

Santa Monica Daily Press

A newspaper with issues

LOTTO

SUPER LOTTO PLUS

44-17-21-30-36

Megamember: 20

Jackpot: \$28 million

FANTASY 5

13, 22, 4, 17, 29

DAILY 3

Afternoon picks: 3, 6, 4

Evening picks: 9, 6, 8

DAILY DERBY

1st Place: 8, Gorgeous George

2nd Place: 4, Big Ben

3rd Place: 5, California Classic

Race Time: 1:46.74



NEWS OF THE WEIRD

by Chuck Shepard

From an underreported profile of Mel Gibson in *The New Yorker* (Sept. 15, 2003), discussing his then-upcoming film, "The Passion of the Christ:" "There is no salvation for those outside the Church. Put it this way. My wife is a saint. She's a much better person than I am. (But) she's Episcopalian. (S)he believes in God, she knows Jesus. (A)nd it's just not fair if she doesn't make it (to heaven); she's better than I am. But that is a pronouncement from the chair (that she will not be saved). I go with it."

QUOTE OF THE DAY

"The most happy marriage I can imagine to myself would be the union of a deaf man to a blind woman."

— Samuel Taylor Coleridge

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'Run hit wonders'



Del Pastrana/Daily Press
'80s band 'Flock of Seagulls,' known for their song 'I Ran,' rock the Third Street Promenade Wednesday as part of a training program for Nike's second annual 'Run Hit Wonder Race.' (Inset) runners don authentic Flock of Seagulls wigs and yellow 'groupie' jerseys. After the concert, hundreds began their training run through Santa Monica.



MTBE money trickling in

BY JOHN WOOD

Daily Press Staff Writer

COUNCIL CHAMBERS — City Hall will receive \$350,000 after politicians agreed Tuesday to settle a lawsuit against WinAll Oil Co., one of 18 oil companies accused of contaminating Santa Monica's drinking water wells in 1996.

To date, the oil companies have agreed to pay City Hall more than \$117 million for allowing MTBE, a gasoline additive, to seep into several of the city's wells. Methyl Tertiary-Butyl Ether cleans emissions, but is toxic if ingested.

WinAll's settlement offer was unanimously approved, bringing City Hall one step closer to the end of a contentious, three-year legal dispute. Assistant City Attorney Joe Lawrence said there is one oil company left that's expected to settle in the coming weeks for about the same amount as WinAll.

"Each of these are separate settlements," he said. "WinAll is a very small company and that's why they got out for that amount."

The settlement leaves only Lyondell

See SETTLEMENT, page 5

Bureaucrats snub smoking on beach, pier

BY JOHN WOOD

Daily Press Staff Writer

COUNCIL CHAMBERS — Lighting up anywhere near the ocean in Santa Monica will soon be a crime.

Members of the City Council voted 4-2 Tuesday to ban smoking on the beach and to limit it to designated areas of the Santa Monica Pier. Violators can be fined \$750.

The contentious vote followed a public hearing that attracted dozens of speakers on all sides of the issue.

Debi Austin, who breathes through a hole in her throat, said her mission is to abolish smoking throughout California. The raspy-voiced Austin appeared winded as she spoke, pausing for breath after every two or three words.

"It doesn't feel like clean, honest government."

— MIKE FEINSTEIN

Santa Monica City Councilman

"We do not ask you to pass ordinances to punish smokers," said Austin, who held a finger over the hole in her throat as she addressed the council. "We ask you to protect people from us. As smokers, we are predators. We steal your personal space. We steal the breath of your children and we abuse them with toxic fallout from our cigarettes."

"You have the opportunity to protect the children of Santa Monica," she added. "Please, step forward."

While Austin and dozens of other speakers pushed for an outright ban on smoking, local merchants and pier officials asked that designated areas be set aside for smokers.

Ben Franz-Knight, executive director of the Pier Restoration Corp., a city-subsidized nonprofit organization that runs the Santa Monica Pier, said 3.5 million people visit the pier each year. He added that while only

See SMOKING, page 5

Speculator uses Santa Monica Mountains to cash in

BY JIM WASSERMAN

Associated Press Writer

SACRAMENTO — A land speculator who earned more than \$40 million selling pristine ocean-front properties to conservationists after threatening to develop them is poised to cash in again in Southern California's Santa Monica Mountains.

Using a complicated series of business partnerships, Manhattan Beach-based Brian Sweeney specializes in buying land in environmentally sensitive areas, threatening to build homes on it and then selling the land to conservation groups that pay for it with state and donated money.

See SPECULATOR, page 8

Deals by land owner Brian Sweeney

By The Associated Press

SM MTNS. — Santa Monica Mountains Conservancy:

In 2001, Sweeney bought nearly 2,000 acres in Los Angeles County's Santa Monica Mountains and has applied to develop nearly 20 sites, mostly

for single-family homes on hills above Malibu overlooking the Pacific Ocean.

The Los Angeles County Planning Department is processing the requests to build homes, which will also need approval of the

See DEALS, page 9

IZZY'S DELI

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It's fun and games, Aquarius



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)

★★★★ New beginnings could have an abrupt or rocky start. You might feel challenged by what is going on. What might be happening is that you are getting a stronger sense of commitment, despite the jolts. Tonight: Chat away.

TAURUS (April 20-May 20)

★★★★ Sometimes you might not be sure of what is going on between you and a loved one. Curb watching the ups and downs, and stay focused on what is. Listen well to an assertive associate, especially when his or her brainstorm involves your funds. Ouch! Tonight: Pay bills.

GEMINI (May 21-June 20)

★★★★ You act driven, and in many ways you are. Stopping you might not be possible. Still, don't assume the path is smooth, as you hit a pothole that could leave you grasping for air. Onward, my dear Twin. Tonight: Your wish is another's desire.

CANCER (June 21-July 22)

★★ Knowing when to duck could make all the difference in your present circumstances, especially if you don't want to contribute to the uproar. Facts change, therefore opinions change. If this can happen once, why not again? Tonight: Get some extra rest.

LEO (July 23-Aug. 22)

★★★★ You drive a hard bargain today. You know what you want and where you are heading. You might be close to unstoppable, even if someone tosses a boomerang in your path. For sure, an associate does the unexpected. Tonight: Where your friends are.

VIRGO (Aug. 23-Sept. 22)

★★ Bosses and those in charge push much harder than you would like. Consider an open rebellion, but know when you need to put a halt to this demonstration. After all, you know the lay of the land. You can only go so far. Tonight: Work as late as necessary.

LIBRA (Sept. 23-Oct. 22)

★★★★ Express what you want, but know that if you carry a heavy amount of emotion in your voice, your words might not be well-received. Use logic. Seek out answers. Detach, and you'll make a powerful argument that changes the course of events. Tonight: Read a good book while listening to music.

SCORPIO (Oct. 23-Nov. 21)

★★★★ You might not always agree with a partner, but that doesn't mean he or she is wrong. You'll gain insight if you fight off rigidity and listen to the real message here. How you express your deeper feelings counts. Tonight: Go along with another's plans.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Others are firm in their commitments. You can rock the boat, but you might not like the reaction you get. Be smart and know who has the edge right now. Your time will come. Just play the waiting game. Tonight: Be spontaneous.

or someone very creative and who quite obviously cares about you. Tonight: Pace yourself.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ No one might be in the mood to be efficient, so shortcuts are the name of the game. You blow through your paperwork, looking for what must be handled immediately. Take a walk on your break if you are fidgety. Tonight: Work off some steam.

