a private organization that funds speakers and special programs on campus, and the SMC English department. In addition, Foer's appearance is being cosponsored by the Santa Monica Public Library.

For information, call (310) 434-4303.

Families for Peaceful Tomorrows talk 9-11 and more

By Daily Press staff

For the first time, the group formed by surviving family members of the Sept. 11 tragedy will come to Santa Monica to speak at a local church.

Nominated for the 2003 and 2004 Nobel Peace Prize, Sept. 11 Families for Peaceful Tomorrows, will offer their unique perspective on 9/11 and the military actions that have followed. The documentary, "Civilian Casualties," also will be screened, which chronicles Sept. 11 families and their journey to Afghanistan in January 2002. Members also will discuss their visits to Iraq and Jordan.

Physicians for Social Responsibility also will present the latest scientific data on civilian casualties of the wars in Iraq and Afghanistan.

Sept. 11 families speaking in Los Angeles Speakers include:

Barry Amundson (Oregon), brother of Craig Amundson, killed at the Pentagon.

See BRIEFS, page 8



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SNOW AND SURF REPORTS

CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 24" - 60"	LIFT HOURS 8:00am - 4:00pm	RUNS OPEN 18	LIFTS OPEN 10/12
CONDITIONS: Packed Powder, Machine Made, Machine Groomed				

JUNE MOUNTAIN

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

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs) 0"	BASE DEPTH 24" - 60"	LIFT HOURS 8:30 am - 4:00 pm	RUNS OPEN 150	LIFTS OPEN 26/28
CONDITIONS: Powder, Packed Powder, Machine Groomed				

MOUNTAIN HIGH

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 36"	LIFT HOURS 8:30 am - 10:00 pm	RUNS OPEN 21	LIFTS OPEN 10/16
CONDITIONS: Packed Powder, Hard Packed				

MT. BALDY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 12" - 16"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 0	LIFTS OPEN 3/4
CONDITIONS: Packed Powder				

SNOW SUMMIT

NEW SNOW (24 Hrs) 0"	BASE DEPTH 24" - 60"	LIFT HOURS 8:00 am - 4:30 pm	RUNS OPEN 18	LIFTS OPEN 14/14
CONDITIONS: Packed Powder, Machine Made, Machine Groomed				

SNOW VALLEY

NEW SNOW (24 Hrs) 0"	BASE DEPTH 36" - 12"	LIFT HOURS 8:00 am - 4:00 pm	RUNS OPEN 12	LIFTS OPEN 5/11
CONDITIONS: Powder, Packed Powder, Machine Groomed				

CONDITIONS

WATER TEMP: 57°

DATA PROVIDED BY WETSAND.COM

SWELL FORECAST (1-1 FT)

This weekend looks dreadfully tiny: ankle high at best and is another ho-hum surf weekend with near flat conditions. The tide will really be swinging high as well with highs around 7 feet, and lows near -2.

LONG RANGE SYNOPSIS

WSW swell Monday, but rain and foul conditions...
Tracking long-period southern hemi swell for 6th but...

TIDE FORECAST FOR SANTA MONICA

SATURDAY				
LOW TIDE	12:32AM	2.1FT	1:58PM	1.45FT
HIGH TIDE	6:45AM	6.24FT	8:25PM	4.1FT
SUNDAY				
LOW TIDE	1:22AM	1.5FT	2:33PM	-1.6FT
HIGH TIDE	7:34AM	6.5FT	8:53PM	4.5FT
MONDAY				
LOW TIDE	2:10AM	1.0FT	3:07PM	-1.5FT
HIGH TIDE	8:20AM	6.6FT	9:23PM	4.9FT
TUESDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
WEDNESDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
THURSDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A
FRIDAY				
LOW TIDE	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A

SURF AND SNOW QUESTIONS OR COMMENTS? EMAIL ALEX@SMDP.COM

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The Q Line

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CHECK OUT THIS WEEK'S Q-LINE RESPONSES ON PAGE 4.

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The QLine

TREE TROUBLES: READERS TAKE THEIR CUTS

This past week, Q-line asked:
"Do you support the plan to replace the ficus trees along Fourth Street?"
 Here are your responses:

☉ "It is important to understand the beautiful trees, shrubbery, lawns and hedges that lend a natural form of beauty to the city of Santa Monica also provide oxygen producing photosynthesis to the city that inhibits the flow of carbon monoxide from automobiles onto our property. All choice of trees and plantings should take this natural phenomena into consideration."

☉ "If the ficus trees are causing a problems on the sidewalks then they should be removed. If it's just a matter of taste, some people say 'oh it's just too thick,' then they should just suck it in and leave the trees there. It's not the tree's fault if they are too thick. The only the problem is if they are damaging the sidewalks. It's costs too much money to take out trees, especially the big ones and it takes too much money digging up the roots and all of that. It's too much money that can be wasted on other things instead of the trees."

☉ "The city officials' response is bogus. This is just a plan to bring up the area around the Third Street Promenade. This is a total waste of money. Money can be spent on cameras to crack down on taggers and graffiti, or sting operations on liquor stores who contribute to public drunkenness, or send gang bangers to military boot camp where they can do something constructive with their time. The city of Santa Monica should improve the conditions here before they improve the look of it."

☉ "Never mind the ficus trees. The citizens of this once beautiful city would be better served if the administration would start uprooting the horrible spread of the fungus of vagrancy. Leave the trees alone and get rid of the filthy, dangerous bums, transients and criminals hiding under the canopy of homelessness."

☉ "Absolutely, yes. The city should start at Fourth Street and work its way east, cutting down every Ficus tree in its path. They are just oversized weeds and cause damage to our streets, sewer system and sidewalks of which the city expects residents to pay half of the repair costs. The city arborists refuse to trim them properly and they should have never been planted in the first place back in the '70s. Cut them down and replace them with something reasonable that doesn't require maintenance like they do now."

☉ "In this age of rising numbers of skin cancer we need the shade these trees provide from the dangerous, lethal rays of the sun. We also need the oxygen they provide to deal with the depreciating quality of our air."

☉ "I think it's a tragedy for Santa Monica to cut down trees. The trees have been here longer than the businesses. They purify the air and make Santa Monica a prettier place to live. I strongly oppose the city cutting trees down on Fourth Street."

☉ "I don't think it's necessary. I do not feel that it is positively necessary to remove the ficus trees. No. 1, they are beautiful trees. No.

2, there is a way to limit the root system and deal with it. I do think that City Hall wants the easy way out. I have had several people come from out of state ... and say what a lovely boulevard it is ... it adds a lot to the city. They are traditional. I see no reason. It's cheap way out as usual for City Hall. I feel it would dehumanize the entire area. It's lovely walking there and it would be sorely missed ..."

☉ "I think it's a horrible idea. I think it should be covered in your paper and I think it should be covered with some front-page worthy item. I think it's ridiculous ..."

☉ "I am just stunned that the Santa Monica City Council would even consider such an Orange County, new and shiny type look. In Santa Monica, one of the things we treasure is the character of the community we live in. It is older and it is not all clean and shiny and cookie cutterish. It's a beautiful community and I really hope they will rethink their decision on the trees and allow the character of Santa Monica to shine."

☉ "I support the plan to remove the ficus trees. Hopefully, the city can extend it to my street, Franklin, where those trees have roots that have caused the sidewalk to buckle, making it difficult for strollers, walkers and wheelchairs to pass. Twice, in the past 20 years, the city has fixed the sidewalks and cut the roots but the damage continues to reoccur ... Not only do they block the sidewalk, they also block the streetlights that the property owners on my street were assessed to pay for. Also, the amount of the leaves the street sweepers must get from what these trees shed is tremendous. These trees are not meant for city boulevards. They should be replaced for more suitable ones."

☉ "They probably should be replaced because most ficus grow too fast and have too big of roots. They damage the sidewalks and they grow so large that they obscure the buildings nearby and cost a fortune to prune ..."

☉ "No. Take out all of the trees. They cause too many problems to the streets, to the sidewalks, to the curbs. They are all ruined because of these trees. If the man wants to chain himself to the tree, take him with the tree. That's weird."

☉ "I think it is really terrible for them to destroy the trees when they are so old and are such a part of that area."

☉ "Please keep all of the trees exactly where they are in Santa Monica. We need them. We love them. We grew up with them. They are ours. Make a new design. Spend more money the way you need to with a new design and include the trees. Be good guys and leave us the trees, please."

☉ "Isn't there a way for the streets lights down on Fourth to be there and not cut down the trees? Isn't there some way to do that? It's not like there are a lot of extra trees around."

A double cheeseburger with tax breaks on side



MODERN TIMES

BY LLOYD GARVER

When I first heard that President Bush was talking about health at the corporate headquarters of Wendy's last week, I was proud of him. I figured he had joined medical experts, his wife who has spoken about heart disease in women, and former junk food junkie, Bill Clinton, who is heading a campaign against childhood obesity and for healthier fast foods. I assumed that the President was telling the corporate heads of Wendy's that he was sure they could still make a huge profit while providing healthier meals. I loved that he was standing up to a big corporation in favor of America becoming a healthier nation.

But I was wrong. It wasn't for this noble reason that he was speaking at the nation's third largest hamburger and fries company. He was talking about health and his health care plan.

The White House claims that the president was attracted to Wendy's because its health care plan is similar to the one he likes. Wendy's offers employees "health savings accounts," and that's what Bush is pushing in his plan. He's suggesting that Americans be able to put money in special tax-free savings accounts, and use that money for health care in addition to catastrophic health insurance. The idea is that these accounts will make people more aware of the money they are spending on medical needs and will, therefore, drive down the costs as the worker looks for the best bargain in medical care.

But nobody has explained how someone who is just getting by on a paycheck is going to be able to afford to put away extra money in a health savings account. So, critics believe that the main result of such a plan will be for those who aren't well off financially to forego necessary medical treatment. Meanwhile, the rich will be able to have tax-free savings accounts.

I'm not so sure if Bush's choice of Wendy's as the site of his speech was really because of Wendy's health plan. Surely there are other companies that have similar plans but don't sell food that's helping America to become the nation of obesity.

So, why Wendy's? President Bush is not a fast food addict like President

Clinton was. He's in great shape, and obviously cares a great deal about his own health. So the choice couldn't have been because he's a big fan of their food. Was it a "wink and a nod" location? Was he saying, "I have to say that I'm concerned about health care for the middle class and the poor, but what I really care about are big corporations like Wendy's?"

Or was it part of this administration's anti-science bias? Maybe it was his way of saying, "All of this talk about unhealthy food leading to unhealthy lives is bunk. America has been living on junk food for years, and look how much healthier we are than all those starving countries in Africa." It would be like his standing on a melting glacier saying, "What global warming?" Or maybe like his saying, "schools should teach both evolution and intelligent design" at the monkey cage at the zoo.

Or maybe it's part of his personal responsibility thing. "If you think fast food is bad for you, nobody's making you eat it. I gave up liquor, and so can you. So, stop blaming the wonderful companies who make this stuff."

Another possible reason for choosing Wendy's headquarters is that they're in Ohio, a pivotal electoral state. A recent state poll showed that only 38 percent of Ohio voters approve of the President's performance. Maybe he felt if he gave a speech there, he'd get a few more Ohio voters to like him.

Or maybe I'm digging too deep looking for the President's motives. He usually does things just because he feels like it and because he's the President who, apparently, can do whatever he wants. Maybe he just always wanted to visit Dublin, Ohio.

Or maybe it was just a bad decision. The Administration has had its share of those. Maybe it was like nominating then un-nominating Harriet Miers for the Supreme Court. Maybe it was like, "Way to go, Brownie." Maybe it was like "Mission Accomplished" on the U.S.S. Abraham Lincoln. At least he didn't give a gun safety speech in front of Dick Cheney's house.

(Lloyd Garver has written for many television shows, ranging from "Sesame Street" to "Family Ties" to "Frasier." He also has read many books, some of them in hardcover. He writes the "Modern Times" column for CBSnews.com's opinion page and a weekly column for SportsLine.com. He can be reached at smdp@lloydgarver-moderntimes.com.)

YOUR OPINION MATTERS!

PLEASE SEND LETTERS TO:

Santa Monica Daily Press: Att. Editor
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editor@smdp.com





STATE BRIEFS

A flicker of hope for cannibas dispensary

By The Associated Press

PALM DESERT — CannaHelp and the city reached a deal to keep the medical marijuana dispensary operating.

The city told CannaHelp owner Stacy Hochanadel on Feb. 9 that it may revoke his license because the pot dispensary has been linked to criminal activity and possession of marijuana is illegal under federal law, among other reasons.

CannaHelp opened before the city enacted a temporary ban on dispensaries in December.

Police said officers were having difficulty in verifying whether customers possessed marijuana for medical purposes. In one instance, police said a CannaHelp customer tried to sell pot to teenagers.

Mayor Jim Ferguson announced before the start of a scheduled revocation meeting Thursday that an agreement had been reached.

Hochanadel attorney James Warner said CannaHelp can continue to operate as long as its 480 patients obtain optional Riverside County-issued ID cards. About 10 percent of patients have the cards, he said.

Medical marijuana is legal in California because voters passed the Compassionate Use Act in 1996. Patients with a doctor's recommendation can transport and use marijuana to treat symptoms of illnesses such as cancer, glaucoma or chronic pain.

Kiddie porn collector to be made to pay

By The Associated Press

VENTURA — An Oxnard man who pleaded guilty to possession of child pornography faces up to two years in jail and a \$5,000 fine when he's sentenced next month. Police said Raymond Allen Candel, 64, had more than 15,000 images of child pornography in his home. In exchange for guilty pleas on two child porn possession counts, prosecutors dropped two related misdemeanor counts.