AQUARIUS (Jan. 20-Feb. 18)

★★★★ You have a way of invigorating others. Take off and get through a project, using your famed ingenuity. You could be surprised by the end results. Continue to be careful around money. You pull the wild card here. Tonight: Fun and games.

PISCES (Feb. 19-March 20)

★★★★ Your family needs to be your highest priority. How you visualize a domestic arrangement might be very different from a roommate or family member. Come to an agreement before you take action if you want to keep the peace. Tonight: Talk about rearranging.

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LOCAL



COMMUNITY BRIEFS

More construction slows motorists

By Daily Press staff

Wilshire Boulevard will be under construction through the first weekend of April. The reconstruction of three intersections — at 17th, 20th and 26th streets, began on Wednesday and the work will require partial closure of each intersection for several days during construction. The anticipated schedule is as follows:

20th Street intersection:

Work began on March 24 and will end on March 29.

17th and 26th Street intersections:

Work will begin on March 31 and will end on April 4.

East and west bound traffic on Wilshire Boulevard will be reduced to one lane near the construction zone. North and south bound traffic on 17th, 20th and 26th streets will be detoured per the approved traffic control plan.

For each intersection, the construction activity is scheduled to last three days (Wednesday, Thursday, Friday), followed by two days of concrete cure time (Saturday and Sunday). The intersections will remain partially closed to traffic during that period, and will be fully restored early Monday morning.

Inquiries and concerns should be directed to City Hall's project hotline at 1 800-200-8340.

Small dogs get new digs

By Daily Press staff

City Hall has sectioned off an area at Joslyn Park dedicated to off-leash small dogs. The area is in the lower southeast corner of the park. Owners of small dogs may now let their pups run off-leash without worrying about nearby energetic and enthusiastic big dogs. The small dog area is a six-month pilot program scheduled to be evaluated at the Aug. 19 Recreation and Parks Commission meeting.

Dogs in the area must be 25 pounds or under, and all off-leash area rules and regulations apply in the small dog area.

For more information, call (310) 458-8974.

Cooking for a cause

By Daily Press staff

Joe Miller of Joe's Restaurant in Venice came to St. Joseph Center's Culinary Training Program kitchen last week to do a cooking demonstration for 12 students and to answer questions on the art of fine cuisine. Miller prepared seared salmon with a three-olive tapenade and, in honor of St. Patrick, emerald green basil mashed potatoes.

Trained at the Culinary Institute of America and at Eugenie-Les-Bains by Michel Guerard, national recognition encouraged Miller to open his own restaurant in 1991, which has been consistently rated by Zagat as one of the top 10 restaurants in Los Angeles.

"These days people expect more," he said. "Going to a restaurant is not just about going to some hole-in-the-wall place. People like to be comfortable."

The students had a chance to see Miller work, listen to his insights on the profession, ask lots of questions, and help with the food preparation.

"We are grateful to Joe Miller for his association with St. Joseph Center and for sharing his knowledge with our students," said Mark Spilsbury, the program's coordinator.

The center's culinary program provides 10 weeks of training in food service and life skills, and places 68 percent of its graduates in jobs within 90 days after graduation. Established in 1991, the program has graduated hundreds of students who have gone on to gain careers in the food service industry.

St. Joseph Center also provides emergency services, child care, case management, and senior services for homeless and low-income individuals and families on eight sites in Venice, Santa Monica and West Los Angeles.



photo courtesy

Joe Miller, owner of Joe's Restaurant in Venice, shows students how to prepare fine cuisine

surf report

A new WNW swell fills in steadily today and peaks in the afternoon. Most exposed breaks will have waist-high waves, while the standout NW breaks (South Bay) see some overhead sets in the afternoon.

OUTLOOK: This swell will start a slow fade on Friday and will continue to drop slowly over the weekend. There also will be some fun-sized southern hemi swells in the water both days.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

Today the water is:

61°

	LOW TIDES				HIGH TIDES			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	2:38	0.6	3:03	-0.4	8:40	5.5	9:16	5.1
SUNDAY	3:15	0.3	3:28	0.1	9:18	5.1	9:41	5.2
MONDAY	3:53	0.2	3:52	0.6	9:55	4.6	10:04	5.2
TUESDAY	4:30	0.3	4:13	1.1	10:34	4.1	10:28	5.1
WEDNESDAY	5:11	0.4	4:31	1.6	11:17	3.5	10:53	4.9
THURSDAY	5:59	0.6	4:43	2.1	12:12	3.0	11:21	4.7
FRIDAY	7:03	0.8	4:28	2.5	1:56	2.6	11:57	4.4

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The Q-Line

San Francisco Mayor Gavin Newsom recently made national and international headlines by defying state law to issue marriage licenses to gay couples. Newsom said he feels it's a constitutional right for gays to marry.

But some politicians at the state and federal level see things differently. With a hold on marriage licenses for gay couples in San Francisco ongoing and the same debate raging in communities across the United States, Pres. George W. Bush has made it clear that he doesn't

support gay marriages.

Pundits and moral crusaders alike see the hot-button issue shaping up to be a key debate in the 2004 presidential election. So, this week Q-Line wants to know, "Should gay couples be afforded the right to marry? Why or why not?"

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

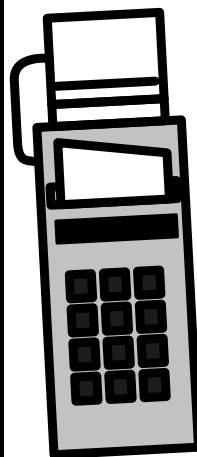
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BUSINESS

Contributing to an IRA a logical choice during tax season



IT'S YOUR BUSINESS

By John Kim

One of the most effective ways to build funds to help you meet your financial goals is through an Individual Retirement Account, also known as an IRA. Have you considered the benefits of opening an IRA? A maximum annual contribution of \$3,000 has the potential to grow substantially over time, as all contributions and earnings compound in the account tax-deferred. If you haven't already done so, there's still time to open and fund an IRA for 2003. You can make a maximum annual contribution of \$3,000 to your IRA, and an additional \$500 if you are 50 years old or above. Therefore, you could potentially contribute up to \$7,000 to an IRA this year.

Whether you choose a traditional or Roth IRA, the tax-deferred compounding of your IRA funds can help you save more for retirement, on an after-tax basis, than the same amount of funds in a taxable savings account, as the chart below illustrates. Assuming a maximum IRA contribution (without catch-up) is made each year beginning in 2003, an 8 percent rate of return, and an ordinary income tax bracket of 25 percent, the comparison is striking.

THE IRA ADVANTAGE

Traditional IRA: An IRA that is deductible under certain circumstances, and that permits penalty-free withdrawals if you are over 59 years old, at which time your money is subject to ordinary income tax. The traditional IRA also offers favorable tax treatment on withdrawals for certain financial goals, such as homeownership and higher education.

Roth IRA: A non-deductible IRA that permits tax- and penalty-free withdrawals

Years of Contribution	Taxable Savings Account	Traditional IRA (Nondeductible)	Roth IRA
After 10 Years Total Contribution: \$43,000	\$61,490	\$62,509	\$68,346
After 20 Years Total Contribution: \$93,000	\$179,977	\$193,086	\$225,781
After 30 Years Total Contribution: \$143,000	\$392,169	\$460,504	\$565,672

Source: Smith Barney IRA Calculator. For illustrative purposes only.

of contributions and earnings — if the account is held for five years and you are over 59 years old. Contributions to a Roth IRA can be withdrawn at any time tax- and penalty-free.

DO YOU QUALIFY FOR AN IRA?

When establishing an IRA, factors to consider include your age, adjusted gross income, current and projected tax brackets, and you and/or your spouse's participation in an employer sponsored retirement plan.