Superior Court Judge Edward Brodie will sentence Candel on March 23.

Deputy District Attorney Howard Wise said Thursday that Candel faces a year in jail on each misdemeanor count. Wise said he will ask Brodie to sentence him to the maximum penalty and for the sentences to run consecutively.

What lies beneath may be affected by surface noise

OCEAN NOISE, from page 1

stand how loud, man-made noises might affect marine creatures..

"We don't really know what is too loud underwater, and we need to know what the baseline is," Nystuen said.

Loud underwater noises, particularly U.S. Navy sonar, have long been blamed by environmentalists for the fatal beachings of whales.

The Natural Resources Defense Council, based in downtown Santa Monica, and other plaintiffs alleged in a federal lawsuit last fall that the Navy's mid-frequency sonar used for detecting enemy submarines disturbs and sometimes kills whales and dolphins.

The Navy settled a similar lawsuit three years ago by agreeing to limit its peacetime use of experimental low-frequency sonar.

To find out what sounds sea creatures are exposed to, Nystuen moored microphones at spots around the world, from the Mediterranean to the South China Sea, to collect a year's worth of sound. He spoke Thursday during the biannual ocean sciences meeting of the American Geophysical Union.

Building up his inventory of sounds since 1999, Nystuen is looking for long-term patterns of relative loudness.

His findings show that among higher pitched sounds, rain is the loudest, far louder than passing ships. Among lower-pitched sounds, shipping is the loudest sound, followed by rain.

Nystuen's recordings haven't yet been able to account for the creatures' behavior in response to noise.

"If you came to see me in Seattle and said, 'I want to see some killer whales,' I

would take you to Haro Strait, which is the noisiest environment that I've ever made measurements in," he said. Haro Strait lies between the U.S. and Canada near Victoria.

Nystuen said his listening devices could be used to make sure animals aren't nearby before setting off a blast or testing sonar.

The U.S. Army Corps of Engineers spent three years figuring out how best not to harm protected species during a project completed this summer at the port of Miami that required the agency to blast solid rock out of the harbor, said Terri Jordan, a biologist with the corps.

Before triggering any explosion, a 4,000-foot perimeter was searched by helicopter and boat for signs of any animals, including porpoises, manatees and sea turtles.

If any animal wandered within about 2,500 feet of the blast site, the project stopped until the animal left. The width of the perimeter was calculated by doubling the distance usually used to protect Navy divers from bomb blasts.

Five minutes prior to the main explosion, a smaller "fish scare" blast was set off to scatter any fish in the area.

During the 40-day project, workers logged 186 animals and only one possible reaction — a dolphin that jumped out of the water during a blast.

As shipping traffic increases, ports will need to expand their capacity and often will need to remove underwater rock, Jordan said — and that will mean blasting.

"So we think this is where we'll be going in the future unless new construction techniques become available," she said.

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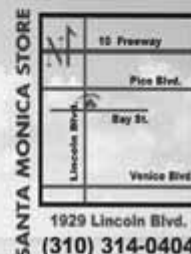
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City of Santa Monica Environmental Programs Division



STATE

NRA urges judge to overturn handgun ban in San Francisco

BY DAVID KRAVETS
 AP Legal Affairs Writer

SAN FRANCISCO — The National Rifle Association urged a state judge Thursday to overturn an ordinance voters overwhelmingly approved in November banning handgun possession and firearm sales.

Chuck Michel, an attorney for the NRA and gun enthusiasts suing to repeal the law, said he was "sympathetic with the victims of gun violence" but said lawful weapon owners "are part of the solution, and not part of the problem."

Without addressing the Second Amendment dispute over whether individuals have a right to bear arms, Michel said a local government cannot ban weapons because the California Legislature allows their sale and possession, and has almost exclusive authority to regulate them.

Measure H was put on the November ballot by the San Francisco County Board of Supervisors, who were frustrated by the alarmingly high number of gun-related homicides in this city of 750,000 residents. The NRA sued the day after 58 percent of voters approved the law.

Deputy City Attorney Wayne Snodgrass told San Francisco County Superior Court Judge James Warren the city can adopt such an ordinance because state law "is simply not protecting San Franciscans enough."

He noted at least two California court decisions that he said vested San Francisco with the right to enforce Measure H.

In 1998, a state appeals court upheld West Hollywood's ban on the sale of so-called Saturday night specials, small and cheap handguns that city leaders said contributed to violent crime. And three years ago, the California Supreme Court ruled in favor of Los Angeles and Alameda counties, saying local governments could ban the possession and sale of weapons on government property, such as fairgrounds.

The high court, however, did not address the issue of private property sales and possession, as outlined in the San Francisco law.

Michel said that a San Francisco state appeals court in 1982 nullified an almost

identical San Francisco gun ban largely on grounds that the city cannot enact an ordinance that conflicts with state law.

San Francisco's Snodgrass replied that the ban was a municipal affair and was slightly different from the city's earlier version. The new version only applies to city residents, meaning nonresidents in the city or even tourists are not affected. He said the West Hollywood, and Los Angeles and Alameda county cases weighed in San Francisco's favor.

Judge Warren asked Snodgrass that if the real intent was for the safety of San Francisco residents, why wouldn't the measure apply to outsiders and tourists.

The law bans gun and ammunition sales beginning March 1 and handgun possession April 1.

Snodgrass said he didn't think the ordinance would be lawful if it applied to all, and said the measure was directed at gun violence in the homes of San Francisco residents.

The NRA's Michel wondered how the law protects a San Francisco family with "somebody coming through your bedroom window at 2 o'clock in the morning."

The law bans gun and ammunition sales beginning March 1 and handgun possession April 1. The NRA and Snodgrass said they would probably agree to shelve the law pending Warren's decision, due in about 90 days.

The city has not approved penalties for violators.

The U.S. Court of Appeals for the District of Columbia Circuit is considering a challenge to a similar handgun ban in the District of Columbia that alleges the law violates a Second Amendment right of individuals to bear arms.

The NRA lawsuit here avoids those allegations.

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Little sacred in Sin City: Casinos roll into suburbs

BY RYAN NAKASHIMA

AP Business Writer

LAS VEGAS — Scott Beach didn't come to Las Vegas to gamble. The 35-year-old truck driver from Cincinnati came to escape the cold, raise a family and buy a home.

"I find no thrill from sitting in front of that thing and putting money in it," he said, nodding at the slot machines in Suncoast Hotel and Casino, while holding his 6-month-old daughter. But he does come with his wife and three children for the budget-friendly buffet and an occasional movie.

For years, companies like Station Casinos Inc. and Boyd Gaming Corp. have taken advantage of the booming southern Nevada economy and the steady influx of new residents by building megaplex casinos that target locals with bowling alleys, shopping malls, even day-care centers every five miles or so throughout the Las Vegas Valley.

Lately though, some residents are getting a serious case of NIMBY: They are glad casinos eliminate the need for state income taxes, but wish they were Not In My Back Yard.