An individual who has earned income or whose spouse has earned income may contribute to a traditional IRA as long as the IRA account holder has not reached 70 years old by the end of the contribution year. Contributions to a Roth IRA may continue beyond age 70. For 2004, the annual maximum contribution to an IRA is \$3,000, or 100 percent of earned income, whichever is less. The annual catch-up contribution for 2003 and 2004 is \$500 for those 50 years old or older, making a possible total annual contribution of \$3,500.

No matter how old you are, if your adjusted income (AGI) is under \$95,000 (single) or under \$150,000 (joint), you may open and make a full contribution to a Roth IRA. Partial contributions are permitted if you are single and your AGI is between \$95,000 and \$110,000 (if married, between \$150,000 and \$160,000). There are no AGI limits for contributions

to a nondeductible traditional IRA.

Roth IRA contributions are nondeductible under all circumstances. Deductibility of traditional IRA contributions from current gross income depends on your AGI and whether or not you and/or your spouse participate in an employer sponsored retirement plan. To determine your eligibility for a deduction on your traditional IRA contribution, contact your financial or tax advisor.

How do you decide which IRA is appropriate for you? Speak with your financial and/or tax advisor to learn more about the advantages of each account and to determine which type of IRA best fits your particular retirement goals and financial circumstances. They can provide you with a comparison between a Roth and a Traditional IRA, which could help you make an informed decision suited to your particular retirement goals.

(John S. Kim is a financial consultant with Smith Barney in Beverly Hills. Call (310) 205-4939 or visit www.fc.smithbarney.com. Smith Barney does not provide tax and/or legal advice. Consult your tax and/or legal advisors for such advice. Smith Barney is a division and service mark of Citigroup Global Markets Inc. Member SIPC. This article is based, in whole or in part, on information provided by the sales and marketing communications department of Smith Barney.)

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LOCAL



SM is third city to ban smoking on its beaches

SMOKING, from page 1

16 percent of Californians smoke, 30 percent to 40 percent of foreign tourists light up.

"We need to provide a viable option for those who do smoke that does not require them to leave the pier entirely," said Franz-Knight, whose comments were echoed by other members of the PRC and some pier business owners.

Still others argued that banning smoking is a violation of their civil liberties. Though that argument ultimately failed, it was supported by two council members.

"I think we're over stretching and I'm concerned about not having a nexus, and enforcing what my morality might be — and I'm somebody who really does choke on this stuff," said City Councilman Mike Feinstein, adding he would rather support banning smoking in outdoor dining areas, where people can't easily escape second-hand smoke.

"I'm not supportive of trying to ban it on the beaches and I also think it's really bizarre to have little cubicles on the pier where you can go smoke when it's a big,

windy space ...," he added. "It doesn't feel like clean, honest government."

"Smoking is death oriented. That's the fact about smoking."

— RICHARD BLOOM
Santa Monica Mayor

In the end, the council banned smoking, with the size and location of at least one designated smoking area to be determined at a later date. Feinstein and City Councilwoman Pam O'Connor voted against the ban, and City Councilman Bob Holbrook was not present.

Under the new law, smoking also will be prohibited in public waiting areas, the most notable example being bus stops. The push for the ban was led by City Councilman

Kevin McKeown and Mayor Richard Bloom, who reluctantly agreed to allow designated smoking areas on the pier, after saying they thought it was the wrong direction for the city to go.

"Smoking is not family oriented," Bloom said. "Smoking is death oriented. That's the fact about smoking."

Santa Monica — which last year banned smoking in its parks — is now the third city in California to ban smoking on its beaches, behind Solana Beach and San Clemente. But officials said other cities are considering it.

Los Angeles City Councilman Jack Weiss, who addressed the council Tuesday, said his drive to ban smoking on all beaches in LA will go before the LA City Council on April 6. Weiss said he's looking forward to the "historic" time when all 13 miles of beaches in LA County are smokeless.

"They said it couldn't be done with restaurants. They said it couldn't be done with bars," Weiss said. "We started that in Southern California and it spread throughout the nation."

Only one oil company left to pay out in MTBE lawsuit

SETTLEMENT, from page 1

Chemical Co. as a defendant. Lyondell, a manufacturer of MTBE, has refused to discuss any settlement. Lawrence said litigation is moving forward on the largest lawsuit ever levied by City Hall.

Santa Monica's crusade against MTBE set the stage for national efforts to clean up the additive. Though California took an aggressive stance against the additive and banned it this year, the Bush administration in February quietly shelved a proposal to ban MTBE in many communities, helping an industry that has donated more than \$1 million to Republicans.

Elected officials praised the work done on the lawsuit.

"Our legal and environmental staffs deserve tremendous credit for taking on some of the biggest corporations in the world and bringing home a settlement that fully restores our local water supply," said City Councilman Kevin McKeown. "Besides protecting city rate payers and providing pure water for generations to come in Santa Monica, we've championed the principle that polluters must make whole the communities they damage."

In addition to the cash payments, three oil companies — Shell, ChevronTexaco and ExxonMobil — agreed last year to pay

"... We've championed the principle that polluters must make whole the communities they damage."

— KEVIN MCKEOWN
Santa Monica City Councilman

whatever it takes to clean up the contamination, which was caused when underground storage tanks leaked gas into the ground water. The companies also agreed to pay City Hall \$92.5 million in cash.

A new treatment facility will be built specifically to clean up the city's water at the Charnock Well Field in West LA, the city's main water source.

The settlement ensures that the oil companies will pay for all costs to construct, operate and maintain the treatment plant, which officials expect will clean the city's water supply by 2008. Costs could exceed several hundred million dollars.

City Hall's lawsuit was levied against the oil companies and manufacturers in 2000. The cash settlements will be used to cover out-of-pocket costs, and other city needs, like continued water quality improvements and water security.

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LETTERS

Town is full of crap

Editor:

The Pacific Ocean is a Pacific with nary a wave. The water lies flat, floating seaweed rests in heaps on the surface. Tiny tickles of foam caress the beach in a wave imitation.

But the dog walkers have become careless not picking up after their faithful companions on the bike paths and Promenade. It is worse than the expectorates who think we like to step in spittle.

I just wish the residents and visitors to Santa Monica would have more respect for their environment and allow others to look up and enjoy the scenery and not have to concentrate totally on each foot placement.

Sandra Smith
Santa Monica

Missing a golf cart

Editor:

After using a handicapped sticker on an electric open "golf cart type" car for six months, at supermarkets in Santa Monica and locally — it was stolen from a handicapped parking spot on street level across from the Laemmle movie theater on Second Street, a half block north of Arizona Avenue at about 8 p.m. — in Santa Monica's downtown crime zone.