Newer, so-called "locals casinos" are larger than ever, and they also appeal to a tourist audience that some residents don't want so close to home.

"I think they're building too many casinos out where people live," Beach said. "It's like where you want to live, you don't want to gamble. ... There's a lot of traffic."

Some who have purposefully moved to suburbia worry about motorists leaving casinos after having a few drinks, said Lisa Mayo-DeRiso, a consultant who drives her 14-year-old daughter to school near Red Rock, Station's \$925 million, 850-room hotel casino set to open in April in the western suburbs.

Mayo-DeRiso pointed to a Red Rock ad that features a nude woman with arms crossed over her chest with the tag line: "the Garden of Eden meets Sin City." There's also a nightclub called "Cherry" in the resort that Station touts for its "sinfully sweet surroundings."

"If I am coming to Red Rock and that's the ad I respond to, what am I expecting when I get to Red Rock?" she asked. "I don't think this is a message you want in your neighborhood."

Residents fought to shrink the project, successfully forcing developers to cut the height of the hotel tower from 300 feet to 198.

Gabriel Lither, a lawyer who moved to the western suburb of Summerlin for its parks and good schools and then led the fight against Red Rock, said he's still bothered by the development, especially because it obstructs his view of the Red Rock mountains to the west.

"If you're going to live next to a casino, it's nice to live next to one that is done as nicely as Red Rock," said Lither, 34. "Having said that, there is something slightly strange and surreal about driving out to Red Rock Canyon National Conservation Area and passing the fairly large blinking neon sign advertising the buffet."

Red Rock, like its predecessor, Green Valley Ranch built in December 2001, has separate entrances for its movie theaters so residents can avoid the cigarette smoke and clang of the casino floor.

said Station Casinos chief financial officer Glenn Christenson, then stay to gamble. Some 90 percent of the company's revenues come from slot machines, he said. Station owns or has a stake in 10 Las Vegas locals-oriented casinos; Boyd has seven, while a wide range of others are owned by a smattering of private operators.

"People come, they have a very good meal, for very good value for their dollar, they grab a couple rolls of quarters, play 'till they're gone and then go home," Christenson said.

Christenson said most Las Vegas tolerate if not embrace gambling, which extends from slot machines at the airport to video poker at pharmacies, gas stations and supermarkets.

"If they were against gaming, more likely than not, they probably wouldn't live here," he said.

Christenson pointed out the local market in gambling alone is worth about \$2.4 billion a year, some \$1,350 for every man, woman and child in Clark County, which encompasses Las Vegas. For its population of about 1.75 million, there are 152,014 slot machines, 187 nonrestricted casinos and 1,443 restricted places to gamble with 15 slot machines or fewer. Only 41 nonrestricted casinos are on the Strip.

And the market is growing. Station and Boyd plan to keep building, especially in the burgeoning city of North Las Vegas, the nation's third-fastest growing city among those with populations of 100,000 or more.

Some analysts and even North Las Vegas Mayor Mike Montandon are concerned about the pace.

Four casino sites have been zoned in an 8- by 2-mile strip along Interstate 215 that runs across the north end of his city of 190,000. Boyd and Station have earmarked one each for development.

Montandon is fighting a fifth casino site from being zoned along the same stretch, despite being re-elected to a third term in June on a platform of economic growth.

"What I don't want to do is cannibalize the markets that already exist," Montandon said. "I'm not opposed to new casinos. What I'm opposed to is shooting too high."

Analyst Steve Kent of Goldman, Sachs and Co. in New York said in a research note last month that local gamblers would have to bet 10 percent more this year to keep revenue at existing casinos from falling while absorbing new casino capacity. The rate is double that for the past 10 years and even assumes consistent population growth of 5 percent, he said.

"We still have short-term concerns about the impact of new supply opening in the locals Las Vegas market," Kent said.

Analyst Matthew Jacob with Majestic Research, a research firm that tracks gambling revenues on casino floors before quarterly earnings are released, said the opening of Boyd's South Coast casino in all other local casino operators.

"There is some cannibalization at the Boyd properties and some of the Station properties are being impacted," he said.

Still, most agree that long-term growth looks healthy.

A steady arrival of new residents, about 7,000 a month, low unemployment around 4 percent and homeowners' feeling of wealth from still-rising home prices will keep gambling revenue flowing, analysts said.

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Hospitals ante up to restock nurses

NURSES, from page 1

blue scrubs and tennis shoes, naturally wanted to know about the working conditions at the hospital, the relationships between nurses and doctors and administration, as well as the condition of the facilities.

But what they also wanted to know was how could they qualify for the \$10,000 bonus being offered.

"This all looks very attractive, but I still don't know what I'm going to do," said nursing student Rachel Adair, who partici-

pated in the all-day recruitment drive and plans to graduate in December with the idea of working somewhere in Los Angeles, possibly Saint John's. "The staff here is great and there is a real sense of community, and the money isn't bad either, but there are so many offers out there to consider that you can't just jump at the first one that comes along. You really have to weigh your options, which is great."

With the country experiencing a severe nursing shortage and the state requiring more nurses per shift, respected hospitals like Saint John's, which was named one of

the top 25 private health care facilities in the country, are having to pull out all the stops in order to maintain current staffing levels, as well as prepare for the near future when a majority of nurses retire.

The increase in competition between hospitals has resulted in the offering of what some have called exorbitant signing bonuses, including mortgage assistance, new cars and tuition reimbursement.

All of which leaves some questioning — how much is too much?

"I don't really know the answer to that question," said Deborah Burger, president of the California Nurses Association and a staff nurse for more than 20 years. "I think some of the bonuses may be considered high, but that is what the market is dictating. In another five years or so you could see those figures drop as more nurses come on board. But that all depends on the funding available for nursing programs so that we can keep turning out new nurses."

Saint John's has raised its signing bonus from \$5,000 for the most qualified to \$10,000 for any registered nurse, regardless of experience. If current employees recommend someone who is hired, they receive \$6,000.

"We are doing all that we can to bring nurses in (because of the shortage)," said Saint John's recruiter Marjorie Allen. "We are very concerned about having to use a lot of expensive, (temporary) employees here so we thought it would be more beneficial if we put our money into signing bonuses as opposed to spending on (contract) employees."

Experts in the medical field said the shortage of nurses is the result of several factors, one of which is a lack of funding at community colleges for nursing programs. Other factors include a lack of qualified professors to teach students, as well as a failure on the part of some hospitals to maintain a pleasant working environment.

"It's not all about the money. Sure, it's nice, but the money can be gone in a very short period of time. Then what are you stuck with?" Burger said. "If nurses are concerned about their long-term career, they will look at the community where the job is located, the working environment, the types of patients who come in. There are a lot of factors involved."

Nurses typically make between \$40,000 and \$60,000 a year.

While Saint John's and other hospitals on the Westside, including UCLA Medical

Center/Santa Monica, are complying with state requirements of one nurse for every five patients, the battle to remain fully staffed has forced many to enter into the bonus game.