Carl Schwarz
Santa Monica

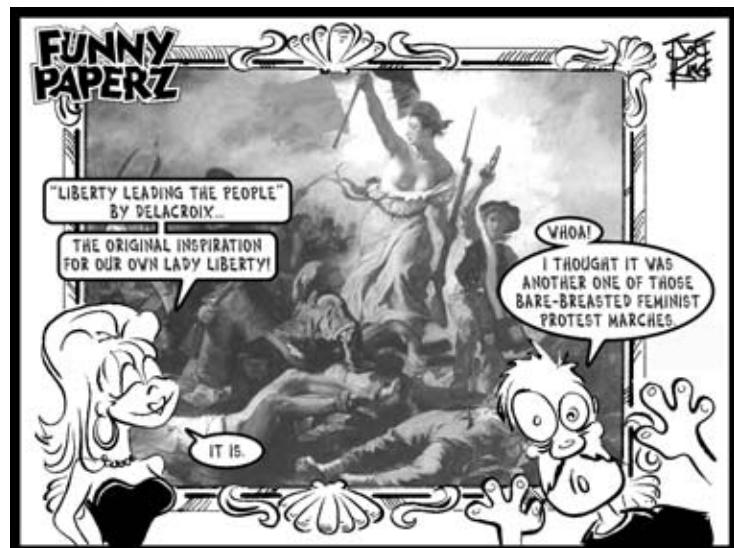
Wake up and smell the bread

Editor:

The recent closing of Polly's to make room for a Panera eatery should provide the final wake-up call for city officials to do something about the embarrassment known as the old Zucky's building at Fifth Street and Wilshire Boulevard. Polly's was run out

of the location by a Wall Street-funded giant willing to buy its way into the location. It would be much less difficult to accept this situation if the old Zucky's location across the street had not been sitting vacant for as long as I've lived in Santa Monica — nine years. With all due respect to the homeless who currently inhabit the Zucky's front door area, this would have been a fine location for Panera to take over.

Geoff Shackelford
Santa Monica



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Around the world, they pledge a different kind of allegiance

NEWS
on the
EDGE

By Ron Scott Smith



This is not rocket science, folks. Not here on page 6. Not on Thursday.

■ You don't blow a 67-year old quadriplegic out of his wheelchair on his way home from church. Ever. Period. You don't do that. But that's exactly what they did, the Israelis, on Monday. They took out the arch-enemy, Sheik Ahmed Yassin, with two missiles fired from a military attack helicopter as he was being pushed home from a Gaza City mosque after a dawn prayer service. It was a helicopter the paralyzed Sheik never heard, and may have only barely seen, as he was blind in one eye and deaf.

■ True, the threat he presented to Israel had nothing to do with his broken-down body. It was his leadership of the militant Palestinian resistance, Hamas, that made him an object of such fear. And let's be clear about this — any man who would use his powers of persuasion to convince kids to strap bombs to their chests and go blow themselves and anybody else they can take with them to smithereens in the

name of God or state — any man like that deserves some just rewards. But guided missiles flying out of the dark early morning sky into a wheelchair? And now, guess what? You guessed it. "Death to America," joined "Death to Israel," in the chant coming from millions on the streets of Palestine on Tuesday, like we need to hear any more of that. But they see a polygraph needle jumping right off the paper as Bush declares he had nothing to do with it. And watch that color-coded terror alert thing jump right out of the Crayola box soon, it'll be so red.

■ Ever wonder who Al Qaida would vote for if they all happened to be holed up somewhere in America come November, which they just might be? Well, that's the question Bush loyalists are putting out there as a sort of lynchpin of their campaign, knowing that most would answer — John Kerry — identifying him as the softer of the two on terror, clearing the way for four more years of the man they say Bin Laden fears most. But, truth be known, that bunch would vote for Bush in a heartbeat. He's accelerated their worldwide movement at warp speed, presenting them with a scenario their best fiction writers couldn't have conjured up. The U.S. Armed Forces are isolated and surrounded in the heart of their Middle East, in an apparent bottomless quagmire. More kids with more Bin Laden screen-

savers on more computers are signing up for more suicide missions than were ever dreamed of, as he reaches mythological proportions among millions of true believers. Again, who do you think they'd want to elect? Besides, there's something icy about Kerry, like a guy who locks eyes with the grim reaper and doesn't blink, and they know it. To those who would do harm to America, the war-ravaged Senator would be cruel, cruel and smart too, and they know it.

■ Bush and Condoleezza Rice seem to be doing all they can to thwart the special commission investigating 9/11, and you'd think maybe they'd want to know along with the rest of us what exactly it was that hit us, but no. He says he'll give the commission maybe an hour, but don't bet on it, and Ms. Rice has ordered cameras and microphones out of the room when she testifies.

■ The Clinton presidency is being revisited at these hearings, as the current administration desperately seeks to show that they aren't the only ones without a clue about the tragedy. Funny how they resurrect Clinton, saying they did just what he did, when that works, and then bury him later, when that works. Like the exprez has said, "They don't give me credit for anything that happened while I was there, and they blame me for everything that's happened since I've been gone."

■ Take gasoline prices. Please.

Clinton's fault? National reports have prices reaching a record-high \$1.70 per gallon across the country, and Californians — shelling out around \$2.20 — can only dream about paying those kind of record-high rates the others pay. Why are we getting reamed? Senator Boxer said, in calling for fat-chance White House action, "California seems to be way out of whack." But see, that's what the president has been saying all along, ever since we voted for the other guy in 2000. His own chairman of the FTC calls the California prices an "anomaly."

■ Before putting down your paper, please stand and repeat after me. "I pledge allegiance to the flag — of the United States of America — and to the republic for which it stands — one nation — indivisible — with liberty and justice for all." Feels kind of empty without the "under God" in there, doesn't it? That's what the Supreme Court is trying to figure out as we speak. Am I the only one left standing who says lose the whole damn thing? Get it out of here. It's outgrown its usefulness. Nobody needs to be standing, holding hand over heart, chanting in patriotic unison to an America we all love, an America that will be just fine, thank you, without it.

(Ron Scott Smith will be just as patriotic without any allegiance. To reach him, e-mail Edgeofthewest@aol.com)

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OPINION



Mayor proposes compromise plan to fund schools



Guest Commentary

By Richard Bloom

Financial support to our public schools, via a joint use agreement, has been a cornerstone of city policy for many years. In 1999, my first year in office, the City Council increased its ongoing contribution by \$250,000 per year — achieving an unprecedented total of \$3 million.

Combined with other funds earmarked for other youth programs, the total city budget for young people now exceeds \$15 million per year — a sizable chunk.

In spite of our efforts, our local public schools continue to operate in “crisis mode” as a result of overall economic uncertainty and the California state budget crisis. In response, the City Council has allocated millions of dollars of additional funding from “one-time” funds that are not predictably available on an ongoing basis.

Our city has a multitude of important responsibilities and programs that benefit the public health, safety and welfare — our own “Three R’s.” Hence, in virtually every context, we can be very proud of our special commitment to quality public education.

I have a special understanding of the importance of this aid because my two children, currently at Santa Monica High School, have attended our public schools since kindergarten. Every year, my wife,

Robbie, and I cringe as we consider the implications of diminished school funding. Less money means fewer programs, larger class sizes and a generally downward trend in our schools’ ability to provide an excellent education. Of course, our children, Emmett and Zac, are only two of about 12,000 district children. Our district is diverse and includes many children with special needs, and from disadvantaged backgrounds.

Like every other resident, we are blessed by the breadth and quality of the many services the city provides — from quality parks and library facilities and programs to the highest standards of public safety. We were reminded of this recently when we called on the Santa Monica Fire Department to respond to a healthcare emergency. The response was highly professional and virtually instantaneous.

It’s clear that the need for city assistance to our schools will continue into the future. In this context, it’s time for the city of Santa Monica to find a way to sustain and enhance its ongoing contribution in a way that provides predictability and certainty, while not causing the deterioration of other city services and programs.

In December I joined the City Council in directing our staff to find a way to double our annual ongoing funding of the district to \$6 million. Two weeks ago, City Manager Susan McCarthy provided the first details of an historic blueprint for that increase.

The \$6 million plan would be based

upon a long discussed, but never implemented long-term joint use agreement between the city and the SMMUSD that would provide for annual increases to keep up with inflation. The current annual agreement is deficient because the school district and the city have different budget cycles. Every year, the district is left wondering what funding it will receive from the city.