That has created a group of revolving nurses who will sign up, receive a bonus and then leave the hospital for another once their time is up. It is known in the industry as "bonus hopping," experts said.

A way to squash that practice is to maintain an excellent working environment and to offer benefits that few would want to forfeit.

One of the benefits that Saint John's has is that it is a smaller, private hospital with highly-qualified staff and is located in an affluent community with plenty of amenities, Allen said. However, because rents are so high here, it can be difficult to find people willing to move closer to work.

UCLA doesn't offer any signing bonuses, said Robin Ludewig, head of recruitment at the college.

"Since we are committed to hiring and training new graduates throughout the year, we find we are in good shape in regards to staffing levels," Ludewig said. "I think we are in such good shape because we are a teaching hospital with plenty of opportunities to expand your skills and advance your career in a wide variety of areas."

There is hope amongst hospitals that the need for signing bonuses will die down in return for more qualified applicants coming into the field. If so, everyone will benefit. Nurses will have less stress and more help. Patients will receive more individual attention and doctors will be able to provide a higher quality of service.

But with community college funding down and a threat of massive retirement looming, no one is overly optimistic.

"It's always been competitive and it will be an ongoing challenge," Allen said. "I don't see in the near future that there will be any change in the other direction."

Adair is pleased, but also concerned.

"In a way, it's good for us because we have more opportunities, but at the same time patients are not being served," she said. "I think I'd give up some of that money, but it's tough to say when you see all those zeros."

As Adair left undecided Thursday, 11 others decided to join the Saint John's family, which Allen said was a good start.

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Wednesday, March 1

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- Virginia Park, Thelma Terry Center, 2200 Virginia Ave, Santa Monica (use Lines 5, 7, and 11)

Thursday, March 2

- 12:00 noon – 2:00 pm
- UCLA Athletic Dept., J. D. Morgan Center, Press Room (use Lines 1, 2, 3, 8, 12, and Super 12)

Saturday, March 4

- 10:00 am – 12:00 noon
- Ken Edwards Center, 1527 4th St, Room 100 A-B, Santa Monica (use Lines 1, 2, 3, 4, 5, 7, 8, 9, and 10)



COMMUNITY BRIEFS

BRIEFS, from page 3

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Loretta Filipov (Massachusetts), wife of Al Filipov, killed on Flight 11.
Talat Hamdani (New York) mother of police cadet Mohammed S. Hamdani, killed at WTC.

Colleen Kelly (New York) sister of Bill Kelly, Jr., killed at the WTC.
Andrea LeBlanc (New Hampshire) wife of Robert LeBlanc, killed on Flight 175.
David Potorti (North Carolina) brother of James Potorti, killed at the WTC.
Terry Rockefeller (Massachusetts) sister of Laura Rockefeller, killed at the WTC.
Adele Welty (New York), mother of firefighter Timothy Welty, killed at the WTC.
Donald Broder M.D., co-president, Physicians for Social Responsibility.

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How do you like these apples?



Fabian Lewkowicz/Daily Press
Michael Le Roy, a comedian and juggler from Venice, entertains onlookers by eating an apple while juggling at the end of the Santa Monica Pier.

Deasy assistant Mathews slated to take over as superintendent

SUPERINTENDENT, from page 1

school officials.

The board, which will officially approve Mathews' appointment on March 2, will also instruct district staff to begin looking for agencies to help in the search and selection of a new superintendent. There is hope that the process will be completed before school resumes this fall.

School board president Julia Brownley said the board was united in its support of Mathews and felt his strong leadership skills and experience working in the district would help in continuing to accomplish goals set by the board and Deasy.

"The board felt he was the right person for the job," Brownley said.

Deasy called Mathews "a perfect fit."

The board's decision was celebrated by the teachers' union, whose leadership unanimously backed Mathews earlier this week.

"Mathews makes for a great choice because he has the institutional knowledge, having been employed here for 13 years," said Harry Keiley, president of the Santa Monica Malibu Classroom Teacher's Association. "We believe his leadership style ... understanding that it's not just about implementing policy, but also about people ... and the respect that he gives to teachers is essential to continuing the great

working relationship we have with him."

Prior to serving as assistant superintendent of human resources, Mathews was principal at Malibu High School, where he oversaw the campus' transformation from a middle school to a combined middle and high school campus. Prior to that post, he was an adjunct professor at Cal State Northridge, where he taught graduate level courses in personnel management and public relations.

Mathews began his teaching career in 1985 at San Lorenzo High School in San Lorenzo, Calif., where he taught social studies and mentored teachers.

He holds a doctorate in education from Pepperdine University, and a masters in education from Stanford University.

In selecting the next superintendent, Brownley and Keiley both said they are looking for the strongest leader they can find, as well as someone who understands the importance of what the district as a whole is trying to accomplish and where it needs to focus on the future.

"We plan to conduct an extensive internal survey of our members and hold open forums so we can get as much feedback from as many people as possible and determine what qualities people are looking for," Keiley said. "We look forward to not only being involved in the process, but also in the selection of the next superintendent."

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TRAVEL



Carolyn Sackariason/Daily Press

This year's snowfall at Mt. Daly isn't what it was a year ago.

Sliding back into history one ski slope at a time

By The Associated Press

MOUNT BALDY VILLAGE, Calif. —

Perched on the edge of the Southern California metropolis, between desert and sea, the old Mount Baldy ski resort looks as if it just tumbled out of a time machine.

The main lift manages to be old, creaky and borderline scary. The trail map nailed to the side of the lodge shows a terrain expansion slated for 1991 that still hasn't happened. Along another snowless trail sits a pile of junk. In the heap, there are lifts from chairs, lift wires and grooming equipment of prehistoric vintage.

Baldy is not just a ski resort. It's a ski museum.

But fans like Craig Welch, who has been skiing the mountain north of Claremont since 1970, say Baldy has some of the best tree-skiing and expert terrain in the area. And then there are the views. The Rancho Cucamonga resident has clambered to the top of the lift shack on Thunder Mountain for vistas stretching to Catalina Island.

"You can practically count the boats out there," he says.

Asking skiers or ski hill owners what makes mom-and-pop resorts so special is like asking hard-core environmentalists why a bug or plant should be saved. Snow is snow; a lift is a lift. So often the answer comes down to aesthetics — a diverse world is more interesting than a vanilla one.

Founded in 1944 by a couple of aircraft workers who wanted to ski close to home, Baldy is the last mom-and-pop resort in operation in Southern California. That is, its owners aren't well capitalized, snow-making is paltry and the skiing doesn't always take place on well-coiffed slopes.

Most skiers in the region gravitate to three big operations that used to be small but have now joined the network of big resorts: Mountain High in Wrightwood and the sister resorts of Snow Summit and Bear Mountain in Big Bear.