Knowing that long-term, ongoing funding is available will provide more predictability to the budgeting process.

A group of education advocates have been circulating a ballot measure petition that proposes a different solution to the issue of school funding. Many community leaders, including every member of the City Council, firefighters, police officers, municipal employees and business leaders have criticized this measure because, among other reasons, it would require deep budget cuts in other programs and because it fails to provide for accountability.

The city’s plan will address all of these concerns. The \$6 million in enhanced funding would be fully funded only when general fund ongoing revenues are sufficient to move forward. However, “bridge funding” from one-time resources will be identified so that the enhanced amount can begin now while general fund expansion is pending. A reasonable “cost of living” adjustment will be included in the long-term contract, so real-dollar funding will no longer shrink due to inflation.

Principles of good government demand accountability. The city plan provides for accountability in two ways: First, as it does with all of its grantees, the city will routinely review district performance. Second, as a condition of funding, the district will be required to maintain the citizen’s financial oversight committee. This highly successful group was formed about four years ago as a requirement of continued city funding.

The city’s plan does not reach the levels of funding called for in the ballot measure proposal and thus will not satisfy some. However, the city’s plan is fiscally responsible and will not require budget cuts in other programs. Moreover, it will avoid a divisive and destructive battle over funding priorities and does not have the significant drawback of facing a likely successful legal challenge. By contrast, the city’s joint use agreement provides a sound legal basis for continued support and guarantees that the residents of Santa Monica will receive additional benefits from the city/school partnership.

It is time for us to unite in support of a single plan for city assistance of our public schools. Therefore, I call on all in our community, including our elected officials, to step forward and join me in publicly supporting this important and historic step forward in our city/public school partnership.

(Richard Bloom is the mayor of Santa Monica.)

Sen. John Kerry’s presidential campaign needs work



HERE’S THE THING

By Lara M. Brown, Ph.D.

Senator John Kerry’s presidential campaign is slipping away from him — it has been ever since he effectively won the nomination on March 2.

While three weeks isn’t long, Kerry is losing the framing battle. This is akin to losing home field advantage for the playoffs. He may still be able to pull out a win, but the odds aren’t currently in his favor.

According to a recent Newsweek poll, Kerry’s unfavorability rating has gone up nearly 10 percentage points since February (moving from 27 to 36), while his approval ratings have dropped from 56 to 51 percentage points. Bush’s attacks seem to be working and unless Kerry turns this around, he’ll be playing on Bush’s turf for the rest of the election.

Political rule No. 1: If possible, choose your field and bring along your fans.

While media messages are tough to control because reporters rarely just repeat what you tell them, it is fairly easy to tell whether you are playing on offense or defense. When on offense, people are

often heard repeating your statements and coupling them with adulation. When on defense, people are often heard repeating your statements and coupling them with astonishment. Defense also means you spend most of your “on-air time” backtracking from previous statements. Defense equals drivel.

Kerry’s been on defense. First, there was the “I didn’t remember I was wired” insult about the Bush administration. Then the “foreign leaders” remark, which included his having to sidestep follow-up questions to name names. And then there was his \$87 billion vote quote. None of these showed great rhetorical promise.

And all of them raised the question, could Kerry, a politician for over 30 years, possibly be unprepared for this fight?

Political rule No. 2: When you open your mouth, say something worthwhile or say nothing.

Kerry also has been seen frolicking — skiing and snowboarding — with his wife in Ketchum, Idaho. Not that the Kerrys shouldn’t take time off the trail, but it would have been wiser politically had they spent the time at home, either in Boston or in Washington.

Why shouldn’t the Kerrys enjoy a winter wonderland? The No. 1 and No. 2 priorities of likely voters according to a poll taken last week by The New York

Times/CBS News were the economy and jobs (18 and 13 percent, respectively). Kerry’s message during much of the primary campaign was that the jobs outlook is as awful as it is because Bush has neglected the needs of working people. Kerry should not now be seen out on the slopes acting as though he does not have a care in the world. The Kerrys looked like they could have been doing a photo shoot for Town & Country magazine.

Political rule No. 3: Consistency matters — word and action, message and image, these should all be aligned.

The good news: Kerry’s vacation is over. It ended Tuesday. Kerry also is embarking on a fundraising swing that is purported to take in over \$10 million in 10 days. This is a good start, but more needs to be done to get Kerry back on offense and back on his own turf.

HERE’S THE THING:

Kerry needs a message. Not a slogan. Not a biography. Not a criticism of Bush. He needs an issue that becomes the focus of his campaign, and a message that becomes the touchstone for every topic.

If I were Kerry, I’d choose healthcare.

Nearly 44 million Americans don’t have health insurance and the cost of health insurance rises on average around 13 percent a year. The system is broken. It needs reform. Kerry has plans and pro-

posals to fix healthcare. They are all over his Web site.

The Medicare bill signed into law by President Bush was a terrible piece of legislation. Not only was the prescription drug benefit a huge corporate windfall, which Kerry can make political hay over, but the process by which the bill passed was questionable. Richard Foster, an actuary for Medicare, was threatened with dismissal if he told of the true costs of the proposal. Representative Nick Smith (R-Mich.) was offered help with his son’s campaign if he would vote for the bill (these actions are now being investigated by the House Ethics Committee).

The Medicare Board of Trustees has issued its annual report and declared that one of their funds will be insolvent by 2019, largely as a result of this legislation.

Are there other issues to pick? Yes. But with the economy improving, the status of foreign events so uncertain and healthcare ranking third on the priority list of most Americans, I think the choice is clear.

It’s time for Kerry to pick up the ball and get in the game.

(Lara M. Brown, Ph.D., is an education policy consultant and a visiting scholar at UCLA’s Institute for Social Science Research. She can be reached at larambrown@aol.com)



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LOCAL

Environmentalists call land deals a 'shakedown'

SPECULATOR, from page 1

Now Sweeney, a native Canadian who has earned a fortune since 1998 legally exploiting a loophole in California property law, is negotiating with the state's Santa Monica Mountains Conservancy to buy his acreage overlooking the Malibu coast.

As with his two previous deals in Northern California, Sweeney is threatening to sprinkle the land with homes for the rich and famous if the conservancy doesn't buy. And once again, he's angering environmentalists who call it a shakedown.

"This wasn't intended to be an ATM machine for scam artists, and in my view, that's what Mr. Sweeney has done with his particular land-use strategy," said Fred Keeley, a former member of the Assembly and now director of the Planning and Conservation League, a leading force behind three voter-approved state bonds since 2000 to fund open space land buys.

Los Angeles County planning officials confirm 20 development applications from Sweeney and his 14 limited liability cor-

porations, mostly for luxury homes, and based on historic property records. Political staffers also confirm meetings to find money for buying property from Sweeney, who did not return repeated calls for comment from The Associated Press.

In his earlier deals, Sweeney and his partners reaped \$28 million in state and federal funds from just two land transactions in 1998 and 2001 — and triggered a 2001 state law to close the loophole and prevent copycat attempts elsewhere on the state's 1,100-mile coast.

His partners have included a Denver-based consortium of investors that touts its renovations of stressed downtown properties and a Stanford University law professor who runs a New Jersey investment fund.

Sweeney bought his Santa Monica Mountains parcels in 2001 after earning a \$24 million profit from threats to develop luxury home sites on 1,226 acres in Monterey County's Big Sur, and an earlier \$20 million profit from similar threats to subdivide the 7,000-acre Coast Dairies

property in Santa Cruz County.

Now he owns an estimated 1,500 to 2,000 undeveloped acres in the Santa Monica Mountains, much of it long coveted by the conservancy and National Park Service for its open space and ocean views above a metropolitan area of 17 million people.