In the meantime, the mom-and-pops have pretty much pooped out, leaving Baldy as the lone relic that is still skiable. It has the most terrain of any of the local resorts, 800 acres, and the most vertical feet, 2,200. But Baldy has little in the way of snowmaking compared with bigger resorts, though its system has been

expanded for this season. In some seasons, more hikers buy lift tickets in the summer than do skiers in the winter.

"People want more and more snow," laments Pete Olson, one of Mount Baldy's owners, referring to his competitors' prolific snowmaking. "In the old days they didn't expect snow all the time."

Of course, you have to be optimistic to own a ski resort in Southern California, and Olson sees great days ahead.

He just needs \$20 million to \$30 million to make it happen.

Since 1985 the number of ski resorts in the United States has dropped from 727 to 494, according to the National Ski Areas Association. That drop has coincided with another phenomenon: the number of people who ski or board in the United States has been stagnant for the past two decades, hovering at about 12.5 million.

That means the resorts that have survived are wrestling for the same pool of skiers. In Southern California, the winners have been the resorts that make serious snow.

Last year, Mount Baldy had about 60,000 visitors, says its owner. Mountain High had more than 500,000.

It's tempting to attribute the decline of the mom-and-pops to the standardization and wussification of America. But the tale is a little more complicated than that. Consider the plight of Baldy's neighbors, Mount Waterman and Snowcrest.

Like Baldy, Mount Waterman in the San Gabriels also looks as if it's stuck in the 1950s. It too has some say-your-prayers terrain. In days of old, skiers often picked a line through the trees and schussed down to Angeles Crest Highway, where they would hitch a ride back to the main lift.

Waterman was purchased from its longtime owner by a group of businessmen in 1999. They also plunked down money for the smaller Snowcrest, three miles down the road.

In December 2001, Snowcrest's lodge and some of its lift equipment burned down. The resort was then heavily vandalized. Today the wires are frayed on the old single-seat chairlift. The ticket booth has been scorched by flames. A bird has built a nest in a garbage-filled lift booth. The resort is like a mining ruin in the Sierra. The place is history.

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NATIONAL

Arab firm agrees to postpone takeover of ports

BY TED BRIDIS
Associated Press Writer

WASHINGTON — The White House on Friday praised as helpful the offer by a United Arab Emirates company to postpone indefinitely its takeover of significant operations at six major U.S. seaports. The delay gives President Bush time to convince skeptical lawmakers the deal poses no increased risks from terrorism.

Lawsuits to upset the \$6.8 billion transaction were filed Friday in New Jersey and London.

The White House said it still supports the agreement and said that Bush will continue to oppose any effort by lawmakers to block it.

The company's surprise concession, offered late Thursday, cools the standoff building between the Congress and the president over his administration's previous approval of the deal. In early reaction, lawmakers praised the temporary hold. But some critics pressed anew for an intensive examination of the deal's risks.

"We believe it would be helpful to have some additional time to brief Congress about the facts and about the safeguards that are in place," White House press secretary Scott McClellan said Friday. "We believe once Congress has a better understanding of the facts and the safeguards that are in place that they will be more comfortable with the transaction moving forward. So, a slight delay would be helpful in that regard."

As part of its new offer, coordinated with the White House, Dubai Ports World said it would agree not to exercise control or influence management over U.S. ports pending further discussions with the administration and Congress. It did not say how long it would wait for these discussions to be finished.

The announcement effectively leaves existing American and British executives in charge of the company's seaport operations in New York, New Jersey, Baltimore, New Orleans, Miami and Philadelphia.

Meanwhile, the owner of Port Newark filed a lawsuit in New Jersey to block the sale, citing security concerns. The Port Authority of New York and New Jersey said the deal violates a 30-year lease signed with the authority in 2000.

The lawsuit, filed Friday in state Superior Court in Newark, asked a judge to block the sale on the grounds that any such deal required the authority's consent.

In England, a U.S. company at the Port of Miami, Eller & Company Inc., filed a court petition Friday also seeking to block the sale. Eller asked the High Court in London, which must approve its purchase of London-based Peninsular & Oriental Steam Navigation Co., to stop the takeover. Miami-based Eller filed a similar lawsuit last week in a Florida court, alleging it will become an "involuntary partner" with Dubai's government and it may seek more than \$10 million in damages.

Back in Washington, Rep. Peter King of New York, chairman of the House Homeland Security Committee, described the offer to postpone the takeover of operations at U.S. ports as "definitely a positive step." A leading Republican critic of the deal, King said the president still must disclose new details about the administration's review and approval of the agreement last month.

McClellan said the duration of the delay was "not up to us; it's up to the company to make that decision."

A senior Dubai Ports executive, Edward H. Bilkey, said the company will otherwise move forward with its purchase of the British company. Although Dubai Ports agreed to temporarily segregate the company's U.S. operations, Bilkey expressed bewilderment over the security concerns expressed in Congress.

"The reaction in the United States has occurred in no other country in the world," Bilkey said. "We need to understand the concerns of the people in the U.S. who are worried about this transaction and make sure that they are

addressed to the benefit of all parties."

The company, which timed its announcement before financial markets opened in London, assured British shareholders they will be paid as previously planned.

"It is not only unreasonable but also impractical to suggest that the closing of this entire global transaction should be delayed," Dubai Ports said in a statement.

But on Capitol Hill, critics weren't silenced.

"A simple cooling-off period will not allay our concerns," said Sen. Charles Schumer, D-N.Y.

Sen. Robert Menendez, D-N.J., said the company's offer "isn't worth the paper on which it is written."

"If the Bush administration will not stop this deal from closing, Congress must," Menendez said.

Sen. Hillary Rodham Clinton, D-N.Y., urged Bush to conduct a broader review of potential terrorism risks. Rep. Vito Fossella, a New York Republican, said the administration should more fully explain why it concluded the sale was safe.

The announcement of a delay came amid a persistent political furor over the business deal, otherwise expected to be completed in early March. Republicans and Democrats alike have threatened to introduce legislation to block or delay the deal, citing unease over what they describe as inconsistent opposition to terrorism by the United Arab Emirates.

Bush has threatened to veto any such measures and forcefully defended the small but wealthy federation in the Persian Gulf as a vital ally.

The White House noted the United Arab Emirates contributed \$100 million to help victims of Hurricane Katrina just weeks before Dubai Ports sought approval for its business deal. It said the money was nearly four times as much as the administration received from all other countries combined, and said there was no connection between the money and the pending deal.

At the first Senate oversight hearing since the controversy erupted, lawmakers challenged the adequacy of a classified intelligence assessment that played a crucial role assuring administration officials that the Dubai Ports deal was proper. The report, which is closely guarded, was put together during four weeks in November by analysts working under the U.S. director of national intelligence.

Sen. Carl Levin of Michigan, the top Democrat on the Senate Armed Services Committee, asked whether the intelligence report examined purported links between government officials in the UAE and Osama bin Laden before the September 2001 terror attacks.

"I did not see that in the report," said Robert Kimmitt, deputy secretary at the Treasury Department.