"The property contains high scenic habitat and aesthetic values that we would love to have," said Woody Smeck, superintendent of the Santa Monica Mountains National Recreation Area.

In all his land purchases, Sweeney's associates found historic property records giving him eventual rights to create lots and sell at a developable value rather than as rural property. Conservationists claim they had no choice but to negotiate quickly, and say the end result — in spite of exorbitant costs — is nearly 9,000 acres of pristine oceanfront space for generations to come.

"I don't think there's any doubt if we didn't buy it he would have sold it and there would have been luxury homes on the property instead of a gateway to the wilderness," said Reed Holdernman, vice president of the Trust for Public Land.

The TPL orchestrated both buys of Sweeney's oceanfront land for open space.

Now, in Los Angeles County, Sweeney and his Malibu-based planning consultants, Schmitz and Associates, want government approval for home sites that could quickly inflate his rural, undeveloped property values to residential levels.

"He's a savvy buyer, and he's bought some properties that have been critical acquisitions of the state parks department and federal Park Service for years," said Laura Shell, land use deputy for Los Angeles County Supervisor Zev Yaroslavsky.

"Everything he has done is legal, and the county planning department is monitoring his applications and scrutinizing them as they would any other," Shell said.

Money to buy Sweeney's land in the Santa Monica Mountains would most likely come from bonds authorized by Propositions 40 and 50, a pair of 2002 voter-approved

bond deals that earmarked \$6 billion for land buys and protection in California.

Sweeney helped make that \$6 billion pool of money a reality by contributing \$100,000 in 2002 to the California Conservation Campaign, a fund-raising committee formed by the Trust for Public Land.

All of this exasperates the conservationists, some of whom like Keeley say state money has been wasted to buy off a middle man exploiting a loophole.

"My best effort to develop a conservation ethic in this person has completely failed," said Katherine Anderson, who negotiated the Santa Cruz County Coast Dairies deal with Sweeney in 1998 as executive director of San Francisco-based Save the Redwoods League. "Instead, he's moving down the coast in an opportunistic fashion to the detriment of the people."

But David Mills, a Stanford law professor and partner with Sweeney in another Santa Cruz County property, called Sweeney an honorable man acting within the law.

"Property should be sold for what it's worth, for its fair market value, between a willing buyer and a willing seller," Mills said.

Catherine Philipovitch, Sweeney's Santa Cruz attorney, declined to comment.

Sweeney controls his California land dealings through numerous limited liability corporations — several with links to Triton Investments Inc. of Denver. Triton owner Don Bailey is a fellow Canadian-born developer and real estate investor whose Triton Properties has earned a reputation for renovating numerous historic downtown Denver buildings for apartments, stores and offices. Bailey didn't return calls from The Associated Press.

Sweeney's 147-acre oceanfront Sand Hill Bluff property in Santa Cruz County is a partnership with New Jersey-based WS Investments, LP, a holding of Mills and James S. Regan, chairman of New York-based Hotelvision Co. The partners paid nearly \$3 million for the property in 1999 and are pursuing a development permit to build a home there.

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STATE

Dispute could derail Pledge case

BY DAVID KRAVETS

Associated Press Writer

SACRAMENTO — The historic challenge to the words “under God” in the Pledge of Allegiance might never have reached the Supreme Court if not for a collision of faith between two parents — one an atheist, the other a born-again Christian.

Normally, the personal sagas of the parties in a Supreme Court case are just a footnote to the constitutional principles. But the clash between the parents threatens to derail the entire case, which was heard by the high court on Wednesday.

The case was brought by Michael Newdow, an atheist who does not want his 9-year-old daughter exposed to the phrase “under God,” which Congress inserted in 1954 in a Cold War expression of abhorrence of godless communism.

The girl’s mother, Sandra Banning, is a born-again Christian locked in a bitter custody dispute with Newdow, whom she never married. Backed by former Whitewater prosecutor Kenneth Starr, she has told the justices that her daughter has no objection to reciting “under God” in school each day.

Should the justices wish to sidestep the church-and-state issues, the custody quarrel between the former lovers presents them with an easy out. They may just decide that Newdow, because he did not have custody at the time, could not sue without the mother’s consent, and dismiss the case outright.

“This custody issue could be a stumbling block on the way to getting an answer,” said Douglas Kmiec, a constitutional law expert at the Pepperdine University School of Law. “It’s clear the law gives Newdow a right as a parent to instruct his daughter in what he believes about the world, but what the law doesn’t give a parent is the right to unilaterally veto what the other parent believes about the world.”

In an explosive ruling in June 2002, the San Francisco-based 9th U.S. Circuit Court of Appeals, the nation’s most liberal appellate court, declared that reciting the pledge in public schools in unconstitutional because the words “under God” amount to an endorsement of religion.

The ruling spun heads from California to Washington.

If upheld, the ruling would overturn 50 years of common practice in America’s schools.

But last October, the Supreme Court justices announced that they wanted to hear more about whether Newdow had legal standing — that is, the right to sue on behalf of his daughter.

“How weird it is, that standing on a case may ultimately determine the pledge case, that it depends on quirky domestic relations,” said Vikram Amar, a Hastings College of the Law scholar.

The acrimony between Banning and Newdow is intense. They could not even agree whether the fourth-grader in the Elk Grove school district near Sacramento could attend the Supreme Court arguments.

Newdow, a lawyer and a physician, wanted his daughter to watch as he argues the case himself. But a family court judge ruled against him, saying she could be harmed hearing Newdow tell the justices about the custody dispute.

Land deals by Sweeney

DEALS, from page 1

California Coastal Commission.

Sweeney has talked with the Santa Monica Mountains Conservancy about buying some of its properties using money from Propositions 40 and 50, a pair of bond issues that passed in 2002.

SAND HILL BLUFF

Sweeney and Stanford law professor David Mills paid nearly \$3 million in 1999 for a 147-acre oceanfront parcel in Santa Cruz County between Coast Dairies and Wilder Ranch.

They are applying to build a luxury home on the property, but have talked with the Trust for Public Land about selling it for open space.

Rep. Anna Eshoo, D-Palo Alto, has obtained \$2 million in federal funding for an eventual purchase.

COAST DAIRIES

Sweeney optioned 7,000 acres of oceanfront land near Davenport in Santa Cruz County during the mid-1990s after the failure of two previous options. One involved utility Pacific Gas and Electric in the 1970s, which planned to build a nuclear power plant there, while the other was by the California Coastal Conservancy in 1993, which proved unable to buy the land when a 1994 conservation bond failed.

Sweeney, with \$20 million in the property, announced plans to divide it into 139 parcels for luxury homes and sold his option in 1998 to Save the Redwoods League which assigned it to the Trust for Public Land. Property is to be transferred to California Department of Parks and Recreation and U.S. Bureau of Land Management.

Purchase price from Sweeney: \$44 million.

Funding included:

\$20 million, David and Lucile Packard Foundation
\$18 million, local, private grants and Santa Cruz Land Trust
\$6 million, California Coastal Conservancy

BIXBY RANCH

Sweeney bought 1,226 acres in Big Sur south of Carmel in Monterey County in January 2000 for \$9 million from the family of former “Candid Camera” host Alan Funt. He then announced he had rights to build nine luxury homes on the property and sold one parcel to a private owner for \$7.3 million. In 2001, he sold the remainder of the property to the Trust for Public Land for \$26 million. That land is now owned by the U.S. Forest Service.