Clinton accused the administration of ignoring provisions of a federal law that require more extensive reviews when deals involve purchases by government-owned companies. Administration officials explained their longstanding practice was to conduct such broader investigations only when deals raised serious national security concerns.

Kimmitt responded: "We didn't ignore the law. Concerns were raised. They were resolved."

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NATIONAL



Inmates are gaining ground in fight against lethal injection

BY GINA HOLLAND

Associated Press Writer

WASHINGTON — Death row inmates in more than a dozen states are fighting lethal injection, and with surprising success. What once appeared to be a long-shot legal argument now seems to be gaining ground.

Judges from California to Louisiana, and even at the nation's highest court, are entangled in disputes between state prison officials and inmates who claim their executions may be painful.

The eventual outcome of the cases could be sweeping because every state that has capital punishment, except for Nebraska, has lethal injection. Nebraska uses only the electric chair.

"Every lawyer worth his salt is putting in a lethal injection challenge," said Richard Dieter, executive director of the Death Penalty Information Center, which opposes capital punishment.

An emerging issue is the role of medical professionals in ending the lives of prisoners, providing an unprecedented behind-the-scenes look at jailhouse executions.

The Supreme Court refused this month to let Missouri put to death an inmate despite the state's assurances that it uses a board-certified surgeon to mix the drugs and insert intravenous lines into the prisoner's groin. The inmate claims that the doctor, whose name is kept secret, would violate medical ethics.

Earlier this week, California postponed an execution because no doctor or nurse would agree to administer a fatal dose of barbiturate. A judge is reviewing the state's system.

Based on the experience of other states, California, which has 650 condemned inmates, could be in for a long delay in executions.

In Louisiana, no inmates have been executed since 2002 as the state contests a lawsuit over the training of its executioners and the mix of drugs used. New Jersey, where a moratorium is now in place, was ordered by a state court two years ago to reconsider its procedure.

Although lethal injection does not appear to be in jeopardy, states could face new requirements for drugs and training. Legal battles are ongoing in California, Florida, Indiana, Kentucky, Louisiana, Maryland, Missouri, New Jersey, North Carolina, Ohio, Oklahoma, Tennessee, Texas and Virginia, according to anti-death penalty groups.

A mandate that licensed medical personnel help with executions could pose practical problems for states, however, because the American Medical Association and

other medical groups have long opposed that.

"The people most qualified for doing executions are prohibited from doing it," said Dr. Jonathan Groner, who teaches at Ohio State University College of Medicine and Public Health.

The administration of a fatal dose of drugs was considered more humane than other methods used over the years: electrocution, firing squad, gas chamber and hanging.

For now, the Supreme Court is dealing with only a technical part of the fight, whether inmates can bring last-minute civil rights challenges to lethal injection. The court has a chance to broaden its review to address a contention that the drug cocktail used in most states causes pain that amounts to cruel and unusual punishment.

A Florida case that could be acted on as early as Monday raises that issue, and a second one, from Tennessee, comes up for a vote this spring.

The Supreme Court has never before told states how they can impose capital punishment.

Death penalty supporters do not believe the Constitution guarantees convicted killers the right to a pain-free execution and think the Supreme Court, with two new members named by President Bush, will condone lethal injection.

"There is practically no chance that lethal injection as such would be thrown out," said Kent Scheidegger, legal director of the Criminal Justice Legal Foundation, who wants the court to intervene. "I would like to see the uncertainty done with."

Besides Texas, there appears to be no rush to execute inmates with the legal landscape so unsettled. Only one other state, North Carolina, has an execution scheduled next month.

In the North Carolina execution, lines would be inserted in each of Patrick Moody's arms by technicians and the drugs administered by people hidden by curtains.

One of his lawyers, Charlotte Blake, said she is more optimistic now that judges are paying attention to health issues that have long been a part of death row appeals.

"There's a renewed vigor," she said.

North Carolina has already changed drug dosages in response to a lawsuit that Moody may join.

"It's been coming for years," said Gary Clements with the Capital Post-Conviction Project of Louisiana. He first began pursuing appeals to lethal injection 15 years ago and has slowly seen more death row attorneys join in.

"Science and math are scary to a lot of lawyers," Clements said.

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Suicide bombers wage attack on world's largest oil facility

BY HASAN JAMALI
Associated Press Writer

ABQAIQ, Saudi Arabia — Suicide bombers carried out a bold attack on the world's largest oil processing facility Friday but were stopped from breaking in by guards who fired on their cars, exploding both vehicles and killing the attackers.

It was the first attack on an oil facility in Saudi Arabia, and suspicion quickly fell on al-Qaida. The assault raised speculation that the militants were adopting the tactics of insurgents across the border in Iraq, where the oil industry has been repeatedly targeted.

Saudi Oil Minister Ali Naimi quickly announced that the attack "did not affect operations" and that Abqaiq operations and exports "continued to operate normally." The huge Abqaiq processing facility near the Persian Gulf prepares about two-thirds of the country's oil output for export, making it a crucial link in getting Saudi crude to the market.

Crude oil futures spiked more than \$2 a barrel amid fears militants would again target the vital industry. Light sweet crude for April delivery surged as high as \$63.25 a barrel before settling at \$62.91, an increase of \$2.37 on the New York Mercantile Exchange. Brent crude futures for April delivery jumped \$2.06 to \$62.60 on London's ICE Futures exchange.

The attack in Abqaiq, about 25 miles inland from Saudi Arabia's eastern Gulf coast, took place at about 3 p.m. — several hours after the weekly prayers on Friday, a day off for Saudis though the facility was in operation.

At least two militants were killed in the explosions, and Saudi-owned Al-Arabiya television reported two security guards also died. Interior Ministry spokesman Lt. Gen. Mansour Al-Turki could not confirm the deaths of the security guards but said two were critically wounded with potentially lethal injuries.

The assault began when two cars tried to drive through the gates of the outermost of three fences surrounding the processing facility, al-Turki told The Associated Press. Al-Arabiya reported that the attackers' cars bore the logo of Aramco, the state oil company that owns the facility.

Guards shot at the cars, and both vehicles exploded, al-Turki said. The explosions caused a fire that was quickly controlled, the oil minister said.

Guards then battled for two hours with two other militants outside the facility, said a Saudi journalist who arrived at the scene soon after the explosion. He said he saw workers repairing a pipeline.

For three more hours afterward, security forces searched the surrounding area, the journalist said, speaking on condition of anonymity because of his company's rules.

An AP correspondent at the site saw ambulances racing through Abqaiq's streets hours after the attack. Police had set up roadblocks leading in and out of the town.

There were no immediate reports of further casualties or arrests.

The facility lies several miles from a residential area where several thousand expatriate workers — including Americans, Europeans and Arabs — live. Al-Turki said no foreigners were injured in the violence.

"We have no clue so far about who are the perpetrators or to what group they belong," al-Turki said. "It is still too early. We have already started the investigation."

But Saudi Arabia has been waging a successful three-year crackdown on al-Qaida's branch in the kingdom. Security forces have killed or captured most of the branch's known top leaders, most recently in gunbattles in December, after the militants launched a campaign in 2003 to overthrow the U.S.-allied royal family with a string of attacks.

There have long been fears militants would target oil facilities, but in the past they have targeted foreigners working in the industry rather than infrastructure.

"In Iraq they zeroed in on oil, and this appears to be a creeping process, since it is happening in Saudi Arabia," said Youssef Ibrahim, a Dubai-based political risk analyst with the Strategic Energy Investment Group.

Iraq's most feared terror leader, Abu Musab al-Zarqawi, heads al-Qaida's branch in that country. The two countries share a porous desert border, which militants are known to cross to join the Iraqi insurgency.

In May 2004, attackers stormed the offices of a Houston-based oil company in the western Saudi oil hub of Yanbu in fighting that killed six Westerners, a Saudi and the militants. Several weeks later, al-Qaida-linked gunmen stormed oil company compounds in Khobar, on the eastern coast, and took hostages in a siege that killed 22 people, 19 of them foreigners.

In December 2004, al-Qaida leader Osama bin Laden, a Saudi exile, for the first time called on militants to attack oil targets in the Gulf to stop the flow of oil to the West.

But no major attacks followed in the region. Some experts have believed that because al-Qaida's long-term goal is to run Saudi Arabia, it would do nothing to seriously jeopardize the oil industry on which the kingdom's wealth is based.

Friday's attack is new "in the sense that this is the boldest attempt to strike at the heart of a Saudi oil-production complex," Eurasia Group oil analyst Antoine Halff said.

Saudi Arabia holds over 260 billion barrels of proven oil reserves, a quarter of the world's total. It currently puts out about 9.5 million barrels per day, or 11 percent of global consumption.

The Abqaiq facility processes about 5-7 million barrels a day, removing hydrogen sulfide from crude oil to make it safe for shipping, before it is pumped to tankers for export.

Iraq's most influential Shiite leader makes plea for unity, peace

BY BASSEM MROUE
Associated Press Writer

BAGHDAD, Iraq — Iraq's most influential Shiite political leader called Friday for Sunni-Shiite unity and condemned all killings of Iraqis in a bid to pull the nation back from the brink of civil war after the bombing of a Shiite shrine and a wave of deadly reprisal attacks.

An extraordinary daytime curfew in Baghdad and nearby provinces appeared to have blunted the surge in sectarian violence despite fears that mosque sermons during Friday prayers would be the occasion for further violence. But gunmen fired two rockets at a tomb sacred to Shiites south of Baghdad, causing damage but no casualties, a Shiite official said.

Violence unleashed by the destruction on Wednesday of the golden dome of the Shiite Askariya shrine in Samarra, a predominantly Sunni city, has left almost 130 people dead. The government further stepped up security on Friday, imposing a ban on entering or leaving Baghdad and deploying of armed forces in tense areas.

Religious leaders, trying to calm tensions, met for talks and summoned Shiites and Sunnis to joint prayer services. Still, Iraqis feared the violence had pushed the country closer to civil war than at any time since the U.S.-led invasion nearly three years ago.

U.S. Ambassador Zalmay Khalilzad acknowledged the danger facing Iraq _ and the U.S. strategy for disengaging from this country.

"Everything that needs to be done must be done to avoid a civil war, and I think they are keenly aware of the danger," he said of Iraq's leaders.

Shiite and Sunni clerics met Friday and agreed to work to discourage killings between the two sects. The meeting between followers of radical Shiite cleric Muqtada al-Sadr and members of the influential Sunni Association of Muslim Scholars was held in northern Baghdad's predominantly Shiite neighborhood of Kazimiyah, said Sheik Abdul-Hadi al-Darraji, one of the participants from al-Sadr's group.

In a statement read over national television, top Shiite leader Abdul-Aziz al-Hakim, head of the Supreme Council for the Islamic Revolution in Iraq, condemned the killings of all Iraqis as well as reprisal attacks on Sunni or Shiite mosques. He said those who carried out the mosque bombing in Samarra "do not represent the Sunnis in Iraq."

Dhafer al-Ani, spokesman for the biggest Sunni Arab bloc in parliament, praised al-Hakim's statement, calling it "a step on the road of healing the wounds."

But he said his Iraqi Accordance Front was still waiting for an apology from the government for failing to protect Sunni mosques from reprisal attacks, as well as a commitment to repair the damage and bring those responsible to justice.

The Sunni bloc Thursday suspended talks with the main Shiite alliance about forming a new government until its demands are met.

Al-Hakim blamed Saddam Hussein loyalists and followers of al-Qaida in Iraq boss Abu Musab al-Zarqawi for the mosque bombing.

"We all have to unite in order to eliminate them," he said. "This is what al-Zarqawi is working for, that is, to ignite a sectarian strife in the country," he added. "We call for self-restraint."

Col. Jeffrey Snow, a U.S. Army brigade commander in Baghdad, said the pleas by Iraqi political and religious leaders were helping curb the escalation of sectarian violence.

"It appears as though the people have really listened to the government of Iraq as well as their religious leadership in terms of not allowing this to break down into violent acts," Snow said.

Iraqi Prime Minister Ibrahim al-Jaafari, a Shiite, said he had deployed Iraqi armed forces in areas of friction.

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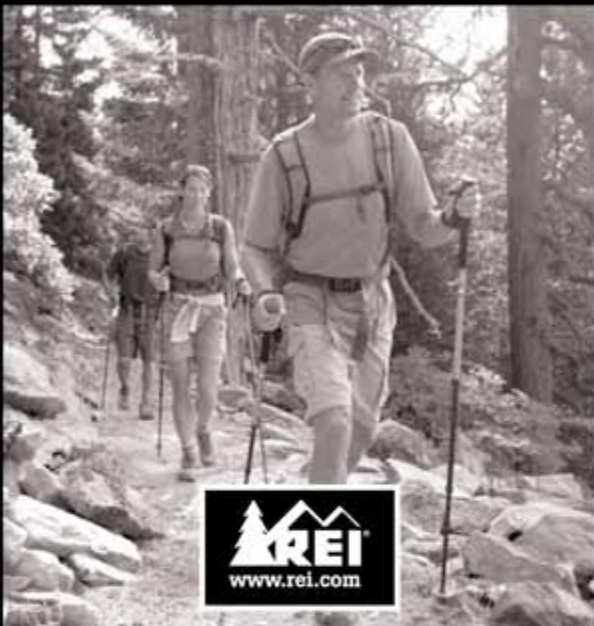
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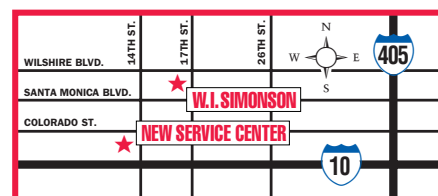
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