Funding included:

\$17.6 million, U.S. Forest Service
\$5 million, California Coastal Conservancy
\$2.5 million, private donors
\$500,000, California Department of Transportation

Sources: Trust for Public Land, California Coastal Conservancy

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NATIONAL

CIA confusion hurts efforts to stop bin Laden before 9/11

BY KEN GUGGENHEIM

Associated Press Writer

WASHINGTON — The CIA did not believe it had the authority to kill al-Qaida leader Osama bin Laden before the Sept. 11 attacks, a federal commission said Wednesday during high-visibility hearings on missteps in U.S. counterterrorism policies.

The CIA also heavily depended on Afghan indigenous groups to attack bin Laden even though CIA Director George Tenet understood its chances of succeeding were only 10 to 20 percent, the federal commission investigating the Sept. 11, 2001, attacks said in a preliminary report.

The panel said officials at all levels of the Clinton and Bush administrations questioned the effectiveness of placing “the achievement of policy objectives in the hands of others. So, the commission needs to ask why that strategy remained largely unchanged throughout the period leading up to 9/11,” the report said.

The commission was using the two-day hearing to examine diplomatic, military and intelligence efforts to stop al-

Qaida before the Sept. 11 attacks against New York and Washington. The commission’s findings are to be released this summer and are likely to provide fodder for both Republicans and Democrats in their fall election campaigns.

Also scheduled to appear Wednesday was Richard Clarke, counterterrorism adviser in both administrations. In a newly published book, Clarke accused President Bush of ignoring the threat posed by al-Qaida until the day of the attacks.

Clarke’s charges were strongly rebutted Tuesday by Defense Secretary Donald H. Rumsfeld and Secretary of State Colin Powell. They said they were going beyond past practices of carrying out retaliatory strikes and had been developing a strategy for defeating al-Qaida.

Tenet told the commission, “Clearly there was no lack of care or focus in the face of one of the greatest dangers our country has ever faced.”

After the Bush administration took office, officials “immediately understood what we were talking about here and bin Laden and al-Qaida became an agenda item early on” with national security adviser Condoleezza Rice, Tenet said.

In August 2001, the CIA gave Bush a highly secretive assessment on whether terrorists might attack the United States. It included no “specific, credible information about any threatened attacks in the United States,” according to the commission report.

The White House was not informed about investigations that revealed that two al-Qaida operatives were in the United States or about the FBI investigation of Zacarias Moussaoui, the only person charged in the United States with being a Sept. 11 conspirator.

The panel’s report said the CIA’s deputy director of

operations, Jim Pavitt, told Bush shortly after he was elected that bin Laden was one of the gravest threats to the country.

“President-elect Bush asked whether killing bin Laden would end the problem. Pavitt said he and (Tenet) answered that killing bin Laden would have an impact but not stop the threat,” the report said.

The CIA later told the White House that “the only long-term way to deal with the threat was to end al-Qaida’s ability to use Afghanistan as a sanctuary for its operations.”

Bush in late 2001 ordered U.S. military forces, with British assistance, to help Afghan’s Northern Alliance depose the Taliban government that had been sheltering bin Laden. Bin Laden was not found, and military action has been ongoing there ever since against al-Qaida and Taliban remnants.

After intelligence agencies began seeing strong indications in June and July 2001 that a terrorist attack was likely, some CIA officials were frustrated when some policy-makers questioned the intelligence. But Tenet, who was briefing Bush daily, “told us that his sense was that officials at the White House had grasped the sense of urgency he was communicating to them,” the report said.

The report said that before the Sept. 11 attacks, “no agency did more to attack al-Qaida, working day and night than did the CIA.” But there was confusion about how best to carry out the policy against al-Qaida.

President Clinton had issued several orders for “the CIA to use its proxies to capture or assault bin Laden and his lieutenants in operations in which they might be killed. The instructions, except in one defined contingency, were to capture bin Laden if possible.”

While Clinton administration officials believed those orders authorized the CIA to kill bin Laden, many CIA officials believed they were authorized only to capture bin Laden. “They believed the only acceptable context for killing bin Laden was a credible capture operation,” the report said.

An unidentified former chief of the CIA’s bin Laden section told the committee that officers “always talked about how much easier it would have been to kill him,” it said.

Clinton’s former national security adviser, Samuel Berger said the CIA never complained about the restrictions to the White House, the report said.

Tenet told the commission Wednesday that he would have gone back to Clinton if he had thought the authority was inadequate. He suggested that the CIA lacked the “operational opportunities” to strike at bin Laden.

Carefully measuring his words to avoid discussing sensitive covert operations, Tenet said “the capability to do what you’re asked to do is actually a lot more important than the authorities that you’re granted.”

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WORLD BRIEFLY

European Union finds Microsoft guilty

By The Associated Press

BRUSSELS, Belgium — The European Union declared Microsoft Corp. guilty Wednesday of abusing its "near monopoly" with Windows to squeeze competitors in other markets and levied a record fine of 497.2 million euros (\$613 million).

The EU's antitrust authority said that "because the illegal behavior is still ongoing," it was also demanding changes in the way the U.S. software company operates.

It gave Microsoft 90 days to offer a version of Windows to PC manufacturers without its digital media player, and 120 days for Microsoft to release "complete and accurate" programming code to rivals in the server market, so their products can have "full interoperability" with desktop computers running Windows.

Microsoft has just over two months to file its promised appeal. It also is expected to ask the EU's Court of First Instance to suspend the order during the appeal process, which could take years.

Medicare broke within two decades

By The Associated Press

WASHINGTON — Medicare will go broke by 2019 without changes, 11 years sooner than its trustees projected two years ago — a deterioration the White House blames on rising health care costs, but that Democrats attribute to failed economic policies.

The government health care program for older and disabled Americans will have to take \$7.5 billion from its reserves this year to meet its expenses, government trustees said Tuesday in their annual report.

Social Security's finances, by contrast, remained the same and the program's projected insolvency date remained 2042, the trustees said. A projected \$3.7 trillion shortfall over 75 years could be erased with a 15 percent increase in Social Security taxes, a 13 percent

cut in benefits or some combination of a tax hike and benefit reduction, they said.

Medicare probably will require more substantial changes, they said.

Hamas focused on Israel, not U.S.

By The Associated Press

GAZA CITY, Gaza Strip — Hamas has no plans to attack American targets, the group's new leader in Gaza said Wednesday.

Hamas had issued veiled threats against the United States following Israel's assassination of its spiritual leader, Sheikh Ahmed Yassin, on Monday.

Abdel Aziz Rantisi said Hamas' agenda is to fight the Israeli occupation of Palestinian lands. Rantisi was chosen as Hamas' new leader in its Gaza stronghold on Tuesday.

Powell: It's time to redouble efforts against terrorism

BY GEORGE GEDDA

Associated Press Writer

WASHINGTON — Former terrorism adviser Richard Clarke has touched off a furor by suggesting that President Bush, both before and after the Sept. 11 attacks, was inexplicably focusing on Iraq instead of al-Qaida.

In response, the administration says Clark is a grandstander, a disappointed office seeker and a fellow who really wasn't in the loop during his service in the Bush White House.

The debate over decision making during the crucial period 2 1/2 years ago is important because of the way it could shape election year politics. But, as diplomats point out, what really matters is not so much whether Bush has had his priorities straight but the outcome of what he has wrought.

Secretary of State Colin Powell last week visited some of those places that everybody is talking about this week, including Afghanistan, Pakistan and Iraq.

No one doubts that the stakes for the United States in these countries are huge. Failure in Afghanistan could mean a return to the unstable situation that allowed al-Qaida to establish a foothold there in the first place.

It's almost mandatory in such a situation for a visiting secretary of state to accent the positive, as Powell did last week.

"A lot has been done since my last visit

two years ago," Powell said, standing on the tarmac at the Kabul airport after his seven-hour visit. "I think we're bringing hope back to the people of Afghanistan."

But significant economic gains for those people, not to mention a security environment free of fear, still seem a long way off.

Powell's message of hope was repeated the next day in Pakistan. There, a friendly leader, President Pervez Musharraf, is in place. He is the almost indispensable partner for the United States in the war on terrorism.

Powell may have lowered the boom in private with Musharraf about the country's undemocratic ways but there was not a whisper of discontent in public, not when Pakistani soldiers are risking their lives in a new offensive against suspected Taliban and al-Qaida hideouts along the border with Afghanistan.

A month ago, the State Department rated Pakistan's human rights performance as "poor." The closest Powell came to raising that sensitive issue was in an opinion piece published in an Islamabad daily in which he pledged to continue working to "promote human rights and the rule of law."

Two assassination attempts against Musharraf underscore Pakistan's potential for instability. His country and its security services are awash with people whose sympathies lie with the Taliban, the deposed rulers of Afghanistan.

America's worst nightmare is that in the event of Musharraf's ouster, Pakistan would fall into the hands of Islamic militants who then would seize control of the country's nuclear weapons facilities. To help avoid any such calamity, the United States plans a \$3 billion assistance program over five years.

Next on Powell's itinerary came Iraq, where almost a year after the war that removed Saddam Hussein from power, the question persists: Was the war justified? Clarke, who served as a terrorism

adviser under four presidents, doesn't think so.

Bush "launched an unnecessary and costly war in Iraq that strengthened the fundamentalist, radical Islamic terrorist movement worldwide," Clarke wrote in his book, "against All Enemies."

Powell, of course, disagrees, noting that terrorism was a problem well before the Iraq war. As for the U.S.-led invasion, he said, it rescued a country from "under the thumb of a dictator who filled mass graves."

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Obituaries

CHUCK NILES
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I've lost a great friend of 30 years and the world has lost the last of the great Jazz DJ's. Chuck was more than a radio personality, he was an encyclopedia of jazz music and the musicians who played it. Known and loved for years in the Southern California area and lately throughout the world because of satellite broadcasting, Chuck was a true Jazz icon. A true "Jazz Crusader", always out in the clubs supporting the music and the musicians, whom he always treated as his buddies, it was always fun to "hang" with Chuck. He was articulate and knowledgeable, and had a distinctive resonant baritone voice and infectious sense of humor that endeared him to millions of fans for several decades. Bob Comden and I will always remember the times years ago that he attended my big band gigs and announced them on his show. My brother Vic, Bob Comden, and the staff of Santa Monica Music Center will miss dearly. Our sympathy goes out to his daughter Tracy and the family.
Paul (Chico) Fernandez

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PEOPLE IN THE NEWS

Students' idol steps in to pink shirt wearing scandal

By The Associated Press

■ **NEWPORT BEACH** — Six middle school boys who were banned from a class portrait for refusing to cover up their pink T-shirts have gained the support of fashionable "American Idol" host Ryan Seacrest.

Ensign Middle School principal Edward Wong pulled the boys from their eighth grade class portrait last week because he feared the color could be associated with gang-affiliated "dance crews," which hold all-night dance contests and raves.

The boys denied being crew members and said they wore the shirts, which students described as "Easter pink," to stand out in the photo.

More than 400 of the 1,000 seventh- and eighth-graders at the upscale school wore pink to class the following day in support of the teens. Many said they'd wear pink again Friday.

Seacrest, who also hosts the TV show "On-Air with Ryan Seacrest" and the radio countdown "American Top 40," said Tuesday he got involved because a student was quoted in a local newspaper as saying pink was popular among teens because Seacrest often wore it.

He fielded calls on the pink ban on his KHS-FM morning radio show, also called "On-Air with Ryan Seacrest." He declared this week "Think Pink Week" and asked listeners to wear pink on Friday.

"I'm standing up and saying it's OK to stand out because I am the 'Pink Piper,'" Seacrest told a caller.

■ **FORT LAUDERDALE, Fla.** — A collection of Princess Diana's evening gowns, family photographs and childhood treasures will be featured in an exhibit that will make its United States debut here in October.

"Diana, a Celebration," which includes Diana's wedding gown, diamond tiara and dramatic 25-foot train, will be on display at the city's Museum of Art Oct. 10-Dec. 31. Presenters said they hoped the collection would provide context to her life as a glamorous humanitarian

and offer a window into her connection with the public.

"She could have done the usual royal thing of just turning up and cutting ribbons or whatever but she was never like that," said Diana's brother, Earl Spencer, who met with reporters Tuesday. "She wanted to do much more and to give of herself to people."

Photographs and home movies from their ancestral home of Althorp show Diana as a youngster, posing in her ballet shoes or diving into a swimming pool.

Her relationship with Prince Charles is displayed through a 1980 Christmas card from the prince.

The exhibit offers 28 dresses, suits and gowns designed by Versace, Valentino and Chanel, including the light green protective vest Diana wore over denim during 1997 trips to Angola and Bosnia to fight land mines.

The display offers tributes that followed her fatal Paris car crash in August 1997, including the score and handwritten lyrics from Elton John and Bernie Taupin's reworking of "Candle in the Wind," and the original text of the tribute Spencer delivered during Diana's funeral at Westminster Abbey.

The 150-piece exhibit is on display now in Toronto and attracted as many as 5,000 visitors a day during a 2002 stop in Japan.

■ **COPENHAGEN, Denmark** — Alicia Keys will be the first pop artist ever to give a concert at Copenhagen's 18th century Royal Theater, the playhouse said Wednesday.

The R&B singer, known for the success of her 2001 album "Songs in A Minor," will perform June 16 on the theater's main Old Stage.

"Although rhythmic concerts normally are outside our normal repertoire, we believe that an artist like Alicia Keys has a quality and a caliber that fits perfectly in our classical surroundings," theater manager Michael Christiansen said.

The downtown Copenhagen playhouse dates to 1770.

Its repertoire includes classical drama, ballets, operas and concerts by philharmonic and chamber orchestras.

With its red velvet padded walls and seats and golden balconies, the Old Stage from 1874 is the oldest of the theater's four stages. It can seat 1,330 people.

■ **MOUNT KISCO, N.Y.** — Donald Trump has tentatively shelved his plan to build another golf course in Westchester, proposing instead to put mansions on his 213-acre property and sell them for up to \$25 million each.

Local communities had expressed environmental worries about the Seven Springs golf course, which would have abutted Byram Lake, a reservoir for drinking water.

Trump's representatives presented the revised plan Monday to the North Castle Planning Board and Trump told The Journal News on Tuesday that Bedford, North Castle and Mount Kisco preferred the housing plan.

"The houses will be absolutely top-of-the-line in the state and even on the East Coast. There will be nothing like them," said Trump, who's enjoyed renewed fame recently with his NBC reality show, "The Apprentice."

The 17 new estates would sell for about \$15 million to \$25 million each, said Vincent Stello, an executive vice president for development with the Trump organization. They'd rest on lots ranging from 4 to 19 acres and would come with swimming pools and tennis courts.

Michael Gerrard, Mount Kisco's attorney, said the housing proposal was the lowest-impact project that could reasonably be expected at Seven Springs. It wouldn't require putting down nearly the amount of fertilizers and pesticides or cutting down as many trees as the golf course would, he said.

Trump paid \$7.5 million in 1995 for the Seven Springs estate.

In 2002, he opened the Trump National golf course in Briarcliff Manor.

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